



Issue Date: 06 November 2013

CASE NO.: 2013-CAA-00002

IN THE MATTER OF

**WALTER CASTRO,
Complainant**

v.

**RAIN CII/CHALMETTE FACILITY,
Respondent**

**ORDER APPROVING SETTLEMENT AGREEMENT
AND DISMISSING COMPLAINT**

The above-captioned matter arises under the employee protection provisions of the Clean Air Act, Title 42 United States Code Section 7622. By letter dated November 4, 2013, the Parties notified the Court that the case had settled and provided a copy of the Confidential Settlement Agreement and General Release for approval.

I first note that the Parties were ably represented by counsel. Further, the Complainant represents his understanding of the agreement's provisions and the associated rights and obligations. Having reviewed the agreement, I find the provisions are fair, adequate and not contrary to the public interest. The settlement also supports a finding that the complaint be dismissed. Consequently, approval of the agreement is appropriate.

The parties have agreed to keep the specific terms of the agreement confidential, subject to applicable laws. To effectuate such confidentiality, I will have the settlement agreement sealed. However, notwithstanding the parties' agreement, the parties' submissions, including the settlement agreement, become part of the record of the case and are subject to the Freedom of

Information Act (“FOIA”), 5 U.S.C. § 552 (a). If a FOIA request is made for the settlement agreement, the U.S. Department of Labor will have to respond and decide whether to exercise its discretion to claim any applicable exemption.

So ORDERED.

LARRY W. PRICE
ADMINISTRATIVE LAW JUDGE