

## PART IV

### ADMINISTRATIVE PROCESSING OF CLAIMS, POWERS AND DUTIES OF THE ADMINISTRATIVE LAW JUDGE

#### D. EVALUATION AND WEIGHING OF EVIDENCE

##### 13. CT SCANS

In resolving the conflict in the CT scan readings of record, the administrative law judge cannot rely upon his own determination that CT scan evidence of bullae, speculated nodules, and nodular areas in the upper lobes of a miner's lungs is consistent with pneumoconiosis. ***Harris v. Old Ben Coal Co.***, 23 BLR 1-98 (2006) (*en banc*) (McGranery & Hall, JJ., concurring and dissenting), *aff'd on recon.*, BLR (2007)(*en banc*)(McGranery & Hall, JJ., concurring and dissenting).

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