

BEFORE THE RECLAMATION COMMISSION

B & N COAL COMPANY, : Case No. RC-08-004
: :
Appellant, : :
: : Review of Notice of Violation 28578;
-vs- : : Permit D-958
: :
DIVISION OF MINERAL RESOURCES : REPORT OF THE
MANAGEMENT, : HEARING OFFICER
Appellee. : :

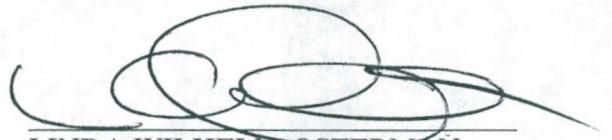
Appearances: Gary Smith, Counsel for Appellant B & N Coal Company; Mark G. Bonaventura, Assistant Attorney General, Counsel for Appellee Division of Mineral Resources Management.

FINDINGS, CONCLUSIONS

On February 14, 2008, Appellant B & N Coal Company filed with the Reclamation Commission a notice of appeal from the issuance of Notice of Violation 28578. This cause was assigned case number RC-08-004.

On August 18, 2009, Appellant filed a request to withdraw this appeal with the Reclamation Commission. Pursuant to Ohio Administrative Code §1513-3-17, case number RC-08-004 is hereby **DISMISSED** without further action required by the Reclamation Commission.

8/28/2009
DATE


LINDA WILHELM OSTERMAN
Hearing Officer
Reclamation Commission
614/262-1269

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