

**BEFORE THE
RECLAMATION COMMISSION**

MARY JANE BAILEY,	:	
	:	
Appellant,	:	Case No. RC-11-004
	:	
-vs-	:	
	:	
DIVISION OF MINERAL RESOURCES	:	Review of Permit Issuance; Permit
MANAGEMENT,	:	D-360-24 (The Ohio Valley Coal Company)
	:	
Appellee,	:	
	:	
and	:	
	:	
THE OHIO VALLEY COAL COMPANY,	:	<u>REPORT OF THE</u>
	:	<u>HEARING OFFICER</u>
	:	
Intervenor.	:	

Appearances: Mary Jane Bailey, Appellant *pro se*; Molly Corey, Assistant Attorney General, Counsel for Appellee Division of Mineral Resources Management; Mark S. Stemm, Brad Hughes, Counsel for Intervenor The Ohio Valley Coal Company.

FINDINGS, CONCLUSIONS

On May 2, 2011, Appellant Mary Jane Bailey filed with the Reclamation Commission a notice of appeal from the Division Chief's issuance of permit D-360-24 to The Ohio Valley Coal Company. This cause was assigned case number RC-11-004.

On May 26, 2011, Appellant Mary Jane Bailey filed a request to withdraw this appeal with the Reclamation Commission. Pursuant to Ohio Administrative Code §1513-3-17, case number RC-11-004 is hereby **DISMISSED** without further action required by the Reclamation Commission.

5/26/2011
DATE


LINDA WILHELM OSTERMAN
Hearing Officer
(614) 262-1269

DISTRIBUTION:
Mary Jane Bailey, Via Regular Mail
Trent Dougherty, E. Camille Yancey, Via Fax [614-487-7510] & Regular Mail
Molly Corey, Via Fax [614-268-8871] & Inter-Office Mail
Mark Stemm, Brad Hughes, Via Fax [614-227-2100] & Regular Mail