

BEFORE THE RECLAMATION COMMISSION

SAM BAILEY, :

Appellant, :

Case No. RC-11-005

-vs- :

DIVISION OF MINERAL RESOURCES
MANAGEMENT, :

Review of Permit Issuance; Permit
D-360-24 (The Ohio Valley Coal Company)

Appellee, :

and :

THE OHIO VALLEY COAL COMPANY, :

**REPORT OF THE
HEARING OFFICER**

Intervenor. :

Appearances: Sam 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 Sam 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-11-005.

On May 24, 2011, Appellant Sam Bailey filed a request to withdraw this appeal with the Reclamation Commission. Pursuant to Ohio Administrative Code §1513-3-17, case number RC-11-005 is hereby **DISMISSED** without further action required by the Reclamation Commission.

5/24/2011

DATE



LINDA WILHELM OSTERMAN
Hearing Officer
(614) 262-1269

DISTRIBUTION:

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