

BEFORE THE RECLAMATION COMMISSION

B & N COAL, INC.,	:	Case Nos. RC-10-015
	:	RC-11-002
Appellant,	:	
	:	
-vs-	:	Review of Notices of Violation 29061
	:	& 29529; Permit D-958
	:	
DIVISION OF MINERAL RESOURCES	:	
MANAGEMENT,	:	<u>REPORT OF THE</u>
	:	<u>HEARING OFFICER</u>
Appellee.	:	

Appearances: Mark S. Stemm, Counsel for Appellant B & N Coal, Inc.; George Horvath, Megan DeLisi, Assistant Attorneys General, Counsel for Appellee Division of Mineral Resources Management.

FINDINGS, CONCLUSIONS

On September 10, 2010, Appellant B&N Coal, Inc. filed with the Reclamation Commission a notice of appeal from Notice of Violation 29061. On April 18, 2011, Appellant B&N Coal, Inc. filed a notice of appeal from Notice of Violation 29529. These causes were assigned case numbers RC-10-015 and RC-11-002, respectively. On May 4, 2011, these appeals were consolidated.

On September 20, 2011, Appellant filed a notice of withdrawal of this consolidated matter with the Reclamation Commission. Pursuant to Ohio Administrative Code §1513-3-17, case numbers RC-10-015 and RC-11-002 are hereby **DISMISSED** without further action required by the Reclamation Commission.

9/20/2011

DATE


LINDA WILHELM OSTERMAN
Hearing Officer, Reclamation Commission

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