

BEFORE THE RECLAMATION COMMISSION

B & N COAL, INC.; : Case No. RC-10-018
: :
Appellant, : :
: : Review of Notice of Violation 29040;
-vs- : Permit D-2253
: :
DIVISION OF MINERAL RESOURCES :
MANAGEMENT, : **REPORT OF THE**
: **HEARING OFFICER**
Appellee. :

Appearances: Gary W. Smith, Counsel for Appellant B & N Coal, Inc.; Mark G. Bonaventura, Tara Paciorek, Assistant Attorneys General, Counsel for Appellee Division of Mineral Resources Management.

FINDINGS, CONCLUSIONS

On October 8, 2010, Appellant B & N Coal Company filed with the Reclamation Commission a notice of appeal from Notice of Violation 29040. This cause was assigned case number RC-10-018.

On December 13, 2010, Appellant filed a request to withdraw this appeal with the Reclamation Commission. Pursuant to Ohio Administrative Code §1513-3-17, case number RC-10-018 is hereby **DISMISSED** without further action required by the Reclamation Commission.

12/13/2010
DATE


LINDA WILHELM OSTERMAN
Hearing Officer

DISTRIBUTION:

Gary W. Smith, via Regular Mail
Mark G. Bonaventura, Tara Paciorek, via Regular Inter-Office Mail