

BEFORE THE RECLAMATION COMMISSION

BUCKEYE INDUSTRIAL MINING, : Case No. RC-07-003
: :
Appellant, : :
: :
-vs- : Review of Chief's Order 7322;
: Permit D-806
: :
DIVISION OF MINERAL RESOURCES :
MANAGEMENT, :
: :
Appellee. : REPORT OF THE
HEARING OFFICER

Appearances: Shane A. Farolino, Counsel for Appellant Buckeye Industrial Mining Co.; Molly Corey, Mark G. Bonaventura, Assistant Attorneys General, Counsel for Appellee Division of Mineral Resources Management.

FINDINGS, CONCLUSIONS

On March 16, 2007, Appellant Buckeye Industrial Mining Company filed with the Reclamation Commission a notice of appeal from Chief's Order 7322. This Chief's Order alleged disturbance of the hydrologic balance on the coal mining and reclamation permit D-806 area. This cause was assigned case number RC-07-003.

On December 15, 2008, Appellant filed a Notice of Voluntary Dismissal of this appeal with the Reclamation Commission. Pursuant to Ohio Administrative Code §1513-3-17, case number RC-07-003 is hereby **DISMISSED** without further action required by the Reclamation Commission.

12/18/08
DATE


LINDA WILHELM OSTERMAN
Hearing Officer

DISTRIBUTION:

Shane A. Farolino, Via Fax [330-376-4577] & Regular Mail
Molly Corey, Mark G. Bonaventura, Via Fax [614-268-8871] & Inter-Office Mail