

BEFORE THE RECLAMATION COMMISSION

MARIETTA COAL COMPANY,	:	Case No. RC-07-011
	:	
Appellant,	:	
	:	Review of Civil Penalty Assessment
-vs-	:	12432; Permit D-1152
	:	
DIVISION OF MINERAL RESOURCES	:	
MANAGEMENT,	:	
	:	
Appellee.	:	<u>REPORT OF THE</u> <u>HEARING OFFICER</u>

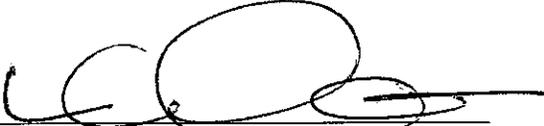
Appearances: C. Keith Plummer, Counsel for Appellant Marietta Coal Company; Mark G. Bonaventura, Assistant Attorney General, Counsel for Appellee Division of Mineral Resources Management.

FINDINGS, CONCLUSIONS

On October 15, 2007, Appellant Marietta Coal Company filed with the Reclamation Commission a notice of appeal from Civil Penalty Assessment 12432. Accompanying Appellant's appeal was a draft in the amount of \$600, as required by O.R.C. §1513.02(E)(3). This cause was assigned case number RC-07-011.

On March 25, 2008, Appellant filed a request to withdraw this appeal with the Reclamation Commission. Pursuant to O.A.C. §1513-3-17, case number RC-07-011 is hereby **DISMISSED** without further action required by the Reclamation Commission. Additionally, Appellant's \$600 prepayment shall be transferred to the Division of Mineral Resources Management.

4/14/08
DATE


LINDA WILHELM OSTERMAN
Hearing Officer

DISTRIBUTION:

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