

BEFORE THE RECLAMATION COMMISSION

OHIO VALLEY COAL COMPANY, :

Appellant, :

-vs- :

DIVISION OF MINERAL RESOURCES, :
MANAGEMENT, :

Appellee, :

and :

FEDERAL AVIATION ADMINISTRATION, :

Intervenor. :

Case No. RC-10-013

Review of Approval of Adjacent
Area Application -23; Permit D-360

REPORT OF THE HEARING OFFICER

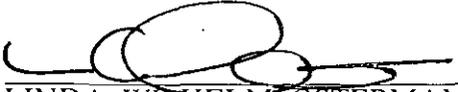
Appearances: Mark S. Stemm, Counsel for Appellant The Ohio Valley Coal Company; Mark G. Bonaventura, Molly Corey, George Horvath, Megan DeLisi, Dan Martin, Assistant Attorneys General, Counsel for Appellee Division of Mineral Resources Management; Jeanette Daubaras, Briana Martino, Counsel for Intervenor Federal Aviation Administration.

FINDINGS, CONCLUSIONS

On August 30, 2010, Appellant The Ohio Valley Coal Company filed with the Reclamation Commission a notice of appeal from a decision of the Division Chief, relating to the mining plan addressed under adjacent area application D-360-23. This cause was assigned case number RC-10-013.

On December 29, 2010, the Appellant filed a voluntary Notice of Dismissal of this appeal. Pursuant to Ohio Administrative Code §1513-3-17, case number RC-10-013 is hereby **DISMISSED** without further action required by the Reclamation Commission.

12/29/2010
DATE


LINDA WILHELM OSTERMAN
Hearing Officer, Reclamation Commission

DISTRIBUTION:

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Jeanette Daubaras, Briana Martino, Via Regular Mail