

**BEFORE THE  
RECLAMATION COMMISSION**

SCOTT PARKS,	:	Case No. RC-08-003
	:	
Appellant,	:	
	:	Review of Individual Civil Penalty
-vs-	:	Assessment I-674; Permit D-712
	:	
DIVISION OF MINERAL RESOURCES	:	
MANAGEMENT,	:	<b><u>REPORT OF THE</u></b>
	:	<b><u>HEARING OFFICER</u></b>
Appellee.	:	

Appearances: William C. Martin, Counsel for Appellant Scott Parks; Mark G. Bonaventura, Assistant Attorney General, Counsel for Appellee Division of Mineral Resources Management.

**FINDINGS, CONCLUSIONS**

On February 5, 2008, Appellant Scott Parks filed with the Reclamation Commission a notice of appeal from Individual Civil Penalty Assessment I-674. Accompanying Appellant's notice of appeal was a payment in the amount of \$1,000.00, as required by O.R.C. §1513.02(E)(3). This cause was assigned case number RC-08-003.

On May 23, 2008, Appellee and Appellant filed a Joint Notice of Withdrawal and Refund of Escrow. A copy of the Notice is attached hereto. Pursuant to Ohio Administrative Code §1513-3-17, case number RC-08-003 is hereby **DISMISSED** without further action required by the Reclamation Commission. Additionally, in accordance with the parties' agreement, the \$1,000.00 prepaid to the Commission shall be released to the payor, with interest as provided by law.

6/3/08  
DATE

  
LINDA WILHELM OSTERMAN  
Hearing Officer  
Reclamation Commission

**DISTRIBUTION:**

William C. Martin, Via Fax [740-286-1878] & Regular Mail  
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**RECEIVED**

MAY 23 2008

RECLAMATION  
COMMISSION

BEFORE THE  
RECLAMATION COMMISSION  
STATE OF OHIO

SCOTT PARKS,	)	Case No. RC-08-003
	)	
Appellant,	)	
	)	
v.	)	Review of Individual Civil Penalty
	)	Assessment No. 674
DIVISION OF MINERALS RESOURCES	)	
MANAGEMENT,	)	Permit D-712
	)	
Appellee.	)	

**JOINT NOTICE OF WITHDRAWAL  
AND REFUND OF ESCROW**

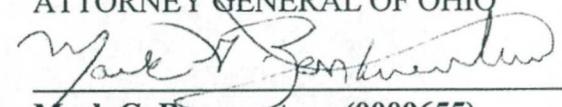
Now come the parties to the above-captioned case and jointly give notice withdrawing the appeal in this matter. The parties have reached an agreement resolving their differences over the appeal's subject matter and a decision by the Commission on the merits is no longer needed.

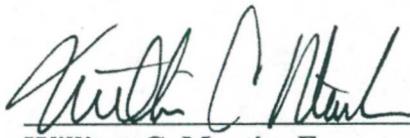
For these reasons, the parties request that the instant appeal be dismissed and the case closed. Pursuant to the terms of the agreement, the \$1000 held in escrow by the Commission for this appeal, and any interest accrued thereon, should be remitted to the payor.

Respectfully submitted,

**MARC DANN,**  
ATTORNEY GENERAL OF OHIO

BY:

  
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Scott Parks

Counsel for Appellee  
Division of Mineral Resources Management