

BEFORE THE RECLAMATION COMMISSION

WATERLOO COAL COMPANY,	:	Case No. RC-15-001
	:	
Appellant,	:	
	:	Review of Notice of Violation 29605,
-vs-	:	Modified; Permit D-712
	:	
DIVISION OF MINERAL RESOURCES	:	<u>REPORT OF THE</u>
MANAGEMENT,	:	<u>HEARING OFFICER</u>
	:	
Appellee.	:	

Appearances: William C. Martin, Counsel for Appellant Waterloo Coal Company; Brett Kravitz, Gerald Dailey, Assistant Attorneys General, Counsel for Appellee Division of Mineral Resources Management.

FINDINGS, CONCLUSIONS

On March 11, 2015, Appellant Waterloo Coal Company filed with the Reclamation Commission a notice of appeal from the Division Chief's issuance of modified Notice of Violation ["NOV"] 29605. This NOV addressed Appellant's alleged failure to remove BYPRO material from certain areas of permit D-712. This cause was assigned case number RC-15-001.

On August 7, 2015, Appellant filed a Voluntary Withdrawal of this appeal. Pursuant to Ohio Administrative Code §1513-3-17, case number RC-15-001 is hereby **DISMISSED** without further action required by the Reclamation Commission.

8/7/2015
DATE


LINDA WILHELM OSTERMAN
Hearing Officer, Reclamation Commission

DISTRIBUTION:

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OHIO RECLAMATION COMMISSION

AUG - 7 2015

Waterloo Coal Company, Inc.,

RECLAMATION COMMISSION

Appellant

CASE NO. RC-15-001.
(NOV #29605—Modified)
(Permit D-0712)

-vs-

Division of Mineral
Resources Management,

VOLUNTARY WITHDRAWAL
OF APPEAL

Appellee

Please take notice that the Appellant Waterloo Coal Company, Inc. hereby voluntarily withdraws and dismisses this appeal.

Denton Bowman, President
Waterloo Coal Company, Inc.

William C. Martin
Attorney for Appellant
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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the VOLUNTARY WITHDRAWAL OF APPEAL was served upon *Chief, Division of Mineral Resources Management*, 2045 Morse Road, Building H-3, Columbus, Ohio 43229-6693; *Assistant Attorney General Brett A. Kravitz*, EES/ODNR, 2045 Morse Road, Building A-3, Columbus, OH 43229; and *Assistant Attorney General Brian A. Ball*, EES/ODNR, 2045 Morse Road, Building A-3, Columbus, OH 43229, via regular mail on this 4th day of ~~July~~ ^{August}, 2015.

William C. Martin, Attorney for Appellant