

BEFORE THE RECLAMATION COMMISSION

BUCKINGHAM COAL COMPANY,	:	Case No. RC-14-002
	:	
Appellant,	:	Review of Chief's Decision re:
	:	permit renewal; Permit D-2331
-vs-	:	
	:	
DIVISION OF MINERAL RESOURCES	:	<u>ORDER OF CHAIRMAN</u>
MANAGEMENT,	:	<u>GRANTING TEMPORARY</u>
	:	<u>RELIEF FOR A LIMITED</u>
Appellee.	:	<u>PERIOD</u>

Appearances: Christopher Jones, Christopher M. Ward, Counsel for Appellant Buckingham Coal Company; Daniel Martin, Gerald Dailey, Assistant Attorneys General, Counsel for Appellee Division of Mineral Resources Management.

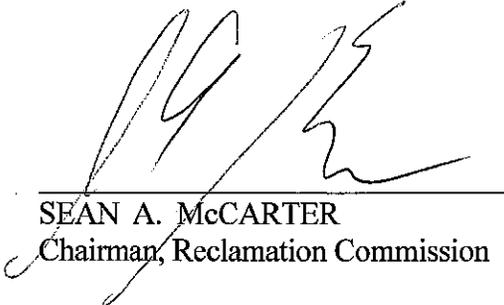
On May 30, 2014, Appellant Buckingham Coal Company ["Buckingham"] filed with the Reclamation Commission a notice of appeal from a May 29, 2014 decision of the Division Chief addressing Buckingham's coal mining and reclamation permit D-2331. The Chief's decision informed Buckingham that, on or after June 7, 2014, the Division intended to issue a cessation order, forbidding further operations under permit D-2331 until renewal is accomplished. Accompanying Buckingham's notice of appeal was a Request for Temporary Relief.

A hearing on Temporary Relief was conducted by the Chairman of the Reclamation Commission on June 4, 2014. Representatives of both parties presented arguments at the Temporary Relief hearing.

ORDER

WHEREFORE, the Chairman of the Reclamation Commission hereby **GRANTS** Appellant's Request for Temporary Relief, and **STAYS** the Division's issuance of a cessation order as set forth in the Chief's May 29, 2014 decision. Temporary Relief shall commence on June 5, 2014 and shall continue for 90 days (September 3, 2014) or until permit D-2331 is renewed in a manner consistent with the provisions of O.R.C. §1513.07 and O.R.C. §1513.071, whichever date first occurs.

6/5/14
DATE ISSUED


SEAN A. McCARTER
Chairman, Reclamation Commission

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