

**DEPARTMENT OF MINES, MINERALS AND ENERGY**  
**BOARD OF COAL MINING EXAMINERS CERTIFICATION REQUIREMENTS**

4VAC25-20-420. Conduct of formal hearings.

A. All hearings shall be heard during scheduled meetings of the board, on a case-by-case basis, in the order the petitions appear on the docket.

B. Hearings shall be held in the DMME, Big Stone Gap office, unless a different location is agreed to by mutual consent of the parties to the hearing and the Chairman of the BCME.

C. Hearings requiring case decisions shall be recorded.

D. Each party ~~may~~ has the right to be represented by ~~an individual of choice or~~ legal counsel.

E. The chairman, with the concurrence of the majority of the board present at a hearing, shall have the authority to limit evidence to that relevant to the issues. Any proofs, rebuttal, and cross examination which are immaterial, insubstantial, privileged, or repetitive may be excluded.

F. The chairman may continue, adjourn and reconvene the hearing as necessary.

G. Decisions of the board shall be made based on a preponderance of the evidence placed before it.

I certify that this regulation is full, true, and correctly dated.

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George P. Willis, Director  
Department of Mines, Minerals and Energy

Date: \_\_\_\_\_