

December 20, 2013

Mr. James C. Justice II
P.O. Box 3499
5957 Windswept Boulevard
Wise, VA 24293

Certified Mail Return
Receipt No. 7013 1090 0001 0523 6093

Re: Assessment Conference Request – Civil Penalty of Notice of Violation STJ0008695, Violation 1 of 1 (SS) issued to Virginia Fuel Corporation, PN 1602072

Dear Mr. Justice:

An assessment conference (4 VAC 25-130-845.18(a) VaCSMRR) was held on December 4, 2013 to review the civil penalty determination of Notice of Violation STJ0008695, 1 violation (SS). Based upon the attached opinion of Conference Officer James Lowe, the **civil penalty determination has been reduced to \$ 345.00 for violation 1.**

Please be advised that you may request a formal public hearing under 4 VAC 25-130-845.19(a) of the regulations to contest the penalty determination(s) and the fact of issuance of **NOV STJ0008695**. Your written request must be submitted with payment of the civil penalty to this office within 30 days from your receipt of this decision. The penalty payment would be placed in escrow pending final administrative/judicial review.

Regardless of whether you wish to contest the civil penalty determination or fact of issuance of the notice or order, the penalty amount will be due and payable within 30 days from your receipt of this decision. Should a timely appeal result in the vacation or reduction of the penalty, the Division would refund the applicable amount with accrued interest (calculated from date of payment).

Please submit payment of the penalty in the form of cash, money order, or check. A money order or check (company, cashier's, or certified) must be made payable to the "Treasurer of

Virginia”. To expedite our receipting of the penalty payment, please note the violation and permit numbers with your payment.

Should you have any questions concerning the formal hearing or payment processes, please call me at (276) 523-8271.

Respectfully,

Harve A Mooney

Legal Services Officer

c: Steve James, Area Inspector
Kenneth Coomer, Area Supervisor
James Lowe, Conference Officer