

September 8, 2014

Mr. James C. Justice, II
A & G Coal Corporation
304 Jefferson Street
Roanoke, Virginia 24011

Certified Mail Return
Receipt No. 7010 3020 0001 9843 6481

Re: **Assessment Conference Decision** - Penalty Determination of LJJ0001002,
Permit # 1102054

Dear Mr. Justice:

An assessment conference (§4VAC25-130-845.18(a) VCSMRR) was held on August 25, 2014 to review the civil penalty determination(s) of NOV # LJJ0001002, violation 1 of 1. Based upon the attached opinion of James Lowe, the civil penalty determination is reduced to **\$515.00**.

Please be advised that you may request a formal public hearing under §4VAC25-130-845.19(a) of the regulations to contest the penalty determination(s) and the fact of issuance of NOV# LJJ0001002, violation 1 of 1. 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: Leslie S Vincent, PE
Landon Jenkins, Area Inspector
James Lowe, Conference Officer