

**BOARD OF SURFACE MINING REVIEW  
FORMAL APPEAL HEARING  
September 11, 2002  
Meeting Minutes Summary**

The Board of Surface Mining Review conducted a formal hearing on September 11, 2002 in Charlottesville, Virginia at the Department of Forestry government Building. The hearing was convened at 10 a.m. with the following persons present: Mr. Jim Crook, Chairman BSMR; Mrs. Joyce Lewis, appointee BSMR; Mr. Tom Makin, appointee BSMR; Mr. John Byrum, attorney representing BSMR; Mr. Frank Spacek, court reporter; Mr. Michael Figgatt, appellant – Figgatt Sand & Gravel; Ms. Margaret Browne, attorney representing Division of Mineral Mining (DMM); Mr. Damien Fehrer, mine inspector – DMM; Mr. Conrad Spangler, Mr. Mark Goff, Mr. Allen Bishop, and Mr. Gary Barney, all DMM staff members.

After receiving testimony from the appellant and DMM, the Board of Surface Mining Review *affirmed* the action taken by the Division of Mineral Mining to revoke the Figgatt Sand and Gravel Surface Mining Permit 13622AA. An Order/Decision was drafted by the Board of Surface Mining Review and distributed to those in attendance. The Chairman adjourned the hearing at approximately 2 p.m.