

Virginia Department of Mines, Minerals and Energy  
Board Of Surface Mining Review

Minutes of January 15, 2004 Hearing

The Board of Surface Mining Review met at 9:00 AM January 15, 2003 to consider an appeal by GERALD M. MOORE & SON, INC. Permit Number 13754AA of a Notice of Noncompliance issued by the Department of Mines, Minerals and Energy's Division of Mineral Mining. The hearing was held at the VA Department of Transportation offices in Accomac, VA.

Board of Surface Mining Review members in attendance: Joyce K. Lewis, Chairman, Tom T. Makin.

William M. Moore and William M. Moore, Jr. appeared on behalf of GERALD M. MOORE & SON, INC. David Benner and Phil Skorupa appeared on behalf of the DMME.

The GERALD M. MOORE & SON, INC. Permit Number 13754AA open-pit sand mine is located 2.5 miles north of Pungoteague on Rt. 178 in Accomac County, VA. The Department of Mines, Minerals and Energy issued Notice of Non-compliance V71065 to the company on November 03, 2003, citing violation of regulation 4VAC25-30-400.A. The Notice states: "The operator has failed to do any actions toward the correction of the conditions where a special order was issued by the due date, October 27, 2003. A special order had been issued on July 28, 2003 requiring reclamation work to be done on the mine site and no effort has been made toward completion of the reclamation of the mine site." The Special Order issued on July 28, 2003 stated: "The mine site has been inactive for several years and zero tonnage has been reported beginning with the year 1999. A temporary cessation has not been requested and approved. Mining has been completed. The mine site must have the disturbed areas repaired and sloped to conform and vegetation must be established to achieve total reclamation."

The Board affirmed the issuance of the Notice of Non-compliance. A written order will be prepared. The hearing was recorded.

There being no further business, the hearing was adjourned.

Minutes by: Conrad T. Spangler, III  
Secretary to the Board