

DIVISION OF MINES	CHAPTER: IX Certification
PROCEDURES MANUAL	
	PROCEDURE NO: 1.09.03
	ISSUE DATE: January 1, 1997
SUBJECT: Revocation of Certification	LAST ISSUED:

OBJECTIVE AND INTENT

To provide guidance to DM personnel to ensure consistent communication and accurate information regarding revocations of certifications through the Board of Coal Mining Examiners.

PROCEDURE

1. Revocation of certification may be initiated by the DM inspection staff based on violation of the Virginia mine safety laws.
2. After the issuance of violations, an informal hearing governed by the Administrative Process Act, § 9-6.14:11, is scheduled to present the facts of the case to the individual charged. This hearing is conducted by a hearings officer who is usually the Inspector Supervisor not involved in the case.
3. Based on the findings in the case and the recommendation of the hearings officer, the case is resolved by mutual agreement or proceeds to a formal hearing before the Board of Coal Mining Examiners. Final determination of revocation is made by the Board.
4. Board decisions are communicated to the individual at the meeting and in a formal letter from the Chief.
5. When accessing individual certification files via computer a “prompt” will advise of Board actions such as suspension, revocation, etc. Screen 12 shows revocations and Screen 7 shows any Board actions. Contact the certification section should more information be required.
6. See Section 45.1-161.35, the BCME regulation, and Procedure 1.09.02 regarding re-examination and reinstatement of certification.