

May 29, 2015

Mr. Roger Beverly
8931 Mountain Shadow Drive
Wise, Virginia 24293

Certified Mail Return
Receipt No. 7013 3020 0001 9843 6580

Re: **Formal Review Request** – Enforcement Complaint Numbers 1100135, 1200111 and
Technical Report 2722

Dear Mr. Beverly:

In response to your written request, the Division will conduct a formal review of Enforcement Complaint Nos. 1100135, 1200111 and the associated Technical Investigation 2722, to determine whether the Division's enforcement complaint investigation was in accordance with the laws and regulations administered by this agency.

The formal hearing to review the Decision of the Virginia Department of Mines Minerals and Energy's action on Enforcement Complaint Numbers 1100135 and 1200111 is scheduled for 9:30 AM on June 24, 2015. The public hearing will be held in Conference Room 219 of the Department's Big Stone Gap office (Buchanan-Smith Building).

The hearing will be conducted pursuant to §45.1-249 of the **Code of Virginia** and Section §4VAC25-130-843.16 of the **Virginia Coal Surface Mining Reclamation Regulations**. Mr. Lorin Costanzo, Esquire shall serve as the Hearing Officer.

Please be advised of the following:

- 1) The agency will object to any request for continuance of the formal hearing, which is made within 10 days of the scheduled hearing date.
- 2) Each party needs to have a minimum of 3 sets (or 1 for each party and the Hearing Officer) of each exhibit it intends to place into the administrative record.

Should you have any questions in the meantime, please call me at (276) 523-8271.

Respectfully,

Harve A Mooney
Legal Services Officer

c: Lorin Costanzo, Esquire
Paul Kugelman, Esquire
Dewey Hope, Area Inspector
Ken Coomer, Area Supervisor
Gavin M. Bledsoe, Reclamation Services Manager