

December 5, 2014

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

Certified Mail Return  
Receipt No. 7013 1090 0001 0523 8929

Re: **Assessment Conference Decisions** – Multiple Violations associated with A & G Coal Corporation, Baden Reclamation Company, Inc., Virginia Fuel Corporation, Ambrose Branch Coal Company, Inc. and Airway Resources LLC

Dear Mr. Justice:

An Assessment Conference (§4VAC25-130-845.18(a) VCSMRR) was held on November 5, 2014, to review multiple civil penalty determination(s) of violations associated with various Justice Companies noted above. Based upon the attached opinions of Kenneth Coomer, James Lowe and James Meacham please find the disposition of each violation noted on the attachment “A”.

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 these violations. 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

## Attachment A

Company	Violation	Conference Disposition
A & G Coal Corporation	JRJ0001651	Penalty was affirmed
A &G Coal Corporation	LJJ0001212	Penalty reduced to \$195.00
A & G Coal Corporation	JKC0001016	Penalty was affirmed
Airway Resources LLC	CoLJJ0001150	Penalty was affirmed
A &G Coal Corporation	LJJ0001224	Penalty was affirmed
A & G Coal Corporation	CoRDS0010465	Penalty was affirmed
A & G Coal Corporation	CoCEV0009198	Penalty was affirmed
Virginia Fuel Corporation	JRJ0001659 (1 of 2)	Penalty was affirmed
Virginia Fuel Corporation	JRJ0001659 (2 of 2)	Penalty increased to \$4,160.00
A & G Coal Corporation	STJ0008954	Penalty reduced to \$215.00
Virginia Fuel Corporation	STJ0009136	Penalty was affirmed
Ambrose Branch Coal Co., Inc.	LJJ0000650	Penalty was affirmed
Baden Reclamation Company, Inc.	WAC0009778	Penalty was affirmed
Airway Resources LLC	LJJ0001189	Penalty increased to \$4,160.00
Virginia Fuel Corporation	STJ0009135	Penalty was affirmed
Virginia Fuel Corporation	STJ0009144	Penalty reduced to \$215.00
Virginia Fuel Corporation	STJ0009130	Penalty reduced to \$2,242.00
Virginia Fuel Corporation	STJ0009132	Penalty was affirmed
Virginia Fuel Corporation	STJ0009137	Penalty was affirmed
Virginia Fuel Corporation	STJ0009128	Penalty was affirmed
A &G Coal Corporation	LJJ0001185	Penalty was affirmed
A & G Coal Corporation	JKC0001015	Penalty was affirmed
A & G Coal Corporation	RDS0010444	Penalty increased to \$2,730.00
A & G Coal Corporation	LJJ0001162	Penalty increased to \$2,730.00