



STATE OF ALABAMA
SURFACE MINING COMMISSION

P.O. BOX 2390 - JASPER, ALABAMA 35502-2390
(205) 221-4130 • FAX: (205) 221-5077

Permit Revision Number: R-59

REVISION TO PERMIT FOR
SURFACE COAL MINING OPERATIONS

Pursuant to the Alabama Surface Mining Control and Reclamation Act, Act No. 81-435, and duly promulgated rules of the Commission, revision is hereby approved for permit:

P- 3232-01-28-U
Crimson Oak Grove Resources, LLC
46226 National Road
St. Clairsville, OH 43950
(Oak Grove Mine)

License No.: L-877
Pursuant to the
Permit map: 2 of 4 & 3 of 4
Certified by: Jordan McGehee PE# 37129
Date: 06/18/2024

The permit is revised as follows:

1. Add 23 incidental acres to Increment No. 5 for the 3 West #1 shaft & powerline (21 acres) and access roads (2 acres).
2. Add 15 incidental acres to Increment No. 1 for the 2 west shaft pad (6 acres), degas boreholes (2 acres), access roads (7 acres).
3. Modify the general plan.
4. Modify the operation plan.
5. Update the Subsidence Control Plan.
6. Modify Breaker Rock Disposal Area No. 3.
7. To allow the breaker rock material to be carried off-site for construction projects.

R-59 Findings 1: By comments dated November 7, 2023, the U.S. Fish & Wildlife Service concurred the project (area identified on the Revision R-59 Permit Map as being added to Increment No. 1 located within Sections 21, 28 and 33) is not likely to adversely affect the Indiana Bat and/or the Northern Long-Eared Bat if tree removal only occurs from October 15 through March 31.

R-59 Findings 2: By comments dated May 3, 2024, the U.S. Fish & Wildlife Service concurred the project (area identified on the Revision R-59 Permit Map as being added to Increment No. 1 located within the SE/SW of Section 16) has no federally listed species/critical habitat known to occur in the project area. As described, the project will have no significant impact on fish and wildlife resources.

R-59 Condition 1: The permittee may only conduct tree removal from October 15 through March 31 for the area identified on the Revision 59 Permit Map as being added to Increment No. 1 located within Sections 28 and 33.

R-59 Condition 2: If tree removal from the potential summer roosting habitat for the area identified on the Revision R-59 Permit Map as being added to Increment No. 1 located within Sections 21, 28 and 33 is necessary outside October 15 through March 31 timeframe an Indiana Bat and Northern Long-Eared Bat

presence/absence survey must be conducted and the U.S. Fish & Wildlife Service approval must be submitted to ASMC prior to tree removal.

R-59 Condition 3: Prior to the bond calculation of Increment No. 5, the permittee must submit concurrence from the Alabama Historical Commission, US Fish & Wildlife Service and Alabama Department of Conservation and Natural Resources for the 23 acres being added to Increment No. 5 as identified on the Revision R-59 Permit Map.

R-59 Condition 4: Prior to the bond calculation of Increment No. 5, the permittee must submit approval from ADEM for a General Stormwater Permit for the 23 acres being added to Increment No. 5 as identified on the Revision R-59 Permit Map.

R-59 Condition 5: Prior to the bond calculation of Increment No. 5, the permittee must submit approval from the Jefferson County Zoning Commission to change the 23 acres being added to increment No. 5 as identified on the Revision R-59 permit map from A-1 to I-3S to allow surface disturbance.

ACREAGE SUMMARY:

*INCREMENT #1: increases to -----	1013 acres
*INCREMENT #2: remains at -----	8 acres
INCREMENT #3: remains at -----	2 acres
*INCREMENT #4: remains at -----	5 acres
INCREMENT #5: increases to -----	23 acres

Total Acreage Increases to 1,051 Acres

***Bonded to Date**

All other terms and conditions remain in effect as well as all Findings in the original permit and any Findings appropriate for this revision.

SM 7/11/2024
EFFECTIVE DATE: July 11, 2024

Kathy H. Love

Kathy H. Love, Director

/mw

cc: I & E, Permit File