

**JIM WALTER RESOURCES, INC.
MINE NO. 7, P-3247, R-31**

JIM WALTER RESOURCES, INC.

MINE NO. 7, P-3247

Revision R-31

ALABAMA SURFACE MINING COMMISSION

PERMIT REVISION APPLICATION

P A R T I

Prepared by:

MCGEHEE ENGINEERING CORP.

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**JIM WALTER RESOURCES, INC.
MINE NO. 7, P-3247, R-31**

ASMC USE ONLY

Fee:

Bond Required:

Date Approved :

APPLICATION FOR PERMIT REVISION

Name of Permittee: Jim Walter Resources, Inc.

License Number: L-613 Complete Permit Number: P-3247-63-18-U

Expiration Date of Permit: March 1, 2018 Revision Number: R-31

Mine Name: Mine No. 7

Nature of Proposed Revision:

1. Add 1 acre to Increment No. 1 for proposed rock-dust borehole (a) in Section 29, Township 19 South, Range 6 West.
2. Add 3 acres to Increment 1 for power borehole and access in Section 17, Township 19 South, Range 7 West.
3. Add 10 acres to Increment No. 1 for proposed slurry line in Sections 21, 22, 23, 28 & 29 Township 20 South, Range 7 West.
4. Add 4 acres to Increment 1 for proposed power borehole in Sections 29 & 32, Township 19 South, Range 6 West.

STATE OF ALABAMA SURFACE MINING COMMISSION

- () Permit Application for a Surface Coal Mine
(xx) Permit Application for an Underground Coal Mine
() Permit Application for a Preparation Facility

PART I A. IDENTIFICATION

1. PERMIT APPLICANT

Name: JIM WALTER RESOURCES, INC.

Street Address: P.O. Box 133

City: BROOKWOOD State: AL Zip: 35444

Mailing Address: SAME

City: _____ State: _____ Zip: _____

Telephone Number: (_____)____ - _____

Social Security Number (Voluntary): ____ - ____ - ____

Employer Identification Number: _____

ASMC License #: _____

2. ENTITY OR PERSON RESPONSIBLE FOR PAYING ABANDONED MINE LAND RECLAMATION

FEES

Name: SAME AS ABOVE

Street Address: _____

City: _____ State: _____ Zip: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone Number: (_____)____ - _____

Social Security Number (Voluntary): ____ - ____ - ____

Employer Identification Number: _____

ASMC License #: _____

3. IDENTIFY THE OPERATOR FOR THIS MINE IF DIFFERENT FROM THE PERMITTEE

Name: SAME AS ABOVE

Street Address: _____

City: _____ State: _____ Zip: _____ Mailing

Address: _____

City: _____ State: _____ Zip: _____

Telephone Number: (_____)____ - _____

Social Security Number (Voluntary): ____ - ____ - ____

Employer Identification Number: _____

ASMC License #: _____

4. CONTACT PERSON FOR PERMIT REVIEW ISSUES AND CORRESPONDENCE

Name: Jeff Stricklin Mailing Address: P.O. Box 133

City: BROOKWOOD State: AL Zip: 35444

Telephone Number: (205)554-6297

ASMC-16-(02/90)

PART I B. OWNERSHIP AND CONTROL

1. **PERMIT APPLICANT OWNERSHIP AND CONTROL.** At the time of filing of this application provide an update of all information contained in the applicant's license file or certify that the information contained in the license is accurate and complete. The updated information shall be submitted on Part I A through Part I F of the License application form. Check one of the following

A license update is included

Information contained in the license file is accurate and complete at the time of filing of this application.
No update is included.

Following notification that the permit appears eligible for issuance, the applicant must certify that all information in this application and the license file pertaining to ownership and control, surface mining history and violation history is still valid or the applicant must submit the appropriate update information.

2. **OPERATOR OWNERSHIP AND CONTROL.** If someone other than the permittee has been identified as the operator under this permit, an update of the ownership and control information contained in the operator's license file must be provided or certify that the information contained in the license file is accurate and complete. The updated information shall be submitted on Part I A through Part I F of the License application form. Check one of the following:

A license update is included

Information contained in the license file is accurate and complete at the time of filing of this application.
No update is included.

Following notification that the permit appears eligible for issuance, the applicant must certify that all information in this application and the license file pertaining to ownership and control, surface mining history and violation history is still valid or the applicant must submit the appropriate update information.

3. **CONTROL OF MINING OPERATION THROUGH CONTROL OF COAL TO BE MINED.** Provide the information below for any person or entity who owns or controls the coal to be mine under this permit and who, by lease, sublease, or other contract: A. has the right to receive the coal after mining, or B, has the authority to determine the manner in which the operator or permittee conducts surface coal mining operations.

(USE ADDITIONAL SHEETS IN THE FORMAT BELOW IF NECESSARY)

Name: _____ Street Address: _____

City: _____ State: _____ Zip: _____

Mailing Address: _____ City: _____ State: _____ Zip: _____

Telephone Number: (____) - ____ - _____

Social Security Number: ____ - ____ - _____ (Voluntary)

Employer Identification Number: _____

ASMC License#: _____

**JIM WALTER RESOURCES, INC.
MINE NO. 7, P-3247, R-31**

3 Legal description of property or permit map symbol:



Surface/Mineral/or Fee Simple (both): Surface Rights
 Legal owner(s) of record: **Walter Minerals, Inc. Formerly United Land Corp.**
 Address: PO Box 361370 City: Birmingham State: AL Zip: 35244
 Holders of leasehold interest:
 Address: _____ City: _____ State: _____ Zip: _____
 Purchasers under a real estate contract: N/A
 Address: _____ City: _____ State: _____ Zip: _____
 Description of right to enter or mine:

Describe the type of document or conveyance, which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Desc Right of Entry(If deed indicate Where recorded)	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	Walter Minerals, Inc.	JIM WALTER RESOURCES, INC.	10/10/1974	NO

3 Legal description of property or permit map symbol:



Surface/Mineral/or Fee Simple (both): Surface Rights
 Legal owner(s) of record: **USX CORPORATION**
 Address: 600 GRANT STREET City: PITTSBURG State: PA Zip: 15219-2800
 Holders of leasehold interest:
 Address: _____ City: _____ State: _____ Zip: _____
 Purchasers under a real estate contract: N/A
 Address: _____ City: _____ State: _____ Zip: _____
 Description of right to enter or mine:

Describe the type of document or conveyance, which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Desc Right of Entry(If deed indicate Where recorded)	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
LEASE	USX Corporation	JIM WALTER RESOURCES, INC.	1-1-1998	NO

**JIM WALTER RESOURCES, INC.
MINE NO. 7, P-3247, R-31**

3Legal description of property or permit map symbol:



Surface/Mineral/or Fee Simple (both): Surface Rights
 Legal owner(s) of record: JIM WALTER RESOURCES, INC.
 Address: P.O. BOX 133 City: BROOKWOOD State: AL Zip: 35444
 Holders of leasehold interest:
 Address: _____ City: _____ State: ___ Zip: ____
 Purchasers under a real estate contract: N/A
 Address: _____ City: _____ State: ___ Zip: ____
 Description of right to enter or mine:

Describe the type of document or conveyance, which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Desc Right of Entry(If deed indicate Where recorded)	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Not Applicable, Owner is Permittee.		JIM WALTER RESOURCES, INC.		NO

**JIM WALTER RESOURCES, INC.
MINE NO. 7, P-3247, R-31**

3Legal description of property or permit map symbol:

Surface/Mineral/or Fee Simple (both): Surface Rights



Legal owner(s) of record: ELOISE HYCHE ETVIR

Address: 17091 MEMORY LANE City: BROOKWOOD State: AL Zip: 35444

Holders of leasehold interest:

Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: N/A

Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine:

Describe the type of document or conveyance, which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Desc Right of Entry(If deed indicate Where recorded)	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	ELOISE HYCHE ETVIR	JIM WALTER RESOURCES, INC.	1-21-2013	NO

3Legal description of property or permit map symbol:

Surface/Mineral/or Fee Simple (both): Surface Rights



Legal owner(s) of record: ATHEL HYCHE ETUX

Address: 17091 MEMORY LANE City: BROOKWOOD State: AL Zip: 35444

Holders of leasehold interest:

Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: N/A

Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine:

Describe the type of document or conveyance, which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Desc Right of Entry(If deed indicate Where recorded)	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	ATHEL HYCHE ETUX	JIM WALTER RESOURCES, INC.	1-21-2013	NO

PART I C. (CONTINUED)

3. INTERESTS OR PENDING INTERESTS IN LANDS CONTIGUOUS TO THE PERMIT AREA.

INSTRUCTIONS: Give the legal description of all lands contiguous to the permit area for which the permit applicant:

1. Holds an interest,
2. Holds an option, or
3. Has made a bid for ownership, lease or other interest.

USE ADDITIONAL SHEETS IN THE FORMAT BELOW IF NECESSARY

PAGE 1 OF NOT APPLICABLE

Legal description: _____

Describe the nature of the interest: _____

Legal description: _____

Describe the nature of the interest: _____

Legal description: _____

Describe the nature of the interest: _____

Legal description: _____

Describe the nature of the interest: _____

**JIM WALTER RESOURCES, INC.
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PART I D. PERMIT AREA INFORMATION

1. Give the requested term of this permit: 5 years.
2. Give the legal description of the land upon which the applicant proposes to conduct surface coal mining operations. List each quarter-quarter section, section, township, range, and county.

In accordance with the provision of Act No. 81-435 of the State of Alabama and the regulations promulgated under this act, Jim Walter Resources, Inc., 16243 Highway 216, Brookwood, AL 35444 is filing an application to revise the permit P-3247-63-18-U, Revision R-31 of Mine No. 7, Underground Mine.

Township 19 South, Range 6 West, Jefferson County: the SE/SE, SW/SE and the SW/NW of Section 29, the NE/NW, NW/NE, and the NE/NE of Section 32;

Township 19 South, Range 7 West, Tuscaloosa County: the NE/NW and the SE/NW of Section 17;

Township 20 South Range 7 West, Tuscaloosa County: the SW/NW, NW/SW, NE/SW and the SE/NW of Section 23, NE/SE and the SE/NE of Section 29, SW/NW, NW/NW, NE/NW, SE/NW, SW/NE and the NW/NE of Section 28, SW/SE, SE/SE and the NW/SE of Section 21.

3. Give the acreage of the permit, each increment and the type of bonding.
 - a. Total permit acreage: 1,560 acres
 - b. Give the acreage and type of bond for each mining increment:

<u>Increment</u>	<u>Acres</u>	<u>Type Bond Proposed</u>
1.	1,560	<u>Surety bond</u>
 - c. Identify the increment(s) on which mining will initially begin upon issuance of this permit: N/A
4. Has mining previously disturbed any acreage in the proposed permit area?
(XX)YES ()NO

If yes, supply the following for any and all previously disturbed areas:

- a. Show the boundaries of the previously disturbed area(s) on the permit map and identify with an appropriate symbol. See Permit Map 1 of 2 and Map 2 of 2.
- b. List, for each area, the permit number under which it was disturbed and the number of acres. Indicate the status of each permit as Unreleased, Grading released, or 100% released. (If no permit, indicate as such)

<u>Permit</u>	<u>Acres</u>	<u>Status</u>
N/A		

- c. For each area which has not been reclaimed or received a 100% release, indicate whether you intend to assume responsibility for reclamation of the area under this permit and its performance bond(s)

5. Is disturbance to be conducted within 300 feet, measured horizontally, from an occupied dwelling?
()YES (XX)NO.

If YES, attach a signed waiver from the owner of the dwelling indicating the minimum distance disturbance will be allowed by the owner.

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6. Is disturbance proposed within 100 feet of a public road right-of-way or will a public road be closed or relocated?
() YES (XX) NO.

If YES, enclose a copy of the approval granted by the government entity which has jurisdiction over the road. The approval must state the minimum distance disturbance will be allowed to the road or road right-of-way.

7. List all other licenses and permits required to conduct mining operations including, but not limited to, MSHA I.D. and NPDES. Give the identification or permit number, the name and address of the issuing authority, and the status or date of approval or issuance of each:

Permit	ID or Permit	Issuing Authority	Address	Status or Date of issuance
MSHA	<u>01-01401</u>	MSHA	*	<u>3/27/74</u>
<u>NPDES</u>	<u>AL0029181</u>	<u>ADEM</u>	**	<u>11/01/88</u>

*288 West Valley Avenue, Birmingham, Al. 35209

**1751 Cong. W.L. Dickinson Drive, Montgomery, Al. 36130

8. Is the property in the permit covered by zoning or other land use restrictions? (XX) YES () NO.

If yes, indicate the jurisdictional authority and zoning or land use restriction for the entire permit area. If more than one zoning classification exists for the permit area, identify the boundaries of each on the permit map.

The area added in Sections 29 & 32, T19S, R6W are located in Jefferson County, Alabama that has zoning classifications. The remainder of area added is in Tuscaloosa County, Alabama that has no zoning classifications.

Jurisdictional Authority	Zoning Classification	Allows mining? Yes or No
Jefferson County Planning and Zoning Commission	I-3S	Yes

9. Describe access to the proposed mine from a known point on the nearest public highway: SEE ORIGINAL MAP

10. Did the applicant receive assistance from the Small Operator Assistance Program in preparing this application?
() YES (XX) NO

If YES, list SOAP I.D. Number: _____

11. Submit a certificate of proof of Liability Insurance with this application.

See Insurance Certificate on file at ASMC.

PART I E. PUBLIC NOTICE AND AVAILABILITY FOR INSPECTION

12. Give the name of the approved public office in which a copy of this application will be filed for public inspection following notification of completeness: Alabama Surface Mining Commission and Alabama Surface Mining Commission website <http://surface-mining.alabama.gov>

13. Enclose a copy of the notice of filing of this application which will appear in a newspaper of general circulation in the vicinity of the mine and identify the name of the newspaper:

[THE TUSCALOOSA NEWS, SEE PROOF OF PUBLICATION ATTACHMENT](#)

NOTICE OF APPLICATION TO REVISE A UNDERGROUND COAL MINE

In accordance with the provision of Act No. 81-435 of the State of Alabama and the regulations promulgated under this act, Jim Walter Resources, Inc., 16243 Highway 216, Brookwood, AL 35444 is filing an application to revise the permit P-3247-63-18-U, Revision R-31 of Mine No. 7, Underground Mine.

Township 19 South, Range 6 West, Jefferson County: the SE/SE, SW/SE and the SW/NW of Section 29, the NE/NW, NW/NE, and the NE/NE of Section 32;

Township 20 South, Range 6 West, Tuscaloosa County: the NE/NE and the NW/NE of Section 5;

Township 19 South, Range 7 West, Tuscaloosa County: the NE/NW and the SE/NW of Section 17, SW/NE, NW/SE and the NE/SW of Section 26, SE/NW, NE/SW, NW/SE, SW/SE and the SE/SE of Section 34, SW/SW and the SE/SW of Section 35;

Township 20 South Range 7 West, Tuscaloosa County: the NE/NE, SE/NE and the SW/NE of Section 2, SW/NW, NW/SW, NE/SW and the SE/NW of Section 23, NW/SE, NE/SE, SE/NE of Section 22, NE/SE and the SE/NE of Section 29, SW/NW, NW/NW, NE/NW, SE/NW, SW/NE and the NW/NE of Section 28, SW/SE, SE/SE and the NW/SE of Section 21.

The nature of revision is as follows:

1. Add 7 acres for Freshwater Impoundment No. 3 borrow area and access in Section 26, Township 19 South, Range 7 West.
2. Add 1 acre for borehole site and access road to Increment No. 1 in Section 26, Township 19 South, Range 7 West.
3. Add fresh water pipeline to previously permitted Increment No. 1 in Section 2, Township 20 South, Range 7 West and request permission to disturb within the 100 foot setback of Hannah Creek Road (0.39 acres – No acreage change).
4. Add 4 acres to Increment No. 1 for proposed waterline route in Sections 34 & 35, Township 19 South, Range 7 West, along an existing coal bed methane gas road and request permission to disturb within 100 feet of Clark Branch. *This is the fresh water pipeline identified in Item 3 above.*
5. Add 1 acre to Increment No. 1 for proposed rock-dust borehole (a) in Section 29, Township 19 South, Range 6 West.
6. Add 3 acres to Increment 1 for power borehole and access in Section 17, Township 19 South, Range 7 West.
7. Add 2 acres to Increment No. 1 for proposed rock-dust boreholes (d) and access roads in Sections 5, Township 20 South, Range 6 West.
8. Add 10 acres to Increment No. 1 for proposed slurry line in Sections 21, 22, 23, 28 & 29 Township 20 South, Range 7 West.
9. Add 4 acres to Increment 1 for proposed power borehole in Sections 29 & 32, Township 19 South, Range 6 West.

A copy of the permit revision application is available for public inspection and review on the Alabama Surface Mining Commission website <http://surface-mining.alabama.gov>. A copy of the permit revision application is also available for public inspection and review at the office of the Alabama Surface Mining Commission located on the second floor of the Pinnacle Bank Building at 1811 2nd Avenue, Jasper, Alabama 35501. Written comments, objections, request for public hearing or request for informal conferences concerning this permit should be sent to the Alabama Surface Mining Commission, P.O. Box 2390, Jasper, Alabama 35502-2390, no later than 30 days from the last date of publication of this notice.

This notice to be published in the Tuscaloosa News Newspaper.