



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-37

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:

Issued to: P- 3247-63-18-U
Warrior Met Coal Mining, LLC
16243 Highway 216
Brookwood, AL 35444
(Mine No. 7)

License No.: L-846
Pursuant to the
Permit map: 1 of 1
Certified by: Robert W. Usher P.E. #15917
Date: 05/09/17

The permit is revised as follows:

1. Add 2 acres for Shaft 7-22 and 1 acre for access to Increment No. 1.
2. Add 2 acres for Shaft 7-22 Alternate and 2 acres for access to Increment No. 1.
3. Modify Slurry Impoundment No. 14.
4. Request an exemption of 880-X-10D-.13 for shaft sites.
5. Modify Sediment Basins 009 and 009A.
6. Add 18 acres to Increment No. 1 for construction of Slurry Impoundment No. 14.
7. Delete Sediment Basin 007.
8. Request a waiver to disturb within the 100 foot offset of Hannah Creek Road and Milldale Road for installation of water pipeline.
9. Add 8 acres to Increment No. 1 for water pipeline.

Finding: R-37-1

The Regulatory Authority has taken into account the effect of the proposed permitting action on properties listed or eligible for listing on the National Register of Historic Places. By letters dated March 6 and 24, 2017 for the areas listed as R-37, R-37B, and R-37C respectively, the State Historical Preservation Office (SHPO) by File Number AHC 02-1276, determined that the project activities will have no adverse effect on cultural resources listed on or eligible for the National Register of Historic Places (NRHP). Therefore SHPO concurs with the proposed project activities. This finding is supported in part by inclusion of appropriate permit conditions or changes in the operation plan protecting historic resources, or a documented decision that the Regulatory Authority has determined that no additional protection measures are necessary. Concerns for unknown resources, which might be discovered during mining, have been made conditions of the permit.

Finding R-37-2

In letters dated January 30 and February 13, 2017 the Alabama Department of Conservation and Natural

Resources (ADCNR) suggested a biological survey be conducted by trained professionals for the project areas. ADCNR states there appears to be no imminent threat to any known sensitive species in the immediate areas and that the closest sensitive species is 5.9 and 6 miles from the subject site. By comment letters dated January 23 and March 6, 2017 the US Fish and Wildlife Service (FWS) state possible summer roosting habitat for the Indiana bat and northern long-eared bat was present within the project areas for R-37 (4 acres) and R-37B (18 acres). However if tree clearing activities occur between October 15 and March 31, FWS concurs that the proposed project is not likely to adversely affect the Indiana bat and/or the northern long-eared bat. No other federally listed species/critical habitat are known to occur in the project areas. FWS concurred with the conclusion that no federally listed species/critical habitat occur in the project areas R-37C by comments dated March 6, 2017. By letters dated January 4, April 10 and 11, 2017 the USACE Permit Number, SAM-2016-00668-CMS states that no Federally-regulated wetlands or other waters of the United States occur within the review areas. Therefore, no permit is required for the project. The ASMC finds that the proposed operation will not jeopardize the continued existence of endangered or threatened species or critical habitat thereof.

Condition R-37-1: The permittee shall flag the approximately 22 acres, R-37 and R-37B, of potential summer roosting habitat for the Indiana bat and Northern Long-eared Bat in a flagging color different than the permit boundary flagging.

Condition R-37-2: The permittee can only conduct tree clearing activities between October 15 and March 31 for the R-37, 4 acre area and the R-37B, 18 acre area of potential summer roosting habitat for the Indiana bat and Northern Long-eared Bat.

Condition R-37-3: If timber removal from the potential summer roosting habitat is necessary outside the October 15-March 31 timeframe, an Indiana bat and Northern Long-eared Bat Presence/ Absence Survey and Fish and Wildlife approval must be submitted to ASMC prior to tree removal.

ACREAGE SUMMARY:

*INCREMENT #1: increases to -----	1646 acres
*INCREMENT #2: remains at -----	15 acres
INCREMENT #3: remains at -----	9 acres
Total Acreage Increases to	1670 Acres

***Bonded to Date**

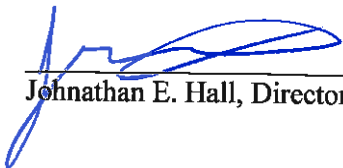
All other terms and conditions remain in effect as well as all Findings in the original permit and any Findings appropriate for this revision.

EFFECTIVE DATE: May 18, 2017

J.H.

/mw

cc: I & E, Permit File



 Johnathan E. Hall, Director