

SEMINOLE COAL RESOURCES, LLC

MINE NO. 3, P-3257

ALABAMA SURFACE MINING COMMISSION

SURFACE MINING PERMIT APPLICATION

P A R T I

Prepared by:

MCGEHEE ENGINEERING CORP.

P. O. Box 3431
450 19th Street West
Jasper, Alabama 35502-3431
Telephone (205) 221-0686

STATE OF ALABAMA SURFACE MINING COMMISSION

- Transfer Application for a Surface Coal Mine
 Transfer Application for an Underground Coal Mine
 Transfer Application for a Preparation Facility

NAME OF CURRENT PERMITTEE: Jim Walter Resources, Inc.
ADDRESS: P.O. Box 361370, Birmingham, AL 35244

PART I A. IDENTIFICATION

1. PERMIT APPLICANT

Name: Seminole Coal Resources, LLC
Street Address: 15 Appledore Lane
City: Natural Bridge State: VA Zip: 24578
Mailing Address: 15 Appledore Lane
City: Natural Bridge State: VA Zip: 24578
Telephone Number: (540)-290-2121
Social Security Number (Voluntary): - -
Employer Identification Number: 81-1321795
ASMC License#: L-0850

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

Name: Seminole Coal Resources, LLC
Street Address: 15 Appledore Lane
City: Natural Bridge State: VA Zip: 24578
Mailing Address: 15 Appledore Lane
City: Natural Bridge State: VA Zip: 24578
Telephone Number: (540)-290-2121
Social Security Number (Voluntary): - -
Employer Identification Number: 81-1321795
ASMC License#: L-0850

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

Name: SAME AS PERMITTEE
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: McGehee Engineering, Corp.
Mailing Address: P. O. Box 3431, 450 19th Street West
City: Jasper State: AL Zip: 35502
Telephone Number: (205) 221-0686
Email Address: jwhitlock@mcgehee.org

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.

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.

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 mined 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: **Seminole Coal Resources, LLC**

Street Address: **15 Appledore Lane**

City: **Natural Bridge** State: **VA** Zip: **24578**

Mailing Address: **15 Appledore Lane**

City: **Natural Bridge** State: **VA** Zip: **24578**

Telephone Number: **(540)-290-2121**

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

Employer Identification Number: **81-1321795**

ASMC License#: **L-0850**

PART I C. PROPERTY OWNERSHIP, INTERESTS AND RIGHTS (CONTINUED)

Legal description of property or permit map symbol: 3.1

(SEE PERMIT MAP)

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

Legal owner(s) of record: VALLEY CREEK LAND AND TIMBER, LLC (FORMERLY USX CORP.)

Address: 1300 Meadowbrook Road City: Jackson State: MS Zip: 39211

Holders of leasehold interest: _____

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

Purchasers under a real estate contract: _____

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.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain
LEASE	VALLEY CREEK LAND AND TIMBER, LLC	JIM WALTER RESOURCES, INC	PENDING FOR NW/SW, SW/SW 1-19S-6W; NW/NW, SW/NW 23-19S-6W	NO
LEASE	USX CORP.		1-1-88	
ASSIGNMENT	JIM WALTER RESOURCES, INC	SEMINOLE COAL RESOURCES, LLC	2-12-16	NO

PART I C. PROPERTY OWNERSHIP, INTERESTS AND RIGHTS (CONTINUED)

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Legal description of property or permit map symbol: 3.2
(SEE PERMIT MAP)

Surface/Mineral/or Fee Simple (both): FEE & SURFACE

Legal owner(s) of record: SWF BIRMINGHAM, LLC (FORMERLY USX CORP.)

Address: 654 N State St. City: Jackson State: MS Zip: 39202

Holders of leasehold interest: _____

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

Purchasers under a real estate contract: _____

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.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain
LEASE	USX CORP.	JIM WALTER RESOURCES, INC.	1-1-88	NO
ASSIGNMENT	JIM WALTER RESOURCES, INC.	SEMINOLE COAL RESOURCES, LLC	2-12-16	NO

PART I C. PROPERTY OWNERSHIP, INTERESTS AND RIGHTS (CONTINUED)

Legal description of property or permit map symbol: 6
(SEE PERMIT MAP)

Surface/Mineral/or Fee Simple (both): FEE & SURFACE

Legal owner(s) of record: U.S. PIPE AND FOUNDRY CO.

Address: Two Chase Corporate Dr. Ste. 200. City: Birmingham State: AL Zip: 35244

Holders of leasehold interest: _____

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

Purchasers under a real estate contract: _____

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.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain
LEASE	U.S. PIPE AND FOUNDRY CO.	JIM WALTER RESOURCES, INC.	NO LEASE BEING SOUGHT	NO

THIS PROPERTY IS THE FOUNDRY SAND LANDFILL. A PHASE 3 BOND RELEASE IS PENDING APPROVAL. NO OTHER PERMITTED AREA IS WITHIN THE PROPERTY OWNED BY U.S. PIPE. NO RIGHT OF ENTRY IS REQUIRED AFTER THE BOND RELEASE IS APPROVED.

PART I C. PROPERTY OWNERSHIP, INTERESTS AND RIGHTS (CONTINUED)

Legal description of property or permit map symbol: 11
(SEE PERMIT MAP)

Surface/Mineral/or Fee Simple (both): FEE & SURFACE

Legal owner(s) of record: FRANK & DIANE PEEKS
Address: 3265 Fieldale Dr. City: Hueytown State: AL Zip: 35023

Holders of leasehold interest: _____
Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: _____
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.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain
LEASE	FRANK & DIANE PEEKS	JIM WALTER RESOURCES, INC.	NO LEASE BEING SOUGHT	NO

THIS PROPERTY WAS ORIGINALLY OWNED BY UNITED LAND CORP. (WALTER MINERALS). IT WAS SOLD TO BARNHILL IN 2002. BARNHILL SOLD TO PEEKS IN 2005. THE DISTURBANCES ON THE PROPERTY WERE PERFORMED PRIOR TO THE ORIGINAL SALE. MR. PEEKS SIGNED A LANDUSE LETTER IN APRIL, 2015 STATING HE WAS SATISFIED WITH THE RECLAMATION. A PHASE 1 BOND RELEASE HAS BEEN APPROVED.

PART I C. PROPERTY OWNERSHIP, INTERESTS AND RIGHTS (CONTINUED)

Legal description of property or permit map symbol: 13

(SEE PERMIT MAP)

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

Legal owner(s) of record: SEMINOLE COAL RESOURCES, LLC (FORMERLY JIM WALTER RESOURCES, INC.)

Address: 15 Appledore Lane City: Natural Bridge State: VA Zip: 24578

Holders of leasehold interest: _____

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

Purchasers under a real estate contract: _____

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.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain
DEED	JIM WALTER RESOURCES, INC.	SEMINOLE COAL RESOURCES, LLC	2-12-16	NO

PART I C. (CONTINUED)

2. OWNERSHIP OF SURFACE AND MINERAL LANDS CONTIGUOUS TO THE AREA TO BE MINED.
INSTRUCTIONS:

Provide the information below for the owners of record of all surface and mineral properties contiguous to any part of the proposed permit area.

USE ADDITIONAL SHEETS IN THE FORMAT BELOW AS NECESSARY

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Name: Walter Minerals, Inc.
Address: 3000 Galleria Blvd. Suite 1700
City: Birmingham State: AL Zip: 35236-1360
Interest owned (Surface Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease, or Other): OWNER

Name: USX CORPORATION
Address: 600 Grant Street, Ste. 1381
City: Pittsburgh State: PA Zip: 15219
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): Owner

Name: VALLEY CREEK LAND AND TIMBER, LLC
Address: 1300 Meadowbrook Road
City: Jackson State: MS Zip: 39211
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): Owner

Name: SWF BIRMINGHAM, LLC (FORMERLY USX CORP.)
Address: 654 N State St.
City: Jackson State: MS Zip: 39202
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): Owner

Name: U.S. PIPE AND FOUNDRY CO.
Address: Two Chase Corporate Dr. Ste. 200.
City: Birmingham State: AL Zip: 35244
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): Owner

Name: FRANK & DIANE PEEKS
Address: 3265 Fieldale Dr.
City: Hueytown State: AL Zip: 35023
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): Owner

PART I C. (CONTINUED)

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

INSTRUCTIONS:

THE APPLICANT HAS NO INTEREST IN ANY LANDS OR CONTIGUOUS LAND
OTHER THAN THE PERMITTED AREA.

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 AS NECESSARY

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Legal description: _____

Describe the nature of the interest: _____

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Legal Description: _____

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Describe the nature of the interest: _____

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Legal description: _____

Describe the nature of the interest: _____

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.

NW/SW, SW/SW, NE/SW of Section 1, NW/SW, SW/SW, SE/SW, NE/SW, NW/SE, SW/SE of Section 9, NW/SE, SW/SE, SE/SE, NW/NE, SW/NE, SE/NE, NE/NE, SE/NW of Section 11, NW/SW, SW/SW, SE/SW, NW/SE, SW/SE, SE/SE, NW/NW, SW/NW of Section 12, NW/SW, SW/SW, SE/SW, NE/SW, NW/SE, SW/SE, SE/SE, NE/SE, NW/NE, SW/NE, SE/NE, NE/NE, NW/NW, SW/NW, SE/NW, NE/NW of Section 13, SE/SE, NE/SE, SE/NE, NE/NE of Section 14, SE/NE of Section 15, NW/NE of Section 16, NE/NE of Section 22, NW/NW, SW/NW of Section 23, NW/NE, NE/NE, NW/NW of Section 24; Township 19 South, Range 6 West; NW/SW, SW/SW, SE/SW, NE/SW, NW/SE, SW/SE, SE/SE, NE/SE of Section 7, NW/SW, SW/SW, SE/SW, NE/SW, NW/NW of Section 18, NW/NW, NE/NW of Section 19; Township 19 South, Range 5 West; All in Jefferson County, Alabama.

3. Give the acreage of the permit, each increment and the type of bonding.

a. Total permit acreage: 735 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.		282.0	Surety Bond
2.		94.0	Surety Bond
3.		98.0	Surety Bond
4.		34.0	100% Released
5.		56.0	Surety Bond
6.		120.0	Surety Bond
7.		51.0	Surety Bond

c. Identify the increment(s) on which mining will initially begin upon issuance of this permit: Inc. No. 1

4. Has any acreage in the proposed permit area been previously disturbed by mining? () YES (XX) 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 approved Permit Map

- 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>
<u>NA</u>	<u> </u>	<u>Pre-Law</u>

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.

ATTACHMENT I-E-13

PUBLIC NOTICE FILING OF PERMIT APPLICATION

In accordance with the provision of Act No. 81-435 of the State of Alabama and the regulations promulgated under this act, Seminole Coal Resources, LLC 15 Appledore Lane, Natural Bridge, VA 24578 hereby gives notice that it has filed application to succeed by transfer to the rights granted under ASMC Coal Mining Permit P-3257 currently held by Jim Walter Resources, Inc., P.O. Box 361370, Birmingham, AL 35244. The operation is known as Mine No. 3.

NW/SW, SW/SW, NE/SW of Section 1, NW/SW, SW/SW, SE/SW, NE/SW, NW/SE, SW/SE of Section 9, NW/SE, SW/SE, SE/SE, NW/NE, SW/NE, SE/NE, NE/NE, SE/NW of Section 11, NW/SW, SW/SW, SE/SW, NW/SE, SW/SE, SE/SE, NW/NW, SW/NW of Section 12, NW/SW, SW/SW, SE/SW, NE/SW, NW/SE, SW/SE, SE/SE, NE/SE, NW/NE, SW/NE, SE/NE, NE/NE, NW/NW, SW/NW, SE/NW, NE/NW of Section 13, SE/SE, NE/SE, SE/NE, NE/NE of Section 14, SE/NE of Section 15, NW/NE of Section 16, NE/NE of Section 22, NW/NW, SW/NW of Section 23, NW/NE, NE/NE, NW/NW of Section 24; Township 19 South, Range 6 West; NW/SW, SW/SW, SE/SW, NE/SW, NW/SE, SW/SE, SE/SE, NE/SE of Section 7, NW/SW, SW/SW, SE/SW, NE/SW, NW/NW of Section 18, NW/NW, NE/NW of Section 19; Township 19 South, Range 5 West; All in Jefferson County, Alabama.

From the intersection of Johns Road and Mud Creek Road in Adger, travel west on Mud Creek Road 1.74 miles.

The mine entrance will be on the right

A copy of the permit 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 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 Birmingham News Newspaper.

TO THE BIRMINGHAM NEWS:

Please run this notice one time as soon as possible. Please send invoice and notarized proof of publication to:

McGehee Engineering Corp.

P. O. Box 3431

Jasper, AL 35502-3431

Telephone (205) 221-0686