

**Jim Walter Resources, Inc.  
Bessie Mine, P-3259, R-11**

**JIM WALTER RESOURCES, INC.**

**BESSIE MINE, P-3259**

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  
Fax: (205) 221-7721  
Email: staff's first name@mcgehee.org

**Jim Walter Resources, Inc.  
Bessie Mine, P-3259, R-11**

Fee: \_\_\_\_\_

Bond Required: \_\_\_\_\_

Date Approved: \_\_\_\_\_

APPLICATION FOR PERMIT REVISION

Name of Permittee: **Jim Walter Resources, Inc.**

License Number: L-613 Complete Permit Number: P-3259-01-08-U

Expiration Date of Permit: 3/01/08 Revision Number: R-11

Mine Name: Bessie Mine

Nature of Proposed Revision R-11:

1. Change the post mining landuse of Increment No. 1 to Industrial/Commercial.
2. Change the post mining landuse of Increment No. 2 to Industrial/Commercial.
3. Change the post mining landuse of Increment No. 3 to Industrial/Commercial.
4. Change the post mining landuse of Increment No. 5 to Industrial/Commercial.
5. Change the post mining landuse of Basins B-N-1 and B-N-4 from temporary (undeveloped) to permanent (Industrial/Commercial).

Identify any conditions placed on this permit which would relate to the proposed revision being requested:

None.

Attach detailed estimate of effect of proposed revision on reclamation costs.

Note: Upon review of this application, ASMC will notify the permittee of required information and of the necessity of public notice.

# 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: 16243 Highway 216  
City: Brookwood State: AL Zip: 35444  
Mailing Address: P. O. BOX 133  
City: Brookwood State: AL Zip: 35444  
Telephone Number: (205) 556-6150  
Social Security Number (Voluntary): - -  
Employer Identification Number: 59-2981186  
ASMC License#: L-613

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

Name: Jim Walter Resources, Inc.  
Street Address: 16243 Highway 216  
City: Brookwood State: AL Zip: 35444  
Mailing Address: P. O. BOX 133  
City: Brookwood State: AL Zip: 35444  
Telephone Number: (205) 556-6150  
Social Security Number (Voluntary): - -  
Employer Identification Number: 59-2981186  
ASMC License#: L-613

### 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: bobby@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.  
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 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: Jim Walter Resources, Inc.  
Street Address: 16243 Highway 216  
City: Brookwood State: AL Zip: 35444  
Mailing Address: P. O. BOX 133  
City: Brookwood State: AL Zip: 35444  
Telephone Number: (205) 556-6150  
Social Security Number(Voluntary): - -  
Employer Identification Number: 59-2981186  
ASMC License#: L-613



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**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: **United States Steel Corp.**  
Address: **P. O. Box 599**  
City: **Fairfield** State: **AL** Zip: **35064**  
Interest owned (Surface, Coal or Fee Simple): **FEE**  
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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

=====  
Legal Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Describe the nature of the interest: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

=====  
Legal description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Describe the nature of the interest: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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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.  
NE/NE, SE/NE, SW/NE, NW/NE, SW/SE, NW/SE, NE/SW, SE/SW, SW/SW, NW/SW, NE/NW, SE/NW & SW/NW of Section 14, SE/NE & NE/SE of Section 22, NW/NE, NE/NW, NW/NW & SW/NW of Section 23, Township 16 South, Range 5 West; All being located in Jefferson County, Alabama.
3. Give the acreage of the permit, each increment and the type of bonding.
- a. Total permit acreage: 405.0 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	97.0	Certificate of Deposit
2	62.0	Certificate of Deposit
3	23.0	Certificate of Deposit
4	87.0	Certificate of Deposit
5	10.0	Certificate of Deposit
6	13.0	Certificate of Deposit
7	93.0	Certificate of Deposit
8	20.0	Certificate of Deposit

c. Identify the increment(s) on which mining will initially begin upon issuance of this permit: N/A

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.

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>
_____	_____	_____
_____	_____	_____

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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**PART I D. (CONTINUED)**

6. Is disturbance proposed within 100 feet of a public road right-of-way or will a public road be closed or relocated?  
 YES  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:

<b>Permit</b>	<b>ID or Permit Number</b>	<b>Issuing Authority</b>	<b>Address</b>	<b>Status or date of issuance</b>
<u>MSHA ID</u>	<u>01-00328</u>	<u>MSHA</u>	<u>135 Gemini Circle, Suite 213 Birmingham, AL 35209</u>	<u>12/31/75</u>
<u>NPDES</u>	<u>AL0003263</u>	<u>ADEM</u>	<u>P.O. Box 301463 Montgomery, AL 36130</u>	<u>10/25/83</u>

8. Is the property in the permit covered by zoning or other land use restrictions?  YES  NO.  
 If yes, indicate the jurisdictional authority and zoning or landuse 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.

<b>Jurisdictional Authority</b>	<b>Zoning Classification</b>	<b>Allows mining? Yes or No</b>
<u>Jefferson Co.</u>	<u>Heavy Industry</u>	<u>Yes</u>
_____	_____	_____
_____	_____	_____

9. Describe access to the proposed mine from a known point on the nearest public highway: From the intersection of Alabama Highway 216 and Tuscaloosa County Road 59 in Brookwood, Alabama, travel north on Tuscaloosa County Road 59 approximately 4.25 miles to the mine entrance on the left. The mine entrance will be marked and signs will be posted.
10. Did the applicant receive assistance from the Small Operator Assistance Program in preparing this application?  
 YES  NO  
 If YES, list SOAP I.D. Number: \_\_\_\_\_
11. Submit a certificate of proof of Liability Insurance with this application.

**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: See Attachment I-E-13

**Jim Walter Resources, Inc.  
Bessie Mine, P-3259, R-11  
ATTACHMENT 1-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, Jim Walter Resources, Inc., 16243 Highway 216, P.O. Box 133 Brookwood, Alabama 35444 is filing an application to revise its Bessie Mine (P-3259), Surface Mine. Access to the mine is as follows:

From the intersection of Snowville-Brent Road and Flat Top Road in Jefferson County, Alabama, travel east on Flat Top Road approximately 1.9 miles to the mine entrance on the right. The mine entrance will be marked and signs will be posted.

NE/NE, SE/NE, SW/NE, NW/NE, SW/SE, NW/SE, NE/SW, SE/SW, SW/SW, NW/SW, NE/NW, SE/NW & SW/NW of Section 14, SE/NE & NE/SE of Section 22, NW/NE, NE/NW, NW/NW & SW/NW of Section 23, Township 16 South, Range 5 West; All being located in Jefferson County, Alabama.

Nature of Proposed Revision No. 11:

1. Change the post mining landuse of Increment No. 1 to Industrial/Commercial.
2. Change the post mining landuse of Increment No. 2 to Industrial/Commercial.
3. Change the post mining landuse of Increment No. 3 to Industrial/Commercial.
4. Change the post mining landuse of Increment No. 5 to Industrial/Commercial.
5. Change the post mining landuse of Basins B-N-1 and B-N-4 from temporary (undeveloped) to permanent (Industrial/Commercial).

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 once a week for four (4) consecutive weeks beginning Nov. 12<sup>th</sup>, Nov. 14<sup>th</sup>, Nov 21<sup>st</sup> and Nov 28<sup>th</sup>. Please send invoice and notarized proof of publication to:

McGehee Engineering Corp.  
P. O. Box 3431  
Jasper, AL 35502-3431  
Telephone (205) 221-0686