

Post-it® Fax Note	7671	Date	4-30-13	# of pages	▶
To	Amber Tubbs	From	WSFWS		
Co Dept.		Co.			
Phone #		Phone #			
Fax #	25-221-7721	Fax #			



APR 22 2013

April 17th, 2013

Ref: 2007-TA-0219 - KM

William J. Pearson
 Field Survey
U.S. Department of Interior
Fish & Wildlife Service
 Daphne ES Field Office
 1208-B Main Street
 Daphne, AL 36526



U.S. Fish and Wildlife Service
 1208-B - Daphne, Alabama 36526
 Phone: 251-441-5181 Fax: 251-441-6222

Based upon our records and the information provided in your letter, we agree with your findings that no federally listed species/critical habitat occur in the project area. If project design changes are made, please submit new plans for review.

William J. Pearson
 William J. Pearson, Field Supervisor

4/30/2013
 Date

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RE: **Jim Walter Resources, Inc. -- Mine No. 4 -- Revision R-39**

Dear Mr. William J. Pearson

We are in the process of applying for a mining permit revision for the area described below and would like to request comments from your office in order to proceed with this project.

We are in the process of applying for a mining permit revision for the area described below and would like to request comments from your office in order to proceed with this project. Jim Walter Resources, Inc. has existing mining in Tuscaloosa County, Alabama. In order to accommodate its business expansion in Tuscaloosa County, Jim Walter Resources, Inc. wants to permit a total of 31 acres at the project sites as located in Section 9, Township 20 South, Range 8 West, Sections 16, & 21, Township 19 South, Range 8 West, all on the Burchfield Store, Lake Nicol, & Windham Springs, Alabama U.S.G.S Quadrangle as found in Tuscaloosa County, Alabama. The proposed site locations are shown on the attached 2000' scale project area map attachment "B".

The proposed 31 acres project received a habitat study in April of 2013. In the study it states that there was no habitat found for the listed, threatened and endangered species and that no evidence was found or observed for the presence or possible presence of these listed species. I have attached a copy of this study for you in attachment "C".

The project consists of adding area that has been previously disturbed through historic mining or historic timber harvesting and/or existing roads.

The boundary of this revision was specifically designed to avoid as many jurisdictional waters as possible. Therefore, the only jurisdictional waters that exist onsite consist of one small ephemeral drain less than 600 linear feet at Area "C". In addition to the planned avoidance of as many jurisdictional drainage courses as possible, Jim Walter Resources, Inc. plans to adhere to the Alabama Surface Mining Commission Administrative Code, Chapter 880-X-10C, PERFORMANCE STANDARDS SURFACE MINING ACTIVITIES, and will develop an erosion control plan tailored to the mining operation that will be submitted and reviewed by qualified professionals from the Alabama Surface Mining Commission. The mine plan will closely adhere to the protective measure in the ADEM regulations sections 335-6-10.06 (a) and (c) to maintain minimum water quality conditions applicable to all state waters as stated within the approved and existing ADEM NPDES permit AL0026590.

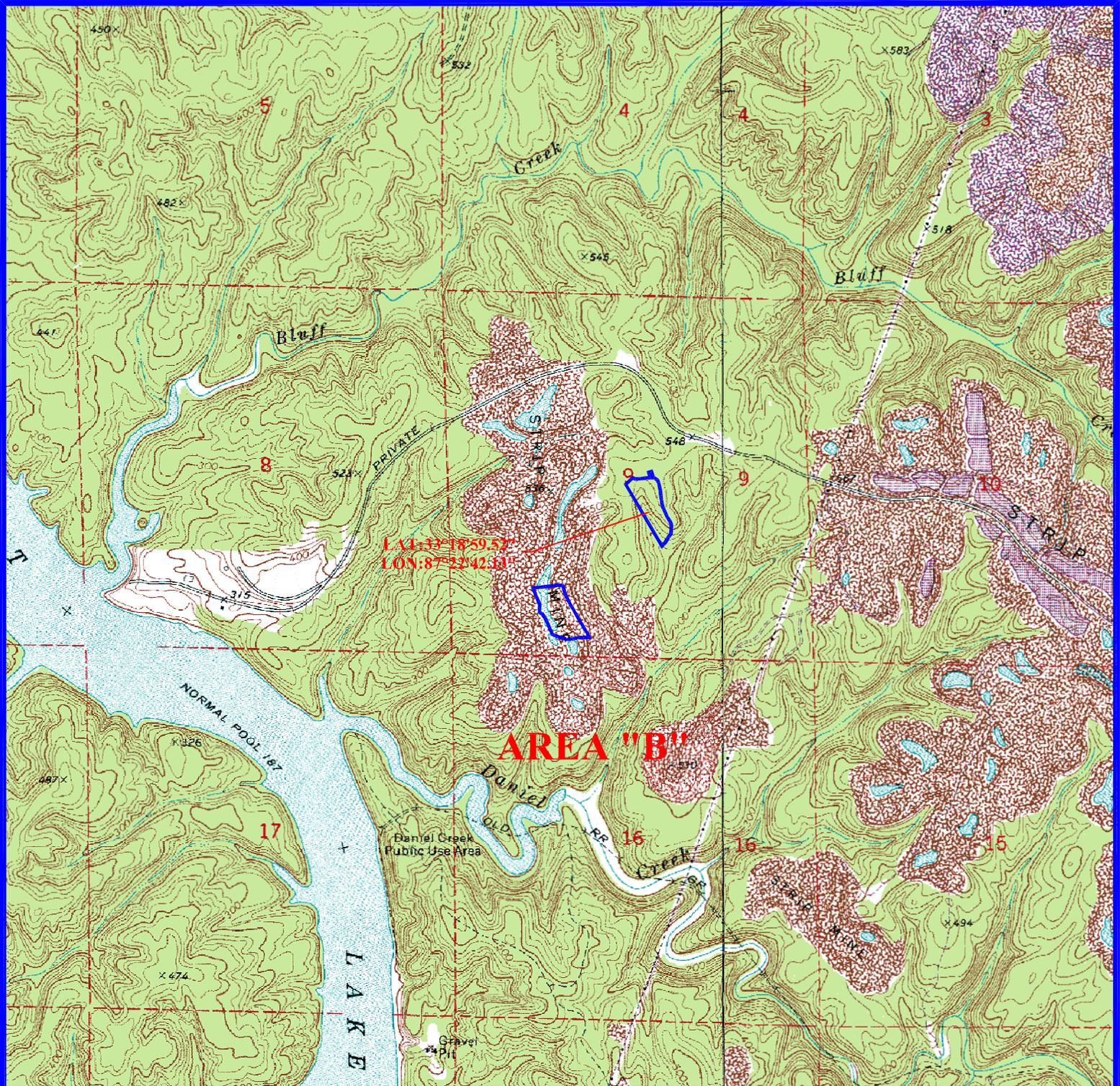
Additionally the NPDES Permit has some maximum and average limitations as set forth by ADEM for this NPDES Permit and are as follows: The pH limit is between 6.0 - 9.0 s.u.; TSS maximum limit is 70 mg/l and the average is 35 mg/l; Fe maximum limit is 6.0 mg/l and the average is 3.0 mg/l; Mn maximum limit is 4.0 mg/l and the average is 2.0 mg/l.

This NPDES Permit has one specific proposed Sediment Basin at Area "C" that will address and filter the runoff from this project site prior to entering into a flow path or overland flow that will ultimately drain into Peques Creek. This basin is identified as proposed sediment basin 025. The location of this proposed basin can be seen in attachment "D".

This sediment basin will have storm detentions to absorb any increase of surface run-off, if it should occur. This mining operation will not alter the drainage area of the downstream tributaries. Therefore, the overall quantity of flow to downstream should not be adversely affected. The Sediment Basin will be designed for a 10 year 24 hour stormwater event at the primary spillway with a design of 25 year 6 hour at the emergency spillway. I have attached a copy of the Sediment Basin Typical Cross-Section in attachment "E" and a copy of the Typical Plan View in attachment "F".

Jim Walter Resources, Inc. will adhere to the current requirements for the inspections of BMPs that are in strict accordance with both Alabama Surface Mining Commission (ASMC) and Alabama Department of Environmental Management (ADEM) Rules and Regulations and are as follows:

Sediment basins are inspected semi-monthly for erosion, instability, etc., with maintenance performed as necessary. Sediment basins are examined quarterly for structural weakness, instability, slope failure, or other hazardous conditions with maintenance performed as necessary. Formal inspections are made annually, by a qualified registered professional engineer or other qualified person under the direction of a professional engineer, including any reports or modifications, in accordance with 880-X-10C-.20[1(j)] of the Alabama Surface Mining Regulations.



SCALE: 1" = 1000'
February 18th, 2013

JIM WALTER RESOURCES, INC.
MINE NO. 4 – REVISION R-39
(APPROXIMATELY 15.4 ACRES TOTAL)



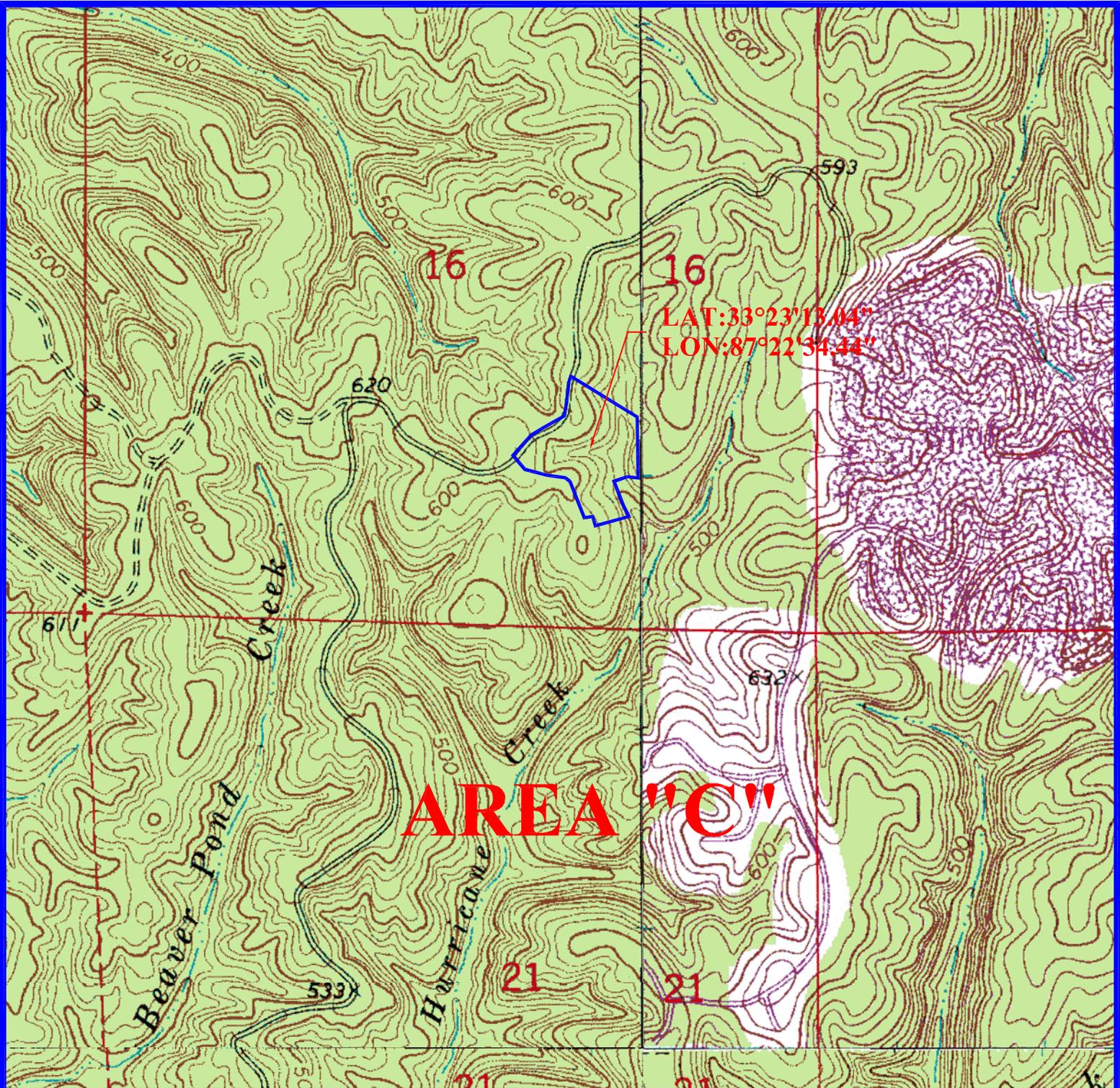
PROJECT AREA MAP

MEC
mcgehee engineering corp
post office box 3431
jasper, alabama 35502-3431
telephone: (205) 221-0686 fax: 221-7721
email: staff@mcgehee.org

SECTION 9, TOWNSHIP 20 SOUTH, RANGE 8 WEST
ALL IN TUSCALOOSA COUNTY, ALABAMA
AS FOUND ON THE LAKE NICOL, AL. USGS QUAD.

 REVISION R-39 AREA "B" BOUNDARY

Latitude: 33°18'59" N
Longitude: 87°22'42" W



SCALE: 1" = 1000'
February 19th, 2013

JIM WALTER RESOURCES, INC.
MINE NO. 4 -- REVISION R-39
(APPROXIMATELY 12 ACRES TOTAL)



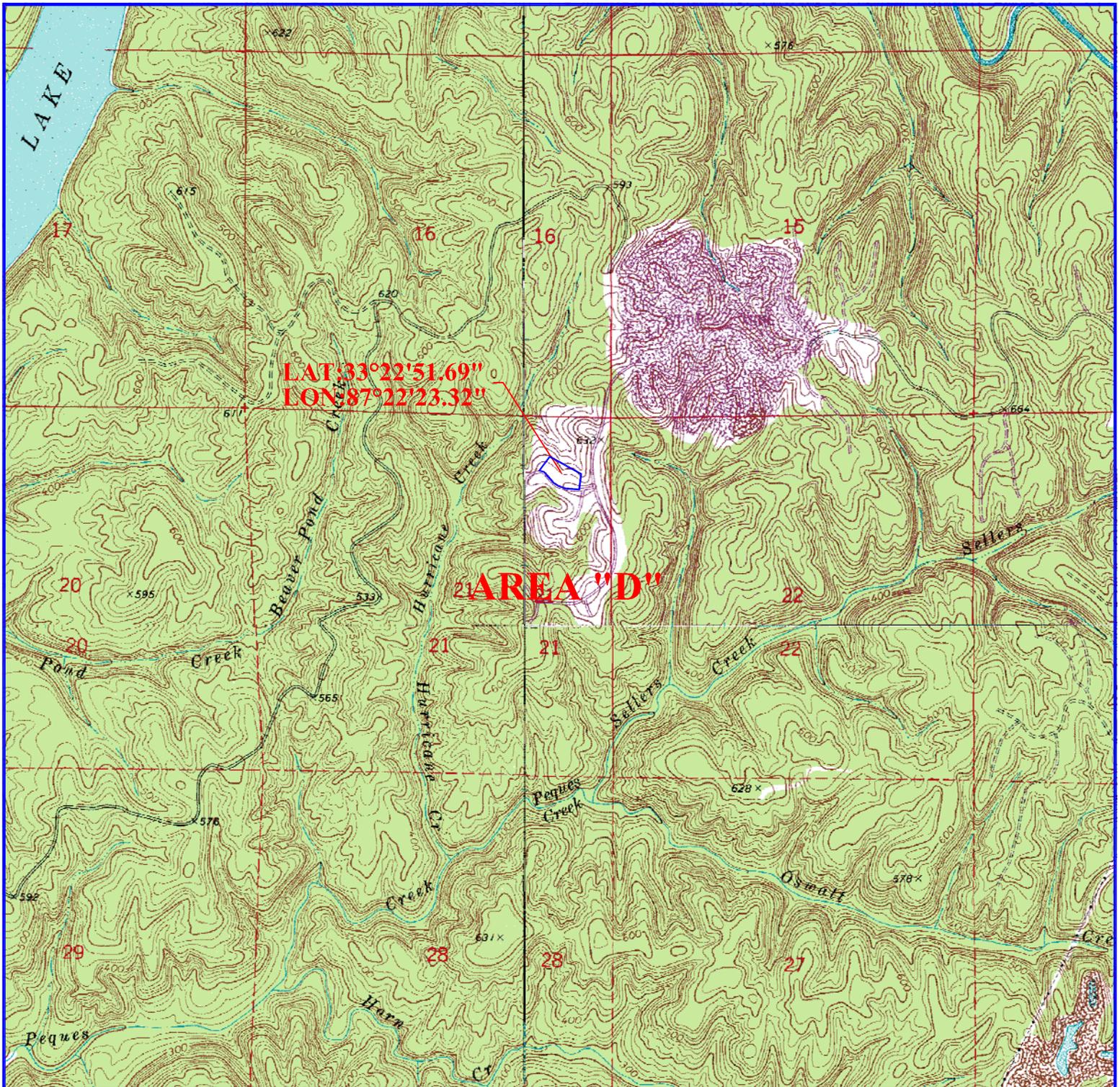
PROJECT AREA MAP

SECTION 16, TOWNSHIP 19 SOUTH, RANGE 8 WEST
ALL IN TUSCALOOSA COUNTY, ALABAMA
AS FOUND ON THE WINDHAM SPRINGS, AL. USGS QUAD.

MEC
mcgehee engineering corp
post office box 3431
jasper, alabama 35502-3431
telephone: (205) 221-0686 fax: 221-7721
email: staff@mcgehee.org

 REVISION R-39 AREA "C" BOUNDARY

Latitude: 33°23'13" N
Longitude: 87°22'34" W



SCALE: 1" = 2000'
February 15th, 2013

JIM WALTER RESOURCES, INC.
MINE NO. 4 -- REVISION R-39
(APPROXIMATELY 3.7 ACRES TOTAL)



PROJECT AREA MAP

SECTION 21, TOWNSHIP 19 SOUTH, RANGE 8 WEST
ALL IN TUSCALOOSA COUNTY, ALABAMA
AS FOUND ON THE BURCHFIELD STORE, AL. USGS QUAD.

MEC
mcgehee engineering corp
post office box 3431
jasper, alabama 35502-3431
telephone: (205) 221-0686 fax: 221-7721
email: staff@mcgehee.org

 REVISION R-39 AREA "D" BOUNDARY

Latitude: 33°22'52" N
Longitude: 87°22'23" W