



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-24

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:

P-3666-01-16-U  
DRUMMOND COMPANY INC  
PO BOX 1549  
JASPER AL 35502  
(SHOAL CREEK MINE)

License No.: L-0018  
Pursuant to the permit map: 1 OF 1  
Certified by: L WADE KEETON #17019  
Date: 9-21-11

The permit is revised as follows:

1. Add nine (9) incidental acres total for a fan shaft (2 acres) and seven gob wells (1 acre each) that are located in SW/SE Section 19; NW/NE Section 30; Township 17 South, Range 7 West; Walker County; and SW/SW Section 25; SE/SE Section 26; NW/NE Section 36; Township 17 South; Range 8 West; and NW/NE, NE/NE, SE/NE, SW/NE, NW/SE Section 6; Township 18 South, Range 7 West; Tuscaloosa County, Alabama.

**CONDITION R-24-1:** The permittee shall notify the ASMC and seek consultation with the U.S. Fish and Wildlife Service if:

- a. The permit is modified in any way that causes an effect on species or Critical Habitat listed under the Endangered Species Act of 1973.
- b. New information reveals the operation may affect Federally protected species or designated Critical Habitat in a manner or extent not previously considered, or
- c. A new species is listed or Critical Habitat is designated under the Endangered Species Act that may be affected by the operation.

**CONDITION R-24-2:** The permittee shall contact the ASMC and consult with the Alabama Historic Preservation Officer if the permit is modified or if previously unknown archaeological or historic resources are discovered on the permit area. Upon discovery of previously unknown artifacts or archaeological features the permittee shall cease operations until the Alabama Historic Preservation Officer approves resumption of operations.

**FINDING R-24-1:** 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.

The Alabama Historical Commission concurred with the proposed project by letter dated September 9, 2011 after review of the site survey performed by P.E. LaMoreaux & Assoc., dated August 18, 2011. Since the survey found no sites or structures eligible for listing on the National Register of Historic Places exist on the permit area or will be impacted by the mining operation, the permit will be issued with conditions. 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-24-2:** The US Fish and wildlife Service (FWS) and US Army Corps of Engineers (Corps) were consulted for impacts to wetlands, rivers and threatened and endangered species. The FWS provided concurrence for surface facilities September 9, 2011 in response to a request by the applicant dated August 3, 2010. These concerns dealt with possible affect to wetlands, water quality and threatened or endangered species. The Corps has reviewed this revision and issued a determination that no Dept. of the Army permit would be required on August 30, 2011.

**FINDING R-24-3:** The proposed permit area is:

- (a) Not within an area under study or administrative proceedings under a petition, filed pursuant to Chapter 880-X-7 to have an area designated as unsuitable for surface coal mining operations;
- (b) Not within an area designated as unsuitable for mining pursuant to Chapter 880-X-7 or subject to the prohibitions or limitations of Section 880-X-7B-.06 and Section 880-X-7B-.07 of this chapter.

**ACREAGE SUMMARY:**

*	Increment #2 increases to -----	<u>1006 Acres</u>
	Total -----	<u>1006 Acres</u>

\* 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: November 22, 2011




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Randall C. Johnson, Director

/ns  
cc: I & E, Permit File