



June 5, 2014

Dr. Randall Johnson,
Alabama Surface Mining Commission
P. O. Box 2390
Jasper, Alabama, 35502-2390

RE: **McWane, Inc.**
Burton Mine, P-3753, R-15
Final Highwall

Dear Dr. Johnson:

As a part of permit revision R-15 of the above referenced mine, McWane, Inc. hereby requests a delay of contemporaneous reclamation of the final highwall.

The highwall is currently located at the northern limit of the permit. The operation is currently reclaiming spoil areas and utilizing the coal stockpiling facilities.

A new permit is being prepared to address the mining of the coal reserves north of the existing highwall and south of the Sipsey Road. The operation plan for this application will address the continuation of surface mining from the existing highwall advancing north until the remaining coal reserve is mined. This application will be submitted this summer. Until the new permit is approved, McWane, Inc. requests a contemporaneous reclamation waiver for the existing highwall.

Thank you for your consideration, if you need additional information or require additional provisions for your acceptance of the request, please notify me at your earliest convenience.

Sincerely,

McGehee Engineering Corp.

A handwritten signature in black ink, appearing to read "Robert W. Usher".

Robert W. Usher, P.E.