

**McWANE, INC.
BURTON MINE, P-3753**

McWANE, INC.

BURTON MINE

**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

- Renewal Application for a Surface Coal Mine**
 Renewal Application for an Underground Coal Mine
 Renewal Application for a Preparation Facility

PART I A. IDENTIFICATION

1. PERMIT APPLICANT

Name: McWane, Inc.
Street Address: 1201 Vanderbilt Road
City: Birmingham State: AL Zip: 35234
Mailing Address: 1927 1st Avenue North, Suite 900
City: Birmingham State: AL Zip: 35203
Telephone Number: (205) 323-2400
Social Security Number (Voluntary): - -
Employer Identification Number: 63-0139000
ASMC License#: L-603

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

Name: McWane, Inc.
Street Address: 1201 Vanderbilt Road
City: Birmingham State: AL Zip: 35234
Mailing Address: 1927 1st Avenue North, Suite 900
City: Birmingham State: AL Zip: 35203
Telephone Number: (205) 323-2400
Social Security Number (Voluntary): - -
Employer Identification Number: 63-0139000
ASMC License#: L-603

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
City: Jasper State: AL Zip: 35502
Telephone Number: (205) 221-0686

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: **McWane, Inc**
Street Address: **1201 Vanderbilt Road**
City: **Birmingham** State: **AL** Zip: **35234**
Mailing Address: **1927 1st Avenue North, Suite 900**
City: **Birmingham** State: **AL** Zip: **35203**
Telephone Number: **(205) 323-2400**
Social Security Number (Voluntary): **- -**
Employer Identification Number: **63-0139000**
ASMC License#: **L-603**

PART I C. PROPERTY OWNERSHIP, INTERESTS AND RIGHTS

1. OWNERSHIP OF PROPERTY TO BE MINED AND RIGHT OF ENTRY.

INSTRUCTIONS:

Show the property ownership boundaries of each parcel of land in the permit area on the permit map or an overlay of the same scale as the permit map. If the surface estate is severed from the mineral estate, show and describe the ownership of each estate separately. In the spaces below, identify:

1. Every current legal or equitable owner(s) of record (as found in a standard search of title) of the property;
2. The holders of record of any leasehold interest in the property; and,
3. Any purchaser of record under a real estate contract of the property.

Describe the basis of the applicant's legal right to enter and mine on all properties contained in the permit application. If the mineral estate has been severed from the surface estate, describe the basis of the legal right to enter and mine both the surface and mineral separately. Give the nature of such right (i.e. lease, deed, contract, etc.), where recorded, describe from whom, to whom, and the date executed, and whether that right is the subject of pending litigation.

USE ADDITIONAL SHEETS IN THE FORMAT BELOW AS NECESSARY

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 Page 1 of 28
 =====

Legal description of property or permit map symbol: _____ **S-1 & M-1**
 (SEE PERMIT MAP)

Surface/Mineral/or Fee Simple (both): _____ **Surface**

Legal owner(s) of record: **Empire Coke Company**

Address: **1201 Vanderbilt Road** City: **Birmingham** State: **AL** Zip: **35234**

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	Empire Coke Company	McWane, Inc.	8-30-95	NO

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: _____ **S-2**

 (SEE PERMIT MAP)

Surface/Mineral/or Fee Simple (both): _____ **Surface**

Legal owner(s) of record: **Delaney Childers**

Address: **P. O. Box 21** City: **Sipsey** State: **AL** Zip: **35584**

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	Delaney Childers	McWane, Inc.	05-21-98	NO

PART I C 1. (CONTINUED)

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Legal description of property or permit map symbol: S-4
(SEE PERMIT MAP)

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

Legal owner(s) of record: **Bill & Mary Glover**

Address: **84 Burton Bend Road** City: **Empire** State: **AL** Zip: **35063**

Holdings 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	Bill & Mary Glover	Reed Minerals, Inc.	8-04-2009	NO
Assignment	Reed Minerals, Inc.	McWane, Inc.	2-1-2010	

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: S-17

(SEE PERMIT MAP)

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

Legal owner(s) of record: Bill R. Dill

Address: 4505 Highway 78 City: Cordova State: AL Zip: 35550

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	Bill R. Dill	Reed Minerals, Inc.	07-21-2009	NO
Assignment	Reed Minerals, Inc.	McWane, Inc.	03-11-2010	

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: S-25
(SEE PERMIT MAP)

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

Legal owner(s) of record: Steve & Rebecca Howard

Address: 5317 Highland Ave. City: Birmingham State: AL Zip: 35224

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	Steve & Rebecca Howard	Reed Minerals	02/11/2010	NO
Assignment	Reed Minerals	McWane	03/01/2010	

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: S-26

(SEE PERMIT MAP)

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

Legal owner(s) of record: McWane Coal Co.

Address: 1201 Vanderbilt Road City: Birmingham State: AL Zip: 35234

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	DONNIE HANDLEY	McWane, Inc.	10-20-97	NO

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: S-27

(SEE PERMIT MAP)

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

Legal owner(s) of record: Sadie Blaylock, Mary Ackerman, Eunice Roberts

Address: 1205 11th Ave City: Jasper State: AL Zip: 35503

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	Lehman Furniture Carl Roberts Sadie Blaylock, Mary Ackerman, Eunice Roberts	McWane, Inc.	09/04/96	NO

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: S-28
 (SEE PERMIT MAP)

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

Legal owner(s) of record: HALLMARK AND SONS COAL CO.

Address: 9490 HIGHWAY 31 City: BIRMINGHAM State: AL Zip: 35780

Holders of leasehold interest: MCWANE, INC.

Address: 1927 1ST AVE. N., SUITE 900 City: BIRMINGHAM State: AL Zip: 35203

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	HALLMARK AND SONS COAL CO.	McWane, Inc.	02/7/96	NO

PART I C 1. (CONTINUED)

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Legal description of property or permit map symbol: S-29

(SEE PERMIT MAP)

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

Legal owner(s) of record: GEORGE & JIM AIKEN, TOM & RITA NICHOLSON

Address: 302 SHERWOOD DRIVE SE City: HUNTSVILLE State: AL Zip: 35802

Holders of leasehold interest: MCWANE, INC.

Address: 1927 1ST AVE. N., SUITE 900 City: BIRMINGHAM State: AL Zip: 35203

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 ASSIGNMENT	GEORGE AIKEN, REED MINERALS	Reed Minerals, Inc. MCWANE	8-12-2009 3-11-10	NO NO
LEASE ASSIGNMENT	RITA NICHOLSON REED	REED MCWANE	07-30-09 3-11-10	NO NO
LEASE ASSIGNMENT	PEGGY AIKEN REED	REED MCWANE	8-27-09 3-11-10	NO NO

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: S-31

(SEE PERMIT MAP)

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

Legal owner(s) of record: Pink Dill Jr.

Address: 1335 PINK & ROXIE DILL RD City: Jasper State: AL Zip: 35504

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	Pink Dill Jr.	McWane, Inc.	11-2-95	NO

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: _____ **S-32**

(SEE PERMIT MAP)

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

Legal owner(s) of record: **Dorothy Mae Parrish**

Address: **345 DRUMMOND CEMETARY ROAD** City: **Jasper** State: **AL** Zip: **35504**

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	Dorothy Mae Parrish	McWane, Inc.	3-6-96	NO

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: S-34

(SEE PERMIT MAP)

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

Legal owner(s) of record: Judy M. & Stewart E. Banks

Address: 3250 PINEY WOODS SIPSEY RD City: Jasper State: AL Zip: 35504

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	Judy M. & Stewart E. Banks	McWane, Inc.	9-11-96	NO

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: S-35

(SEE PERMIT MAP)

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

Legal owner(s) of record: MARY HELEN DILL

Address: 525 Old Dora Road City: Sumiton State: AL Zip: 35148

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	MARY HELEN DILL	McWane, Inc.	12/22/95	NO

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: S-36
(SEE PERMIT MAP)
 Surface/Mineral/or Fee Simple (both): SURFACE
 Legal owner(s) of record: **Brad Clifton**
 Address: **274 COYLE RD** City: **Empire** State: **AL** Zip: **35063**
 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	Brad Clifton	McWane, Inc.	8-23-96	NO

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: S-37

(SEE PERMIT MAP)

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

Legal owner(s) of record: STANLEY & BETTY JEAN DILL

Address: 650 Pink & Roxie Dill Road City: Jasper State: AL Zip: 35504

Holders of leasehold interest: MCWANE, INC.

Address: 1927 1ST AVE. N., SUITE 900 City: BIRMINGHAM State: AL Zip: 35203

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	STANLEY & BETTY JEAN DILL	McWane, Inc.	11/01/96	NO

PART I C 1. (CONTINUED)

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Legal description of property or permit map symbol: S-38
 (SEE PERMIT MAP)
 Surface/Mineral/or Fee Simple (both): SURFACE
 Legal owner(s) of record: JAMES T. MILLER
 Address: P.O. BOX 343 City: JASPER State: AL Zip: 35501
 Holders of leasehold interest: MCWANE, INC.
 Address: 1927 1ST AVE. N., SUITE 900 City: BIRMINGHAM State: AL Zip: 35203
 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	JAMES T. MILLER	McWane, Inc.	06/05/96	NO

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: _____ S-39

 (SEE PERMIT MAP)
 Surface/Mineral/or Fee Simple (both): _____ SURFACE
 Legal owner(s) of record: Burton Cemetary C/O Arnold Burton
 Address: 3075 WARRIOR/JASPER RD City: Warrior State: AL Zip: 35180
 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	Burton Cemetary	McWane, Inc.	Pending	NO

PART I C 1. (CONTINUED)

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Legal description of property or permit map symbol: S-40

(SEE PERMIT MAP)

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

Legal owner(s) of record: Charlotte & Whitlow C. Starnes C/O Nortricia Starnes

Address: 3151 Co. Rd. 18 City: Bremen State: AL Zip: 35033

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	Bobby Dill Charlotte & Whitlow C. Starnes	McWane, Inc.	8-30-95	NO

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: S-41

(SEE PERMIT MAP)

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

Legal owner(s) of record: JEFFERSON TRUCKING CO., INC.

Address: 9480 HIGHWAY 31 City: WARRIOR State: AL Zip: 35780

Holders of leasehold interest: MCWANE, INC.

Address: 1927 1ST AVE. N., SUITE 900 City: BIRMINGHAM State: AL Zip: 35203

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	JEFFERSON TRUCKING CO., INC.	McWane, Inc.	02/07/96	NO

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: S-46

(SEE PERMIT MAP)

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

Legal owner(s) of record: Fred H. Hallmark

Address: 9484 HWY 31 City: Warrior State: AL Zip: 35180

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	Fred H. Hallmark	McWane, Inc.	2-7-96	NO

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: S-51
(SEE PERMIT MAP)
 Surface/Mineral/or Fee Simple (both): SURFACE
 Legal owner(s) of record: Jimmie & Linda Dill
 Address: 208 dill Hill Road City: Jasper State: AL Zip: 35504
 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	Pink Dill Est. Jimmie & Linda Dill	McWane, Inc.	8-30-95	NO

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: S-52

(SEE PERMIT MAP)

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

Legal owner(s) of record: Vickie & Larry Palmer

Address: 83 DEBARTLEBAN RD City: Bremen State: AL Zip: 35033

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	Pink Dill Est. Vickie & Larry Palmer	McWane, Inc.	8-30-95	NO

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: S-53

(SEE PERMIT MAP)

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

Legal owner(s) of record: Doris Holder

Address: 1169 PINK & ROXIE DILL ROAD City: Jasper State: AL Zip: 35504

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	Pink Dill Est. Doris Holder	McWane, Inc.	8-30-95	NO

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: S-54

(SEE PERMIT MAP)

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

Legal owner(s) of record: BOB DILL

Address: 286 filter Plant Road City: Cordova State: AL Zip: 35550

Holders of leasehold interest: MCWANE, INC.

Address: 1927 1ST AVE. N., SUITE 900 City: BIRMINGHAM State: AL Zip: 35203

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	BOB DILL	McWane, Inc.	08/30/95	NO

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: S-55

(SEE PERMIT MAP)

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

Legal owner(s) of record: Gabriel Parrish

Address: 345 DRUMMOND CEMETERY RD City: Jasper State: AL Zip: 35504

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	Pink Dill Est. Gabriel Parrish	McWane, Inc.	8-30-95	NO

PART I C 1. (CONTINUED)

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Legal description of property or permit map symbol: S-56

(SEE PERMIT MAP)

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

Legal owner(s) of record: Connie Shubert

Address: 509 DILL HILL RD City: Jasper State: AL Zip: 35504

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	Pink Dill Est. Connie Shubert	McWane, Inc.	8-30-95	NO

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: S-57
(SEE PERMIT MAP)

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

Legal owner(s) of record: JULIA MAE BANKS

Address: 3250 Piney Woods Sipsey Road City: Jasper State: AL Zip: 35504

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	JULIA MAE BANKS	McWane, Inc.	09/11/96	NO

PART I C 1. (CONTINUED)

Page 28 of 28

Legal description of property or permit map symbol: S-58
(SEE PERMIT MAP)

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

Legal owner(s) of record: TIM & MELINDA LANE

Address: P. O. BOX 853 City: SIPSEY State: AL Zip: 35148

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	Charles Dill Est. Tim & Melinda Lane	McWane, Inc.	12-22-95	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

Page 1 of 5

Name: Empire Coke Company
Address: 1241 Vanderbilt road
City: Birmingham State: AL Zip: 35234
Interest owned (Surface, Coal or Fee Simple): SURFACE & MINERAL
Type of Interest (Owner, Lease, or Other): OWNER

Name: Delaney Childers
Address: P. O. Box 21
City: Sipsey State: AL Zip: 35584
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease, or Other): OWNER

Name: Bill & Mary Glover
Address: 84 Burton Bend Road
City: Empire State: AL Zip: 35063
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease, or Other): OWNER

Name: Bill R. Dill
Address: 4505 Highway 78
City: Cordova State: AL Zip: 35550
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): OWNER

Name: Steve & Rebecca Howard
Address: 5317 Highland Ave.
City: Birmingham State: AL Zip: 35224
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): OWNER

Name: McWane Coal Co.
Address: 1201 Vanderbilt Road
City: Birmingham State: AL Zip: 35234
Interest owned (Surface, Coal or Fee Simple): MINERAL
Type of Interest (Owner, Lease, or Other): OWNER

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

Page 2 of 5

Name: Sadie Blaylock, Mary Ackerman, Eunice Roberts
Address: 1205 11th Ave.
City: Jasper State: AL Zip: 35503
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease, or Other): OWNER

Name: Hallmark & Sons Coal Co.
Address: 9490 Highway 31
City: Birmingham State: AL Zip: 35780
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease, or Other): OWNER

Name: George Aiken and Jim Aiken
Address: 302 Sherwood Drive SE
City: Huntsville State: AL Zip: 35802
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): OWNER

Name: Pink Dill Jr.
Address: 1335 Pink & Roxie Dill Road
City: JASPER State: AL Zip: 35504
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): OWNER

Name: Dorothy Mae Parrish
Address: 345 Drummond Cemetary Road
City: Jasper State: AL Zip: 35504
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): OWNER

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

Page 3 of 5

Name: Stewart E. & Judy M. Banks
Address: 3250 Piney Woods Sipsey Road
City: Jasper State: AL Zip: 35504
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): OWNER

Name: Mary Helen Dill
Address: 525 Old Dora Road
City: Sumiton State: AL Zip: 35148
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): OWNER

Name: Brad Clifton
Address: 274 Coyle Road
City: Empire State: AL Zip: 35063
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): OWNER

Name: STANELY & BETTY JEAN DILL
Address: 650 PINK & ROXIE DILL ROAD
City: JASPER State: AL Zip: 35504
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease, or Other): OWNER

Name: James T. Miller
Address: P. O. Box 343
City: Jasper State: AL Zip: 35501
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease, or Other): OWNER

Name: Burton Cemetary C/O Arnold Burton
Address: 3075 Warrior Jasper Road
City: Warrior State: AL Zip: 35180
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): OWNER

Name: Charlotte & Whitlow C. Starnes C/O Nortricia Starnes
Address: 3151 Co. Rd. 18
City: Bremen State: AL Zip: 35033
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): OWNER

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

Page 4 of 5

Name: Jefferson Trucking Co., Inc.
Address: 9480 Highway 31
City: Warrior State: AL Zip: 35180
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): OWNER

Name: Fred H. Hallmark
Address: 9484 Hwy 31
City: Warrior State: AL Zip: 35180
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): OWNER

Name: Jimmie & Linda Dill
Address: 208 Dill Hill Road
City: Jasper State: AL Zip: 35504
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): OWNER

Name: Larry & Vickie Palmer
Address: 83 Debartleban Road
City: Bremen State: AL Zip: 35033
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease, or Other): OWNER

Name: Doris Holder
Address: 1169 Pink & Roxie Dill Road
City: Jasper State: AL Zip: 35504
Interest owned (Surface, Coal or Fee Simple): SURFACE
Type of Interest (Owner, Lease, or Other): OWNER

Name: Bobbie Howard Dill
Address: 1585 Pink & Roxie Dill Road
City: Sipsey State: AL Zip: 35504
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): OWNER

Name: Gabriel Parrish
Address: 345 Drummond Cemetary Road
City: Jasper State: AL Zip: 35504
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): OWNER

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

=====
Page 5 of 5
=====

Name: Connie Shubert
Address: 509 Dill Hill Road
City: Jasper State: AL Zip: 35504
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): OWNER

Name: Julia Mae Banks
Address: 3250 Piney Woods Sipsey Road
City: Jasper State: AL Zip: 35504
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): OWNER

Name: Tim & Melinda Lane
Address: P. O. Box 853
City: Sipsey State: AL Zip: 35148
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:

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.

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

USE ADDITIONAL SHEETS IN THE FORMAT BELOW AS NECESSARY

Page 1 of

Legal description: _____

Describe the nature of the interest: _____

Legal description: _____

Describe the nature of the interest: _____

Legal description: _____

Describe the nature of the interest: _____

Legal description: _____

Describe the nature of the interest: _____

PART I D. PERMIT AREA INFORMATION

1. Term Information

- a. Date original permit of subsequent renewal expires: September 18, 2011
- b. Term of original permit or subsequent renewal: 3 Years
- c. Requested term of this permit renewal: 5 Years
- d. Sequence number of this renewal: #3

2. Give the legal description of the land upon which the applicant proposes to conduct surface coal mining operations pursuant to this renewal. List each quarter-quarter section, section, township, range, and county.

The SE/SW, SW/SW, NW/SW & SW/NW of Section 17, the NE/NE & SE/NE of Section 19, the NW/NW, NE/NW, NW/NE, SW/NW, SW/NE, SE/NW, SE/NE, NW/SW, NE/SW, NW/SE, NE/SE, SE/SW, SW/SE & SE/SE of Section 20, the NE/NW, NW/NE, NE/NE, SE/NW & SW/NE of Section 29 Township 14 South, Range 5 West, Walker County, Alabama.

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

a. Total permit renewal acreage: 561.0 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.	<u>49.0</u>	<u>Surety Bond</u>
2.	<u>156.0</u>	<u>Surety Bond</u>
3.	<u>104.0</u>	<u>Surety Bond</u>
4.	<u>252.0</u>	<u>Surety Bond</u>

NOTE: (Areas that may be included in the renewal of a permit may included that part of the permit which has not been disturbed by mining and those incidental areas necessary to facilitate the mining operations. For underground mining, existing surface areas contained in the permit may be included in the renewal of a permit. No new acres may be added to the permit as part of this renewal).

McWANE, INC.
BURTON MINE, P-3753

PART I D. (CONTINUED)

5. 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:

Permit	ID or Permit Number	Issuing Authority	Address	Status or date of issuance
MSHA ID	<u>01-03058</u>	<u>MSHA</u>	135 Gemini Circle Birmingham, AL 35209	<u>09/11/95</u>
NPDES	<u>AL0068888</u>	<u>ADEM</u>	1400 Coliseum Drive Montgomery, AL 36110	<u>04/01/95</u>

6. Did the applicant receive assistance from the Small Operator Assistance Program in preparing this application?
() YES (XX) NO
If YES, list SOAP I.D. Number: _____

7. Submit a certificate of proof of Liability Insurance with this application.

8. Describe any changes at the mining operation (on-site) which are different from the information given in the original permit application, earlier renewals, or revisions. Examples of such changes would be: previously undetected conditions which are creating adverse environmental effects, changes in the permit application such as the operation plan, reclamation timetable, or post-mining land use. In the case of underground mining operations, the anticipated underground development planned for the term of the renewal shall be described along with a subsidence control plan for the area. This plan is to be in the format of the subsidence control plan found in the permit application.

None

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 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: The Daily Mountain Eagle.

See Attachment I-E-2

**McWANE, INC.
BURTON MINE, P-3753**

PUBLIC NOTICE FILING OF PERMIT APPLICATION

Pursuant to 880-X-8M-.07, McWane, Inc., 1201 Vanderbilt Road, Birmingham, AL 35234 is filing an application to renew its Burton Mine permit P-3753 for a term of 5 years. All located in:

The SE/SW, SW/SW, NW/SW & SW/NW of Section 17, the NE/NE & SE/NE of Section 19, the NW/NW, NE/NW, NW/NE, SW/NW, SW/NE, SE/NW, SE/NE, NW/SW, NE/SW, NW/SE, NE/SE, SE/SW, SW/SE & SE/SE of Section 20, the NE/NW, NW/NE, NE/NE, SE/NW & SW/NE of Section 29 Township 14 South, Range 5 West, Walker County, Alabama.

A copy of the permit revision 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 revision 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 date of publication of this notice.

TO THE DAILY MOUNTAIN EAGLE:

Please run this notice 4/09, 4/11, 4/18 & 4/25, 2011. Please send invoice and notarized proof of publication to:

McWane, Inc.
1201 Vanderbilt Road
Birmingham, AL 35234
Telephone (205) 241-4323

If you should have any questions or need additional information, please call:

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

McWANE, INC.

BURTON MINE

ALABAMA SURFACE MINING COMMISSION
SURFACE MINING PERMIT APPLICATION

PART VI

Prepared by:

MCGEHEE ENGINEERING CORP.

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

PART VI - VERIFICATION OF PERMIT APPLICATION (771.27)

I, the undersigned operator and holder of an A.S.M.C. license do hereby submit this as my application for a permit to engage in surface coal mining operation and certify that the information in the application is true and correct to the best of my information and belief. This application is submitted in conformance with rules and regulations of the Commission and it is agreed that any operations pursuant to the permit will be conducted in accordance with those rules and regulations. I further certify that I will keep the Commission advised of any changes of facts as may pertain to the license information or this permit application.

McWANE, INC.

License No.: L-603

Licensee:

By: James L. Hansen
Vice-President



STATE OF ALABAMA)))

COUNTY OF WALKER)))

Before me, the undersigned authority, personally appeared James L. Hansen who being duly sworn upon oath, deposed and said, that he has read the foregoing application, that he is the responsible official of the applicant who executed the application, that the facts and matters contained therein are true and correct to the best of his information and belief, and that he executed the same for the purposes therein expressed.

Sworn to and subscribed before me, this 5th day of April 2011.



NOTARY PUBLIC

My Commission Expires: _____ My Commission Expires
March 15, 2015

{ S E A L }

**McWANE, INC.
BURTON MINE, P-3753**

McWANE, INC.

BURTON MINE

**ALABAMA SURFACE MINING COMMISSION
SURFACE MINING PERMIT APPLICATION**

PART VII

Prepared by:

MCGEHEE ENGINEERING CORP.

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

PART VII - FINAL VERIFICATION OF PERMIT APPLICATION

I, the undersigned operator and holder of an A.S.M.C. license do hereby certify that:

The information in the license file regarding ownership and control and violation information is accurate and complete as of this date.

The information in the license file regarding ownership and control and violation information is not accurate and complete as of this date. The necessary update is attached.

This application is submitted in conformance with rules and regulations of the Commission and it is agreed that any operations pursuant to the permit will be conducted in accordance with those rules and regulations. I further certify that I will keep the Commission advised of any changes of facts as may pertain to the license information or this permit application.

Licensee: McWANE, INC.

License No.: L-603

By: *James L. Hansen*
James L. Hansen, Vice President

Date: 4/5/11

STATE OF ALABAMA)))

COUNTY OF WALKER)))

Before me, the undersigned authority, personally appeared James L. Hansen who being duly sworn upon oath, deposed and said, that he has read the foregoing application, that he is the responsible official of the applicant who executed the application, that the facts and matters contained therein are true and correct to the best of his information and belief, and that he executed the same for the purposes therein expressed.

Sworn to and subscribed before me, this 5th day of April, 2011.

Carolyn Evelyn McClure
NOTARY PUBLIC

My Commission Expires : My Commission Expires
March 15, 2015

{S E A L}