



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, MOBILE DISTRICT
CORPS OF ENGINEERS
218 SUMMIT PARKWAY, SUITE 222
HOMEWOOD, ALABAMA 35209

August 3, 2011

Inland Section North
Regulatory Division

SUBJECT: Nationwide Permit Authorization - Permit Number SAM-2011-00371-CTM,
Tuscaloosa Resources, Inc. – Carter Mine, Revision R-13

Mr. Jan Kizziah
c/o McGehee Engineering Corp.
Attention: Mr. Stephen Blankenship
Post Office Box 3431
Jasper, Alabama 35502

Dear Mr. Kizziah:

This letter is in response to your March 31, 2011 application, filed on your behalf by McGehee Engineering Corp., for a Department of the Army permit to fill approximately 128 linear feet of ephemeral stream and 0.49 acre of wetlands in association with a surface mining project. It has been assigned file number SAM-2011-00371-CTM, which should be referred to in all future correspondence with this office. The project is located in Section 18, Township 20 S, Range 7 W (Latitude 33° 17' 58" N and Longitude 87° 18' 40" W), near Brookwood, Tuscaloosa County, Alabama.

Department of the Army authorization is necessary because your project will involve the placement of fill material into jurisdictional waters of the United States, regulated under Section 404 of the Clean Water Act. The project includes temporary impacts to 128 linear feet (lf) of ephemeral stream and 0.49 acre of wetlands.

Based on the pre-construction notification and mitigation plan submitted on March 31, 2011, your proposal is authorized by Nationwide Permit (NWP) 21 Surface Coal Mining Activities (Federal Register, March 12, 2007 Vol. 72, No. 47). In order for this NWP authorization to be valid, you must ensure that the work is performed in accordance with the General Conditions of *Nationwide Permit 21*, which can be viewed at our website at www.sam.usace.army.mil/RD/reg, and the following special conditions:

a. A series of status reports must be submitted to the U.S. Army Corps of Engineers, Mobile District, Regulatory Division, during various stages of the mining process including: 1. At

completion of coal removal; 2. After any sediment pond removals; 3. When Alabama Surface Mining Commission required reclamation is complete; 4. When mitigation construction begins, including final design plans; 5. A final mitigation construction status report will be submitted upon completion of the mitigation plan, including as-built drawings.

b. The permittee shall construct at least 128 lf of ephemeral streams and 0.49 acre of wetlands as compensatory mitigation for the impacts of the proposed project. Mitigation monitoring reports will be due annually for 5 years from the date of the final mitigation construction status report. All reports must be submitted to the U.S. Army Corps of Engineers, Mobile District, Regulatory Division and must prominently display the reference number SAM-2011-00133-CTM.

c. The permittee shall preserve (in a restrictive covenant) the mitigation work performed on site. In the event that the onsite location cannot be preserved, the permittee shall preserve 0.77 acre of depressional outflow/palustrine enhanced wetland offsite (as discussed in the approved mitigation plan). A signed and recorded restrictive covenant must be received at our office prior to commencing work.

d. You shall comply with all the terms and conditions of the Alabama Department of Environmental Management Section 401 Water Quality Certifications for the Nationwide Permits. This document can be viewed at our website: www.sam.usace.army.mil/rd/reg/nwp/htm for you review and compliance, or at your request a paper copy will be provided to you.

e. Your responsibility to complete the required compensatory mitigation as set forth in Special Condition "b", will not be considered fulfilled until you have demonstrated compensatory mitigation project success for 5 consecutive years. After this 5 year period you will receive written verification of that success from the U.S. Army Corps of Engineers, only then is the mitigation project considered complete.

This verification is valid until the NWP is modified, reissued, or revoked. All of the existing NWPs are scheduled to be modified, reissued, or revoked prior to March 18, 2012. It is incumbent upon you to remain informed of changes to the NWPs. We will issue a public notice when the NWPs are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have twelve (12) months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this nationwide permit.

This letter of authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. Please note you are also required to submit a signed certification regarding the completed work and completion of any required mitigation. The attached Compliance Certification form must be completed and returned to the letterhead address within 60 days of completion of the work authorized.

Please contact me at 205-290-9096 if you have any questions. For additional information about our Regulatory Program, visit our web site at www.sam.usace.army.mil/RE/reg, and please take a moment to complete our customer satisfaction survey while you are there. Your responses are appreciated and will allow us to improve our services.

Sincerely,

A handwritten signature in cursive script that reads "Candice Wheelahan".

Candice Wheelahan
Project Manager
Regulatory Division

Enclosures



US Army Corps of Engineers
Mobile District

NOTIFICATION OF COMMENCEMENT OF WORK

Permit Number: SAM-2011-00371-CTM

Name of Permittee: Tuscaloosa Resources, Inc. (Jan Kizziah)

Date of Permit Issuance: August 3, 2011

Location of the Work: Tuscaloosa County, Alabama

Upon commencement of the authorized work and any mitigation required by the permit, you must complete and return this notification to the following address:

**U.S. Army Corps of Engineers, Mobile District
Regulatory Division (RD-I-N)
218 Summit Pkwy, Suite 222
Homewood, AL 35209**

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with all terms and conditions of this permit the permit is subject to permit suspension, modification, or revocation and you are subject to an enforcement action by this office.

IT SHALL NOT BE LAWFUL TO DEVIATE FROM SUCH PLANS EITHER BEFORE OR AFTER COMPLETION OF THE WORK, unless modification of said plans has previously been submitted to and received the approval of the Department of the Army. If for any reason it becomes necessary to make a material change in location or plans for this work, revised plans should be submitted promptly to the District Engineer in order that the revised plans may receive the approval required by law before work is begun.

PERMITTEE TO COMPLETE THE FOLLOWING:

Date Work Commenced: _____

Signature of Permittee

Date



US Army Corps of Engineers
Mobile District

SELF-CERTIFICATION - STATEMENT OF COMPLIANCE

Permit Number: SAM-2011-00371-CTM

Name of Permittee: Tuscaloosa Resources, Inc. (Jan Kizziah)

Date of Permit Issuance: August 3, 2011

Location of the Work: Tuscaloosa County, Alabama

Upon completion of the activity authorized by this permit and any mitigation required by the permit, you must complete and return this certification to the following address:

**U.S. Army Corps of Engineers, Mobile District
Regulatory Division (RD-I-N)
218 Summit Pkwy, Suite 222
Homewood, AL 35209**

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with all terms and conditions of this permit the permit is subject to permit suspension, modification, or revocation and you are subject to an enforcement action by this office.

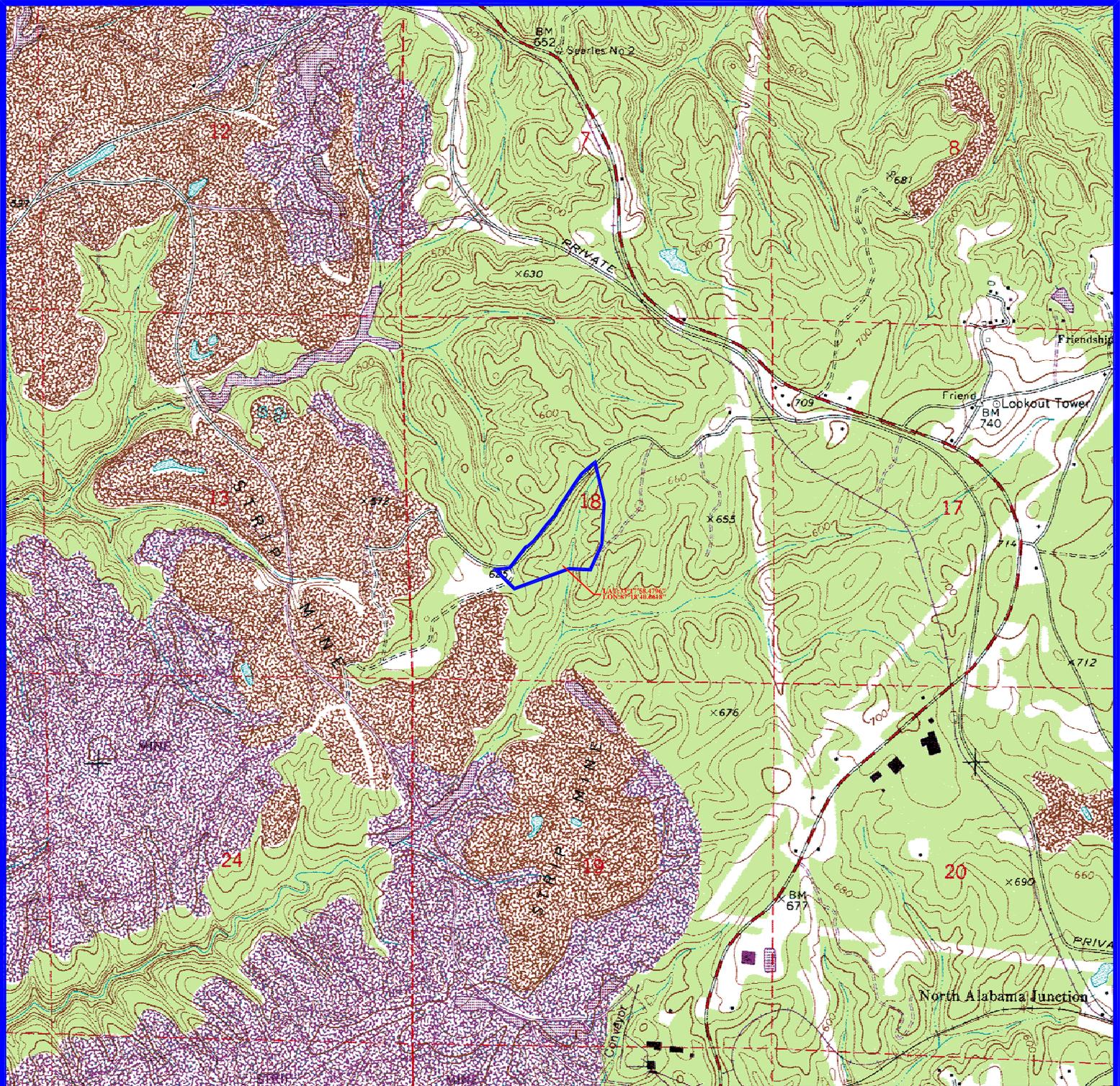
PERMITTEE TO COMPLETE THE FOLLOWING:

Date Work Completed: _____

I hereby certify that the work authorized by the above-referenced permit has been completed in accordance with the permit authorization, including all general and/or special conditions of the said permit, and the required mitigation (if applicable) was completed in accordance with the permit conditions.

Signature of Permittee

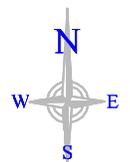
Date



SCALE: 1" = 2000'
 Revised: 03-25-2011

TUSCALOOSA RESOURCES, INC.
CARTER MINE
 (APPROXIMATELY 29 ACRES TOTAL)

PROJECT AREA MAP



SECTION 18, TOWNSHIP 20 SOUTH, RANGE 7 WEST
ALL IN TUSCALOOSA COUNTY, ALABAMA
AS FOUND ON THE BROOKWOOD, AL. USGS QUAD.

 REVISION R-13 BOUNDARY

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

Latitude: 33°17' 58" N
 Longitude: 87°18'40" W