

**BEST COAL, INC.  
NARLEY MINE, P-3850**

**BEST COAL, INC.**

**NARLEY MINE, P-3850**

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

Fax: (205) 221-7721

Email: staff's first name@mcgehee.org

# STATE OF ALABAMA SURFACE MINING COMMISSION

- (X) 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: Best Coal, Inc.  
Street Address: 2361 Cumberland Lake Drive  
City: Pinson State: AL Zip: 35126  
Mailing Address: 2361 Cumberland Lake Drive  
City: Pinson State: AL Zip: 35126  
Telephone Number: (205) 590-4245  
Social Security Number(Voluntary): - -  
Employer Identification Number: \_\_\_\_\_  
ASMC License#: L-0568

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

Name: Best Coal, Inc.  
Street Address: 2361 Cumberland Lake Drive  
City: Pinson State: AL Zip: 35126  
Mailing Address: 2361 Cumberland Lake Drive  
City: Pinson State: AL Zip: 35126  
Telephone Number: (205) 590-4245  
Social Security Number(Voluntary): - -  
Employer Identification Number: \_\_\_\_\_  
ASMC License#: L-0568

### 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, 450 19th Street West  
City: Jasper State: AL Zip: 35502  
Telephone Number: (205) 221-0686  
Email Address: staff's first name@mcgehee.org

**BEST COAL, INC.  
NARLEY MINE, P-3850**

**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: Best Coal, Inc.  
Street Address: 2361 Cumberland Lake Drive  
City: Pinson State: AL Zip: 35126  
Mailing Address: 2361 Cumberland Lake Drive  
City: Pinson State: AL Zip: 35126  
Telephone Number: (205) 590-4245  
Social Security Number(Voluntary): - -  
Employer Identification Number: \_\_\_\_\_  
ASMC License#: L-0568

**BEST COAL, INC.  
NARLEY MINE, P-3850**

**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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Legal description of property or permit map symbol: ALAWEST-AL LLC. (F)

**SEE PERMIT MAP**

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

Legal owner(s) of record: ALAWEST – AL LLC.

Address: P.O. BOX 412 City: NORTHPORT State: AL Zip: 35476

Holders of leasehold interest: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchasers under a real estate contract: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: AL 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	ALAWEST – AL LLC.	BEST COAL, INC.	7-17-03 AMENDED ON 1-13-2012	NO

**BEST COAL, INC.  
NARLEY MINE, P-3850**

**PART I C. PROPERTY OWNERSHIP, INTERESTS AND RIGHTS (CONTINUED)**

Legal description of property or permit map symbol: WILLIAM A. COUSINS (S)  
SEE PERMIT MAP

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

Legal owner(s) of record: WILLIAM A. COUSINS

Address: 7316 LEE TRAIL City: GARDENDALE State: AL Zip: 35071

Holders of leasehold interest: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchasers under a real estate contract: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: AL 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	WILLIAM A. COUSINS	BEST COAL, IN.	07/14/08	NO

**PART I C. PROPERTY OWNERSHIP, INTERESTS AND RIGHTS (CONTINUED)**

Legal description of property or permit map symbol: ROGER W. & RUTH W. DYER (S)  
SEE PERMIT MAP

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

Legal owner(s) of record: ROGER W. & RUTH W. DYER

Address: 8090 DYER DRIVE City: GARDENDALE State: AL Zip: 35071

Holders of leasehold interest: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchasers under a real estate contract: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: AL 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	ROGER W. & RUTH W. DYER	BEST COAL, IN.	10/23/2003	NO

**PART I C. PROPERTY OWNERSHIP, INTERESTS AND RIGHTS (CONTINUED)**

Legal description of property or permit map symbol: JOHN & NORMA HUGULEY (S)  
SEE PERMIT MAP

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

Legal owner(s) of record: JOHN & NORMA HUGULEY

Address: 1767 JETT ROAD City: MOUNT OLIVE State: AL Zip: 35117

Holders of leasehold interest: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchasers under a real estate contract: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: AL 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	JOHN & NORMA HUGULEY	BEST COAL, IN.	07/15/2008	NO

**PART I C. PROPERTY OWNERSHIP, INTERESTS AND RIGHTS (CONTINUED)**

**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**

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Name: ALAWEST – AL LLC.  
Address: P. O. BOX 412  
City: NORTHPORT State: AL Zip: 35476  
Interest owned (Surface, Coal or Fee Simple): SURFACE & FEE  
Type of Interest (Owner, Lease, or Other): OWNER

Name: WILLIAM A. COUSINS  
Address: 7316 LEE TRAIL  
City: GARDENDALE State: AL Zip: 35071  
Interest owned (Surface, Coal or Fee Simple): SURFACE  
Type of Interest (Owner, Lease, or Other): OWNER

Name: ROGER W. & RUTH W. DYER  
Address: 8090 DYER DR.  
City: GARDENDALE State: AL Zip: 35071  
Interest owned (Surface, Coal or Fee Simple): SURFACE  
Type of Interest (Owner, Lease, or Other): OWNER

Name: JOHN & NORMA HUGULEY  
Address: 1767 JETT ROAD  
City: MOUNT OLIVE State: AL Zip: 35117  
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:**

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

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.

**USE ADDITIONAL SHEETS IN THE FORMAT BELOW AS NECESSARY**

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Legal description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Describe the nature of the interest: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

=====  
Legal Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Describe the nature of the interest: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

=====  
Legal description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Describe the nature of the interest: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**BEST COAL, INC.  
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**PART I D. PERMIT AREA INFORMATION**

1. Give the requested term of this permit: 5 years.
2. Give the legal description of the land upon which the applicant proposes to conduct surface coal mining operations. List each quarter-quarter section, section, township, range, and county.

SW/SW of Section 18, NW/NW, SW/NW, NW/SW & SW/SW of Section 19, Township 15 South, Range 3 West; NE/SE, SE/SE, SW/SE, NW/SE, NE/SW, SE/SW & SW/SW of Section 13, NE/NE & SE/NE of Section 23, NE/NE, SE/NE, SW/NE, NW/NE, NE/SE, SE/SE, SW/SE, NW/SE, NE/NW, SE/NW, SW/NW & NW/NW of Section 24, Township 15 South, Range 4 West, all in Jefferson County, Alabama.

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

a. Total permit acreage: 571.0 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.	78.0	Certificate of Deposit
2.	62.0	Certificate of Deposit
3.	41.0	Certificate of Deposit
4.	264.0	Certificate of Deposit
5.	93.0	Certificate of Deposit
6.	33.0	Certificate of Deposit

- c. Identify the increment(s) on which mining will initially begin upon issuance of this permit: Inc. No. 4

4. Has any acreage in the proposed permit area been previously disturbed by mining? (XX ) YES ( ) NO

If yes, supply the following for any and all previously disturbed areas:

- a. Show the boundaries of the previously disturbed area(s) on the permit map and identify with an appropriate symbol.

SEE PERMIT MAP

- b. List, for each area, the permit number under which it was disturbed and the number of acres. Indicate the status of each permit as Unreleased, Grading released, or 100% released.(If no permit, indicate as such)

<u>Permit</u>	<u>Acres</u>	<u>Status</u>
<u>N/A</u>	<u>19.0</u>	<u>Pre-Law</u>

5. Is disturbance to be conducted within 300 feet, measured horizontally, from an occupied dwelling?  
( ) YES (XX) NO.

If YES, attach a signed waiver from the owner of the dwelling indicating the minimum distance disturbance will be allowed by the owner.



**BEST COAL, INC.  
NARLEY MINE, P-3850**

**ATTACHMENT I-E-13**

**PUBLIC NOTICE FILING OF PERMIT APPLICATION**

In accordance with the provision of Act No. 81-435 of the State of Alabama and the regulations promulgated under this act, Best Coal, Inc., 2361 Cumberland Lake Drive, Pinson, Alabama 35126 is filing an application to renew its Narley Mine (P-3850), Surface Mine. Access to the mine is as follows:

From Mt. Olive, Alabama, travel North on Mt. Olive Rd. approximately 3.6 miles to the intersection of Mt. Olive Rd. and Old Mt. Olive Rd. Turn left onto Old Mt. Olive Rd. and travel approximately 0.75 miles to the intersection of Old Mt. Olive Rd. and Glovers Bend Rd. Turn left onto Glovers Bend Road and travel approximately 0.85 miles to the mine entrance on the left.

SW/SW of Section 18, NW/NW, SW/NW, NW/SW & SW/SW of Section 19, Township 15 South, Range 3 West; NE/SE, SE/SE, SW/SE, NW/SE, NE/SW, SE/SW & SW/SW of Section 13, NE/NE & SE/NE of Section 23, NE/NE, SE/NE, SW/NE, NW/NE, NE/SE, SE/SE, SW/SE, NW/SE, NE/NW, SE/NW, SW/NW & NW/NW of Section 24, Township 15 South, Range 4 West, all in Jefferson County, Alabama.

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

This notice to be published in the Birmingham News.

**TO THE BIRMINGHAM NEWS:**

Please run this notice once a week for four (4) consecutive weeks beginning 11/08, 11/15, 11/22 & 11/29. Please send invoice and notarized proof of publication to:

Best Coal, Inc.  
2361 Cumberland Lake Drive  
Pinson, Alabama 35126  
Telephone (205) 590-4245

Also, please send a notarized proof of publication to:

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