

Applicant: Justice Coal of Alabama, LLC

Mine Name: Mine No. 2

Permit Number: P-3877

# 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: Justice Coal of Alabama LLC

Street Address: 302 S. Jefferson St

City: Roanoke State: VA Zip: 24011

Mailing Address: P.O. Box 1085

City: Beckley State: WV Zip: 25801

Telephone Number: ( 304 ) 252 -1074

Social Security Number (Voluntary): - -

Employer Identification Number: 45-2354416

ASMC License#: L-816

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

Name: Justice Coal of Alabama LLC

Street Address: 302 S. Jefferson St

City: Roanoke State: VA Zip: 24011

Mailing Address: P.O. Box 1085

City: Beckley State: WV Zip: 25801

Telephone Number: ( 304 ) 252 1074

Social Security Number (Voluntary): - -

Employer Identification Number: 45-2354416

ASMC License#: L-816

### 3. IDENTIFY THE OPERATOR FOR THIS MINE IF DIFFERENT FROM THE PERMITTEE

Name: \_\_\_\_\_

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: David Altizer

Mailing Address: P.O. Box 1085

City: Beckley State: WV Zip: 25801

Telephone Number: ( 304 ) 252 - 1074

<b>Applicant:</b> Justice Coal of Alabama, LLC
<b>Mine Name:</b> Mine No. 2
<b>Permit Number:</b> p-3877

**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: Justice Coal of Alabama LLC  
Street Address: 302 S. Jefferson St  
City: Roanoke State: VA Zip: 24011  
Mailing Address: P.O. Box 1085  
City: Beckley State: WV Zip: 25801  
Telephone Number: ( 304 ) - 252 - 1074  
Social Security Number:            -            -            (Voluntary)  
Employer Identification Number: 45-2354416  
ASMC License#: L-816



Describe Right of Entry (If deed indicate where recorded) :	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Assignment	Lowell Barron	Cahaba Resources, LLC	1-16-06	NO
Assignment	Cahaba Resources, LLC	GTM Energy Partners, LLC	2-23-07	NO
Assignment	GTM Energy Partners, LLC	Justice Coal of Alabama, LLC	4-24-12	NO

<b>Applicant:</b> Justice Coal of Alabama, LLC
<b>Mine Name:</b> Mine No. 2
<b>Permit Number:</b> P-3877

**PART I C 1. (CONTINUED)**

Legal description of property or permit map symbol: F-1

See Permit Map

Surface/Mineral/or Fee Simple (both): Surface  
 Legal owner(s) of record: Lowell Barron & Southern Energy Development  
 Address: P.O. Box 65 City: Fyfee State: AL Zip: 35971  
 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	L. Barron & Southern Energy Development	Cahaba Resources LLC	1-16-06	No
Assignment	Cahaba Resources LLC	GTM Energy Partners, LLC	2-23-07	No
Assignment	GTM Energy Partners, LLC	Justice Coal of Alabama, LLC	4/24/12	NO

Legal description of property or permit map symbol: S-18

See Permit Map

Surface/Mineral/or Fee Simple (both): Surface  
 Legal owner(s) of record: Judy Shrader Pike  
 Address: 23753 Al HWY 71 City: Flat Rock State: AL Zip: 35966  
 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 Shrader Pike	GTM Energy Partners, LLC	5-1-09	No
Assignment	GTM Energy Partners, LLC	Justice Coal of Alabama, LLC	4-24-12	NO

**Applicant:** Justice Coal of Alabama, LLC  
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**Permit Number:** P-3877

**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 AS NECESSARY IN THE FORMAT BELOW**

**PAGE 1 OF** \_\_\_\_\_

Name: Lowell Barron  
Address: P.O. Box 65  
City: FIFFE State: AL Zip: 35502  
Interest owned (Surface, Coal, or Fee Simple): Surface  
Type of Interest (Owner, Lease, or Other): Owner

Name: Bobby & Shirley Thurmond  
Address: 24156 Al HWY 71  
City: Flat Rock State: AL Zip: 35958  
Interest owned (Surface, Coal, or Fee Simple): Surface  
Type of Interest (Owner, Lease, or Other): Owner

Name: Judy Shrader Pike  
Address: 23753 Al HWY 71  
City: Flat Rock State: AL Zip: 35958  
Interest owned (Surface, Coal, or Fee Simple): Surface  
Type of Interest (Owner, Lease, or Other): Owner

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Interest owned (Surface, Coal, or Fee Simple): \_\_\_\_\_  
Type of Interest (Owner, Lease, or Other): \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Interest owned (Surface, Coal, or Fee Simple): \_\_\_\_\_  
Type of Interest (Owner, Lease, or Other): \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Interest owned (Surface, Coal, or Fee Simple): \_\_\_\_\_  
Type of Interest (Owner, Lease, or Other): \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Interest owned (Surface, Coal, or Fee Simple): \_\_\_\_\_  
Type of Interest (Owner, Lease, or Other): \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Interest owned (Surface, Coal, or Fee Simple): \_\_\_\_\_  
Type of Interest (Owner, Lease, or Other): \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Interest owned (Surface, Coal, or Fee Simple): \_\_\_\_\_  
Type of Interest (Owner, Lease, or Other): \_\_\_\_\_

**Applicant:** Justice Coal of Alabama, LLC  
**Mine Name:** Mine No. 2  
**Permit Number:** P-3877

**PART I C 2 (CONTINUED)**

Part I C 2 PAGE \_\_ OF \_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Interest owned (Surface, Coal or Fee Simple): \_\_\_\_\_  
Type of Interest (Owner, Lease , or Other): \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Interest owned (Surface, Coal, or Fee Simple) \_\_\_\_\_  
Type of Interest (Owner, Lease , or Other): \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Interest owned (Surface, Coal, or Fee Simple): \_\_\_\_\_  
Type of Interest (Owner, Lease , or Other): \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Interest owned (Surface, Coal or Fee Simple): \_\_\_\_\_  
Type of Interest (Owner, Lease , or Other): \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Interest owned (Surface, Coal, or Fee Simple) \_\_\_\_\_  
Type of Interest (Owner, Lease , or Other): \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Interest owned (Surface, Coal, or Fee Simple): \_\_\_\_\_  
Type of Interest (Owner, Lease , or Other): \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Interest owned (Surface, Coal, or Fee Simple): \_\_\_\_\_  
Type of Interest (Owner, Lease , or Other): \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Interest owned (Surface, Coal, or Fee Simple): \_\_\_\_\_  
Type of Interest (Owner, Lease , or Other): \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Interest owned (Surface, Coal, or Fee Simple): \_\_\_\_\_  
Type of Interest (Owner, Lease , or Other): \_\_\_\_\_

Applicant: Justice Coal of Alabama, LLC  
Mine Name: Mine No. 2  
Permit Number: P-3877

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.

USE ADDITIONAL SHEETS IN THE FORMAT BELOW IF NECESSARY

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PAGE 1 OF \_\_\_\_

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

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

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

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

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

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

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

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

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

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

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

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

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**Applicant:** Justice Coal of Alabama, LLC  
**Mine Name:** Mine No. 2  
**Permit Number:** P- 3877

**PART I C 3 (CONTINUED)**

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Part I C 3 PAGE \_\_ OF \_\_

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

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

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

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



**Applicant:** Justice Coal of Alabama, LLC

**Mine Name:** Mine No. 2

**Permit Number:** P-3877

**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
<u>MSHA ID</u>	<u>0102933</u>	<u>MSHA</u>	<u>228 W. Valley Ave Birmingham, AL</u>	<u>11/20/91</u>
<u>NPDES</u>	<u>AL0062693</u>	<u>ADEM</u>	<u>1400 Coliseum Dr Montgomery AL</u>	<u>1/1/05</u>

6. Did the applicant receive assistance from the Small Operator Assistance Program in preparing this application? ( )YES ( x)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.

**PART I E. PUBLIC NOTICE AND AVAILABILITY FOR INSPECTION**

1. 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 and Alabama Surface Mining Commission website <http://surface-mining.alabama.gov>

2. 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: See Attachment I-E-2

COMPANY NAME: Justice Coal of Alabama, LLC

MINE NAME: Mine #2 - P-3877

PART VI - VERIFICATION OF PERMIT APPLICATION  
FOR NEW PERMIT ( ) TRANSFER ( ) RENEWAL ( X )

I, the undersigned operator, 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 the 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 change of facts as may pertain to the license information or this permit application.

Justice Coal of Alabama License No. L-0780  
**PERMITTEE** (IF APPLICABLE)

BY: \_\_\_\_\_  
Attorney in Fact

STATE OF ALABAMA )  
 )  
\_\_\_\_\_ COUNTY )

Before me, the undersigned authority, personally appeared \_\_\_\_\_, 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 \_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
COMMISSION EXPIRES



COMPANY NAME: Justice Coal of Alabama

MINE NAME: Mine #2

**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.

PERMITEE: Justice Coal of Alabama

License No.: L-816

By: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF \_\_\_\_\_ )

)

COUNTY OF \_\_\_\_\_ )

Before me, the undersigned authority, personally appeared \_\_\_\_\_ 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 \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

{ S E A L }

