

Applicant: Haley Bros. Coal, Inc.
Mine Name: Sugar Town Mine
Permit Number: P- 3880, 2011 Renewal

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: Haley Bros. Coal, Inc.
Street Address: P.O. Box 56
City: Carbon Hill State: AL Zip: 35549
Mailing Address: P.O. Box 56
City: Carbon Hill State: AL Zip: 35549
Telephone Number: (205) 924-2412
Social Security Number (Voluntary): _____
Employer Identification Number: _____
ASMC License#: L-213

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

Name: Applicant
Street Address: _____
City: _____ State: _____ Zip: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Telephone Number: (_____) _____
Social Security Number (Voluntary): _____
Employer Identification Number: _____
ASMC License#: _____

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

Name: Applicant
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: Stephen Miles c/o PERC Engineering Co., Inc.
Mailing Address: Post Office Box 1712
City: Jasper State: AL Zip: 35502-1712
Telephone Number: (205) 295-3131

Applicant: <u>Haley Bros. Coal, Inc.</u> Mine Name: <u>Sugar Town Mine</u> Permit Number: P- <u>3880, 2011 Renewal</u>
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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
- .))-
- +)),
- * X* 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
- .))-
- +)),
- * X* 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: Not Applicable

Street Address: _____

City: _____ State: _____ Zip: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Applicant: <u>Haley Bros. Coal, Inc.</u> Mine Name: <u>Sugar Town Mine</u> Permit Number: P- <u>3880, 2011 Renewal</u>
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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: Walker County (S)

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

Legal owner(s) of record: Walker County

Address: 705 20th Ave. 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	Walker County	Haley Bros. Coal, Inc.	See Attached Letter	No

Applicant: <u>Haley Bros. Coal, Inc.</u>
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PART I C 1. (CONTINUED)

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Legal description of property or permit map symbol: Clifton Neil & Richard Mark Wright (S)
Surface/Mineral/or Fee Simple (both): Surface
Legal owner(s) of record: Clifton Neil & Richard Mark Wright
Address: 642 Maple Road City: Jasper State: AL Zip: 35501
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	Clifton Neil & Richard Mark Wright	Haley Bros. Coal, Inc.	10/09/06	No

=====
Legal description of property or permit map symbol: Patsy L. Sparks Trust (S)
Surface/Mineral/or Fee Simple (both): Surface
Legal owner(s) of record: Patsy L. Sparks Trust
Address: 394 Mackey Boshell Road City: Jasper State: AL Zip: 35501
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	Patsy L. Sparks	Haley Bros. Coal, Inc.	11/02/05	No

Applicant: <u>Haley Bros. Coal, Inc.</u>
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PART I C 1. (CONTINUED)

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Legal description of property or permit map symbol: _____
Charles Sparks (S)
Surface/Mineral/or Fee Simple (both): Surface
Legal owner(s) of record: Charles Sparks
Address: 294 Mackey Boshell Road City: Jasper State: AL Zip: 35501
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 Sparks	Haley Bros. Coal, Inc.	11/02/05	No

=====
Legal description of property or permit map symbol: _____
Louie & Maxine Self (S)
Surface/Mineral/or Fee Simple (both): Surface
Legal owner(s) of record: Louie & Maxine Self
Address: 529 Self Road City: Oakman State: AL Zip: 35579
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	Louie & Maxine Self	Haley Bros. Coal, Inc.	03/07/06	No

Applicant: <u>Haley Bros. Coal, Inc.</u>
Mine Name: <u>Sugar Town Mine</u>
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PART I C 1. (CONTINUED)

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Legal description of property or permit map symbol: _____
Chesla Gaye Miller (S)
Surface/Mineral/or Fee Simple (both): Surface
Legal owner(s) of record: Chesla Gaye Miller
Address: 305 County Road 107 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	Chesla Gaye Miller	Haley Bros. Coal, Inc.	03/22/06	No

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Legal description of property or permit map symbol: _____
Larry W. Self (S)
Surface/Mineral/or Fee Simple (both): Surface
Legal owner(s) of record: Larry W. Self
Address: P. O. Box 9 City: Townley State: AL Zip: 35587
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	Larry W. Self	Haley Bros. Coal, Inc.	03/01/03	No

Applicant: <u>Haley Bros. Coal, Inc.</u> Mine Name: <u>Sugar Town Mine</u> Permit Number: P- <u>3880, 2011 Renewal</u>
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PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: _____
Johnny & Flossie Self (S)
 Surface/Mineral/or Fee Simple (both): Surface
 Legal owner(s) of record: Johnny & Flossie Self
 Address: P. O. Box 37 City: Townley State: AL Zip: 35587
 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	Johnnie & Flossie Self	Haley Bros. Coal, Inc.	09/13/05	No

Legal description of property or permit map symbol: _____
Charles E. Justice (S)
 Surface/Mineral/or Fee Simple (both): Surface
 Legal owner(s) of record: Charles E. Justice
 Address: 2106 Deer Run 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	Charles E. Justice	Haley Bros. Coal, Inc.	09/25/08	No

Applicant: <u>Haley Bros. Coal, Inc.</u>
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PART I C 1. (CONTINUED)

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Legal description of property or permit map symbol: _____
Edward Sparks (S)
Surface/Mineral/or Fee Simple (both): Surface
Legal owner(s) of record: Edward Sparks
Address: 501 10th Ave. City: Jasper State: AL Zip: 35501
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	Edward Sparks	Haley Bros. Coal, Inc.	05/08/08	No

=====
Legal description of property or permit map symbol: _____
Margaret Harris & Thomas Self (S)
Surface/Mineral/or Fee Simple (both): Surface
Legal owner(s) of record: Margaret Harris & Thomas Self
Address: 1663 Self Road City: Oakman State: AL Zip: 35579
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	Margaret Harris & Thomas Self	Haley Bros. Coal, Inc.	05/23/09	No

Applicant: <u>Haley Bros. Coal, Inc.</u>
Mine Name: <u>Sugar Town Mine</u>
Permit Number: P- <u>3880, 2011 Renewal</u>

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: _____
Thomas & Deborah Self (S)
Surface/Mineral/or Fee Simple (both): Surface
Legal owner(s) of record: Thomas & Deborah Self
Address: 1663 Self Road City: Oakman State: AL Zip: 35579
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	Thomas & Deborah Self	Haley Bros. Coal, Inc.	05/23/09	No

=====
Legal description of property or permit map symbol: _____
Joseph Busken, Agent (M)
Surface/Mineral/or Fee Simple (both): Mineral
Legal owner(s) of record: Joseph Busken, Agent c/o Lynne M. Halley
Address: 9 Royal St. George Road City: Newport Beach State: CA Zip: 92660
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	Joseph Busken, Agent	Haley Bros. Coal, Inc.	06/29/05	No

Applicant: <u>Haley Bros. Coal, Inc.</u> Mine Name: <u>Sugar Town Mine</u> Permit Number: P- <u>3880, 2011 Renewal</u>
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PART I D. PERMIT AREA INFORMATION

1. Term Information

- a. Date original permit or subsequent renewal expires: 05/02/2011
- b. Term or original permit or subsequent renewal: 5 years
- c. Requested term of this permit renewal: 5 years
- d. Sequence number of this renewal: 1

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.

NE/SE, SW/SE, SE/SE and SE/SW of Section 20, NW/SW, NE/SW, SW/SW and SE/SW of Section 21, NW/NW and NE/NW of Section 28, NW/NE and NE/NE of Section 29, Township 14 South, Range 8 West, Walker County, Alabama.

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

- a. Total permit renewal acreage: 277 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>76</u>	<u>Surety</u>
2.	<u>60</u>	<u>Surety</u>
3.	<u>57</u>	<u>Surety</u>
4.	<u>41</u>	<u>Surety</u>
5.	<u>39</u>	<u>Surety</u>
6.	<u>4</u>	<u>Surety</u>

NOTE: (Areas that may be included in the renewal of a permit may include 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 a part of this renewal)

Applicant: <u>Haley Bros. Coal, Inc.</u>
Mine Name: <u>Sugar Town Mine</u>
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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>01-03336</u>	<u>MSHA</u>	<u>*</u>	<u>01/19/06</u>
<u>NPDES</u>	<u>AL0077551</u>	<u>ADEM</u>	<u>**</u>	<u>11/01/05</u>

* 228 West Valley Avenue Birmingham, AL 35209

** 1400 Coliseum Boulevard Montgomery, AL 36110-2059

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. (See ASMC Master File)
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 operating 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

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: ASMC 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: The Daily Mountain Eagle
See Attachment I-E-2

Applicant: <u>Haley Bros. Coal, Inc.</u>
Mine Name: <u>Sugar Town Mine</u>
Permit Number: P- <u>3880, 2011 Renewal</u>

Attachment I-E-2

NOTICE OF APPLICATION TO RENEW A PERMIT FOR A SURFACE COAL MINE

Pursuant to Rule 880-X-8M.08, Haley Bros. Coal, Inc., P.O. Box 56, Carbon Hill, Alabama 35549, hereby gives notice that it has filed an application to renew permit P-3880-64-11-S for its Sugar Town Mine located within NE/SE, SW/SE, SE/SE and SE/SW of Section 20, NW/SW, NE/SW, SW/SW and SE/SW of Section 21, NW/NW and NE/NW of Section 28, NW/NE and NE/NE of Section 29, Township 14 South, Range 8 West, Walker County, Alabama for a period of five (5) years.

A copy of this renewal request application is available for public inspection at the Alabama Surface Mining Commission website <http://surface-mining.alabama.gov>. Written comments, objections, or requests for informal conferences should be submitted to the Alabama Surface Mining Commission, P.O. Box 2390, Jasper, Alabama 35502-2390, within 30 days from the last publication of this notice.