

Stockman, Nancy

From: Woodley, Mark
Sent: Tuesday, September 06, 2011 1:21 PM
To: Stockman, Nancy
Subject: FW: Alabama Surface Mining Commission, permit P-3886-67-13-S Informal hearing

-----Original Message-----

From: Vanessa Dunn [mailto:pineappledunn@gmail.com]
Sent: Monday, September 05, 2011 2:06 AM
To: comments
Cc: pineappledunn@gmail.com
Subject: Alabama Surface Mining Commission, permit P-3886-67-13-S Informal hearing

Mrs. Corporal James W. Dunn
217 County Road 3055
Nauvoo, Alabama 35578

Alabama Surface Mining Commission

To Whom it May Concern:

My name is Vanessa Dunn. I am writing this in regards to the mine National Coal of Alabama, permit P3886 revision 6 Poplar Springs. I violently disagree with a proposed revision for this lackadaisical mine operator, whom in my opinion is out to conquer, divide, and DESTROY Poplar Springs, Winston County, Alabama.

I would like to express my reasoning for my objection.

I permanently moved to this area in 2006 to help take care of my grandmother Marie J. Pitts as my father Vincent Pitts once did before his death in 2004. I am closely related to every Pitts that is on the permit #P3886 revision map. I lived with my grandmother Marie for about one year before I met my husband James Dunn.

In 2008, James and I were married and we lived with my grandmother Marie Pitts for a short while.

In August 2008, my husband James and I were relaxing on the sofa in the den at my grandmother's home. Without any prior notice or warning, we heard an extremely loud explosion that caused the house to shake with such violence, the ceiling fan that was running broke free from its mount and crashed to the floor below, nearly hitting those sitting on the sofa! The window nearby in the den shattered.

My husband James, an Army Ranger veteran that served our country in combat in Afghanistan in 2002, immediately sprang from his seat.

Wearing only a tank top and shorts, he rushed himself outdoors.

Frantic, I followed suit. Once outside, my husband and I began looking around trying to determine what had just took place. It was between 4-5pm.

As we stood there, I noticed James' facial expression. His eyes were overcome with a "glazed stare". While in this state, he began to execute orders to me, my grandmother Marie, and my Aunt Rose Ann Gray.

He shouted "Get down! Take cover! I'm calling in reinforcements."

Bewildered, I asked James "What in the world are you talking about?"

James got nose to nose with me and in a loud dictating tone roared "Who are you to question me Private? I gave you an order!". At that precise moment, I heard a loud siren and then a "crackle-BOOM"

followed by a tremor in the earth below my feet that was so profound, the pear tree in the lawn shook in time with the pulsation. I literally began to panic, uncertain if we were under terrorist attack or if Jesus was coming. Meanwhile, James was motioning his hands toward what

was then forest. He began to shout out numbers like GPS coordinates. He then was acting out like he was on a "walkie-talkie".

As he did this, he came up to me and again commanded that I stay low and take cover. He informed me that he was going with Stephen Brown (a soldier that died in front of him in combat) to get to a "friendly"

for more ammunition. Acting like he was holding a weapon, James sprinted off into the forest.

After taking a minute to collect myself, I slowly began to realize that whatever just exploded caused my beloved husband to suffer a PTSD combat flashback. I had seen him have one of these before, but never to this extreme.

I immediately ran inside to put on proper attire to go search for my husband. I was so terrified as to what his mental state might be like. Nonetheless, I began my search. Hours went by and I did not see nor hear him. I reluctantly decided to call the police. I was informed that they were not equipped to handle a person in this mental state.

The Sheriff attempted to reassure me that perhaps James may "snap out of it" and return home. Both the authorities and I were wrong...my husband did not come home.

Morning came and still no word on my husband. I'd been up crying all night with worry. Residents in the area tried to locate him to no avail. It was around 5pm when I recieved a telephone call. The caller informed me that a good samaritan found my husband wandering in the middle of US highway 78 just a while before calling me. The caller told me that they were transporting my husband to the VA hospital for psychiatric stabilization. James was committed that day to the inpatient unit where he stayed for one week.

When James was released from the hospital, we learned that there was a strip mine nearby causing the blasting and earthquakes. My husband began intensive outpatient treatment for PTSD as the blasting was a daily occurence, sometimes as often as three times per day. Due to these blasts, my grandmother Marie's house began to shift. The floors buckled, walls cracked and separated from support beams. Chandeliers began to dangle. Pictures fell from the walls and broke. Innumerable dishes shattered.

In the mean time, in 2009, James and I purchased my deceased father's home from the courthouse. It needed repairs such as plumbing, cabinets and the like. The home was at that time structurally sound. The foundation was fine. We had to install new light fixtures and various other things one might expect with a fixer-upper. The home we purchased was perfect for us in terms it was directly across from my grandmother Marie, and the fact that my deceased parents Vincent and Tina Pitts built it.

My grandmother Marie decided to contact the mines about her home's damages. The mine operator National Coal sent out a man with a sismograph and he took pictures. The man belittled my grandmother implying that there was no way the blasting caused all this damage and that she was just neglectful of her home. CAN YOU BELIEVE THIS? C'mon! If a man made structure is subjected to daily tremors one cannot expect the building not to have damage. Get real!

I immediately began trying to find out what to do. The website at the ASMC had that mine listed under P3873. The map showed an entirely different location, about 6 miles away. Meanwhile, damages began to occur to my home. June 10, 2011 a blast detonated with such force, my foundation split and my house shifted off the foundation by 6 inches. After my husband made an official complaint in August of this year, all my research paid off. I was able to view the comments on the Brushy Pond mine, P3939 as well as comments issued to P3873. I did a little homework of my own. Permit P3873 is not posted anywhere near the mine, but Permit P3886 is and it has outstanding MSHA violations under permit 0103321, they are: 77.1109(c)(1), 77.1605(a), 77.1301(c)(5), 77.410(a)(1), 77.1605(d), 77.1103(d), 77.1109(c)(1) these violations go back 43 more under just this MSHA ID. As for the other permits this pattern of abuses continues in ADEM, MSHA and probably you, the ASMC (I am unable to view those). My husband requested copies of the blasting records when he accompanied the inspector Mr. Trotter and did not see up to date. The inspector said they would be in violation because the records only showed to August 15, 2011. When Mr. Trotter's letter came in, it said both he and my husband viewed records up to date, thus no violation. This is erroneous. How could my husband AND Mr. Trotter have viewed up to date on Aug. 24, 2011, when the blasting record only showed until Aug. 15, 2011? Further, the sismograph man

came and did his inspection, at which time he told us we wouldn't be allowed copies of his findings on Aug. 25, 2011. FOIA says we can view these findings.

I recently walked through the remaining forest here and took pictures of all the orange run off commencing nearly EVERY stream I saw. THIS HAS TO STOP! Further, we viewed the permit map P3886 R-6, and it shows my grandmother Marie J. Pitts' property is to be mined. When we told ASMC, they said "Prove it. We're mining it". This caused me to research more. As in the Cullman case, both P3939 and P3873 had properties as "lease pending", yet it was mined anyway. What are you trying to pull? I believe you, the ASMC and National Coal are up to something. How can all these commentators on all National Coal of Alabama's permit files be wrong in their suspicions? All these people have collected all this evidence and you keep issuing permits..

SMCRA states that we have rights. You can't come mine our property! This is not eminent domain. SMCRA protects our property, aesthetics, pleasure and peace of mind. Clearly, we have no peace of mind. My husband has been through fire because of your mine here. We can't sleep at night due to the beeping of trucks. My aunt Cynthia Pitts, whom Marie Pitts cares for, is a bed ridden, mentally handicapped epileptic. She has violent seizures after every blast. My two year old son gets awakened from his naps by blasting. You can't even imagine his screams. We hear the grading and the drag line, as well as the miner's CB conversations. There are huge chunks of coal in my grandmother's front lawn, to a degree I took a picture of my son holding it. I made a video recording of all the noise in the early morning hours between 1-3am, being sure to note the date and time via the guide on my TV, I've taken before and after pictures of my house, along with recording every blast and the damage by it. I've taken pictures and videos of the creeks running orange with goo. These creeks run into Smith Lake and eventually our faucets.

After reviewing every permit via ASMC, ADEM and MSHA, I concur with the people of Brushy Pond P3939, Black Warrior Riverkeeper, and commentators on P3873. National Coal of Alabama is a threat to safety and the environment. They should have their license pulled and all their mines be ordered to cease and reclaim the land. It is clear they have no concern of what they do to others. We can no longer sleep. Our homes are crumbling. We can't fish the streams here anymore because they are orange. Did you know, some of the residents here use well water? We are run off the road by trucks to the extent of being forced into a ditch causing damage our vehicle. There is dust all over the trees on Winston County RD 29, dust we are forced to inhale.

I demand an informal hearing. This is your official notice. Further, I demand restitution for the damages to my property in which I have a legal interest; 217 county Road 3055, Nauvoo, AL 35578. My husband demands restitution for his mental suffering and I for my loss of recreational activities and poisoned water. My grandmother Marie Pitts demands the same. Restitution for her damages and for you to get this permit off her land IMMEDIATELY. Her address is: 204 County Road 3055, Nauvoo, AL 35578. I am prepared to appeal should you approve this revision. I will go to the highest court provided by law. I am contacting every commentator that National Coal has ever had.

This is America and you can't continue to do this to us! The Declaration of Independence states:

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

AND IT STATES --

"That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it" AND IT STATES

" But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security."

Stockman, Nancy

From: James Dunn [jameswdunn1@gmail.com]
Sent: Monday, September 05, 2011 8:34 PM
To: comments
Cc: swilson@osmre.gov
Subject: Mine complaint on permit # P-3886

September 5, 2011

Corporal James W. Dunn
217 County Road 3055
Nauvoo, Alabama 35578

To whom it may concern,

My name is Corporal James W. Dunn. I am a resident of Poplar Springs, Winston County, Alabama. I am a former U.S. Army Ranger combat veteran that served in combat in 2001-2002 in Afghanistan during the Operation Enduring Freedom campaign. Furthermore, I am also an active member of the Walker County Honor Guard serving the bereaved families of our Brothers in Arms. I have been diagnosed with combat related PTSD. Due to the blasting I have been constantly re-experiencing the traumatic events I witnessed while in combat. My wife's family and I were unaware of a strip mine being operated right behind my wife's grandmother's (Marie Pitts) property in late August or early September of 2008.

The way we learned about National Coal's strip mine there was a blast was discharged at approximately 4-5 P.M. The blast was so loud and violent that the house shook causing a ceiling fan that was running to fall and a window to shatter. My first instinct was to run outside and look for signs of an aircraft or artillery fire. Of course there was none. The rest I have learned through my wife Vanessa Dunn, her grandmother Marie Pitts, and her aunt Roseann Gray. I began shouting orders to them as if they were other soldiers in my platoon. The orders were for them to take cover and to stay low. My wife noted that I was acting as if I were using a hand-held radio calling in for air and ground support. Then I gave them an order to stay put while Sergeant Stephen Brown and I went after more ammunition; at that point I ran off into the woods. I was found later the next evening in Jasper, Walker County, Alabama by a Good Samaritan that had given me a ride to the local hospital. My wife was then informed that I was being transported to the VA hospital in Birmingham, Jefferson County, Alabama for psychiatric stabilization and treatment. I was then admitted as an inpatient for a week. Upon my release I was and am still receiving extensive therapy for my PTSD.

Before the blast was discharged and National Coal of Alabama started operating behind the property there was no warning or pre-blast survey performed or offered. At the time I had been living in this area for just under a year before the first blast was discharged that is how I know that fact. I have made a formal citizen complaint with the ASMC about National Coal of Alabama mine permit # P-3886 (from here on called "the mine") for blasting issues. That complaint was made on August 17th, 2011 and it was answered on August 19th, 2011. I was contacted by Inspector Thomas Trotter from the ASMC about going on an inspection of the mine on August 24th, 2011. This inspection was supposed to be a surprise inspection, yet I was informed by Mr. Trotter that someone from the mine would be meeting us at the office so we could inspect the blasting reports. According to my research of this mine and comments found on the ASMC web site this is not the first time an inspection that was supposed to be a surprise was not. Mr. Trotter had also made a comment that he

gave the mine seven (7) days to have new blasting reports in office. Another ASMC inspector accompanied Mr. Trotter on our inspection. That inspectors name was Matt Franklin. During the inspection of the blasting reports Mr. Trotter explained to me how to read the report. The reports we inspected was dated 7/1/2011 up to 8/15/2011. All of these reports were from areas that are nowhere near where mine and my wife's grandmother Marie Pitts house, my house and property are located.

During our inspection, Mr. Franklin stepped out of the office and was having words with the mine supervisor. Since I was informed of the time limit allowed for the mine to have new blasting reports in office, I was under the impression that is what the conversation was about. I believe this simply because the mine supervisor had called the company that handles their seismic reports out to the site. Now in Mr. Trotter's response letter to our inspection dated 8/24/2011, Mr. Trotter stated we viewed blasting reports from 7/1/2011 up to present. That was false and erroneous. We were only able to view reports from 7/1/2011 to 8/15/2011. So I feel Mr. Trotter's statement of the seven (7) day time limit is and was a false and misleading statement. Also in my response letter, Mr. Trotter stated that no violations were found during our inspection. Of course there was none found relating to my complaint if no reports showing the seismic activity from the seismograph which is located on our property. Through my research I have found that the mine has a number of open MSHA violations for their blasting habits and other various problems, those violations are 77.1109(c)(1), 77.1605(a), 77.1301(c)(5), 77.410(a)(1), 77.1605(d), 77.1103(d), 77.1109(c)(1). Along with these open unpaid violations this string of violations continues all the way back to issue date of 2/3/2009. I am fully aware that no permit can be revised or issued with outstanding violations as stated in the code of Alabama r.880-x-8m-.07(a)(1), r.880-x-8m-.07(a)(2).

I had also pointed out to Mr. Trotter that according to the permit map in the mine office that the mine's boundary line was well across Mrs. Marie Pitts property line. Mr. Trotter's response was that we need to get the land surveyed by an outside survey company to prove that she owns that land, or there was no way to keep them from clearing and mining that area of land. That made me a little perturbed to hear that from someone that is supposed to help the citizens that are concerned with the operation of a mine, say that there is no other way to stop mining on someone's property than to have an outside company survey the land. It's as if the mine is allowed to have eminent domain. The only group I am aware that has the right to eminent domain is the state. Not a coal mine or the groups watching and checking on the mine. Now along with the inspection performed by the ASMC, an inspection was performed by the seismograph company. That inspection was first scheduled for Friday 8/26/2011, however after the inspection with ASMC it was changed to 8/25/2011. It seemed as if they were trying to fix or avoid a violation. After the inspection done by the seismograph company was performed I asked for a copy of his findings and was told that I would not be receiving a copy and the only way I could receive a copy was to request one from the ASMC who would in turn have to notify the mine of my request. Then and only then if the mine saw a need for me to have a copy of that report one would be sent to me. According to FOIA and the SMCRA I am entitled to a copy of these reports as well as a copy of the report performed by Mr. Trotter.

My reason for writing this letter is to request a copy of the report and findings from 8/24/2011 performed by Mr. Trotter and a copy of the report and findings performed by the seismograph company on 8/25/2011. As well as any pictures, permits, permit revisions, violations, and permit revision maps pertaining to permit # P-3886. I am also demanding, not requesting a review of Mr. Trotter's determination of no violation found due to the contradiction of his statements made to me. I feel like I was misled by Mr. Trotter and I am not pleased with someone that looks as if they are trying to play both sides of the field. Due to my feeling of being misled I am also going to the OSM with a citizen complaint. Apparently there is a history of violations by this mine operator National Coal of Alabama and it seems that the ASMC is trying to cover it up. The history of violations can be verified by research in comments submitted by citizens at most all National Coal mining sites. These

violations include ADEM water violations, MSHA violations and the like. My wife has made copies of all this information.

I am concerned and mistrustful of the ASMC. They wish to ignore the fact that my home is severely damaged by the blasting. We were never sent any blasting information and only live 2000 +/- feet from the office and coal yard. My mental well-being is disturbed by the blasting as well. How would you feel if you went and served your country in combat only to come home find a nice quiet place in the middle of nowhere only to be reminded of all the trauma of war because there is a coal mine blasting in your back yard? I'm pretty sure you would be pissed off and tired of all the bullshit games being played by everyone. The things I used to enjoy like fishing and hiking have been taken from the area due to this strip mine being in the area. The waters here are blackish, oily and orange. My sleep at night is disturbed by the sounds of machinery and the back-up alarms on trucks. My two (2) year old son is awoken from his naps during the day due to the blasting and refuses to sleep a night because he is scared that his house will shake while he is trying to sleep.

As if this wasn't bad enough I would have to drive to Jasper, Walker County, Alabama to review any information in person on this mine. This mine is not in Walker County, Alabama it is in Winston County, Alabama. So why should I have to drive to the city of Jasper to view this information when it should be available in the city of Double Springs? Like I said before I'm pissed off and I'm not just going to sit around with my mouth shut any more. I want a review of the determination made by Mr. Trotter, a copy of the report and findings from Mr. Trotter, the seismograph inspection, the supervisor's review of Mr. Trotter's report, and a copy of all permits, permit revisions, violations, and all related maps. I am also demanding payment for all damages to my home (in which I have a legal interest) as well as compensation for my mental distress. Furthermore, I am demanding an informal conference so I may proclaim my concerns and outrage for this shoddy, irresponsible joke of a mining operator.

Thank you for your time,

Corporal James W. Dunn

Miles, Ann

From: Woodley, Mark
Sent: Thursday, October 06, 2011 3:42 PM
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Subject: FW: Mine complaint on permit # P-3886

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He shouted "Get down! Take cover! I'm calling in reinforcements."

Bewildered, I asked James "What in the world are you talking about?"

James got nose to nose with me and in a loud dictating tone roared "Who are you to question me Private? I gave you an order!". At that precise moment, I heard a loud siren and then a "crackle-BOOM"

followed by a tremor in the earth below my feet that was so profound, the pear tree in the lawn shook in time with the pulsation. I literally began to panic, uncertain if we were under terrorist attack or if Jesus was coming. Meanwhile, James was motioning his hands toward what

was then forest. He began to shout out numbers like GPS coordinates. He then was acting out like he was on a "walkie-talkie".

As he did this, he came up to me and again commanded that I stay low and take cover. He informed me that he was going with Stephen Brown (a soldier that died in front of him in combat) to get to a "friendly"

for more ammunition. Acting like he was holding a weapon, James sprinted off into the forest.

After taking a minute to collect myself, I slowly began to realize that whatever just exploded caused my beloved husband to suffer a PTSD combat flashback. I had seen him have one of these before, but never to this extreme.

I immediately ran inside to put on proper attire to go search for my husband. I was so terrified as to what his mental state might be like. Nonetheless, I began my search. Hours went by and I did not see nor hear him. I reluctantly decided to call the police. I was informed that they were not equipped to handle a person in this mental state. The Sheriff attempted to reassure me that perhaps James may "snap out of it" and return home. Both the authorities and I were wrong...my husband did not come home.

Morning came and still no word on my husband. I'd been up crying all night with worry. Residents in the area tried to locate him to no avail. It was around 5pm when I recieved a telephone call. The caller informed me that a good samaritan found my husband wandering in the middle of US highway 78 just a while before calling me. The caller told me that they were transporting my husband to the VA hospital for psychiatric stabilization. James was committed that day to the inpatient unit where he stayed for one week.

When James was released from the hospital, we learned that there was a strip mine nearby causing the blasting and earthquakes. My husband began intensive outpatient treatment for PTSD as the blasting was a daily occurrence, sometimes as often as three times per day. Due to these blasts, my grandmother Marie's house began to shift. The floors buckled, walls cracked and separated from support beams. Chandeliers began to dangle. Pictures fell from the walls and broke. Innumerable dishes shattered.

In the mean time, in 2009, James and I purchased my deceased father's home from the courthouse. It needed repairs such as plumbing, cabinets and the like. The home was at that time structurally sound. The foundation was fine. We had to install new light fixtures and various other things one might expect with a fixer-upper. The home we purchased was perfect for us in terms it was directly across from my grandmother Marie, and the fact that my deceased parents Vincent and Tina Pitts built it.

My grandmother Marie decided to contact the mines about her home's damages. The mine operator National Coal sent out a man with a sismograph and he took pictures. The man belittled my grandmother implying that there was no way the blasting caused all this damage and that she was just neglectful of her home. CAN YOU BELIEVE THIS? C'mon! If a man made structure is subjected to daily tremors one cannot expect the building not to have damage. Get real!

I immediately began trying to find out what to do. The website at the ASMC had that mine listed under P3873. The map showed an entirely different location, about 6 miles away. Meanwhile, damages began to occur to my home. June 10, 2011 a blast detonated with such force, my foundation split and my house shifted off the foundation by 6 inches. After my husband made an official complaint in August of this year, all my research paid off. I was able to view the comments on the Brushy Pond mine, P3939 as well as comments issued to P3873. I did a little homework of my own. Permit P3873 is not posted anywhere near the mine, but Permit P3886 is and it has outstanding MSHA violations under permit 0103321, they are: 77.1109 (c)(1), 77.1605(a), 77.1301(c)(5), 77.410(a)(1), 77.1605(d), 77.1103(d), 77.1109(c)(1) these violations go back 43 more under just this MSHA ID. As for the other permits this pattern of abuses continues in ADEM, MSHA and probably you, the ASMC (I am unable to view those). My husband requested copies of the blasting records when he accompanied the inspector Mr. Trotter and did not see up to date. The inspector said they would be in violation because the records only showed to August 15, 2011. When Mr. Trotter's letter came in, it said both he and my husband viewed records up to date, thus no violation. This is erroneous. How could my husband AND Mr. Trotter have viewed up to date on Aug. 24, 2011, when the blasting record only showed until Aug. 15, 2011? Further, the sismograph man

came and did his inspection, at which time he told us we wouldn't be allowed copies of his findings on Aug. 25, 2011. FOIA says we can view these findings.

I recently walked through the remaining forest here and took pictures of all the orange run off commencing nearly EVERY stream I saw. THIS HAS TO STOP! Further, we viewed the permit map P3886 R-6, and it shows my grandmother Marie J. Pitts' property is to be mined.

When we told ASMC, they said "Prove it. We're mining it". This caused me to research more. As in the Cullman case, both P3939 and P3873 had properties as "lease pending", yet it was mined anyway. What are you trying to pull? I believe you, the ASMC and National Coal are up to something. How can all these commentators on all National Coal of Alabama's permit files be wrong in their suspicions? All these people have collected all this evidence and you keep issuing permits..

SMCRA states that we have rights. You can't come mine our property! This is not eminent domain. SMCRA protects our property, aesthetics, pleasure and peace of mind. Clearly, we have no peace of mind. My husband has been through fire because of your mine here. We can't sleep at night due to the beeping of trucks. My aunt Cynthia Pitts, whom Marie Pitts cares for, is a bed ridden, mentally handicapped epileptic. She has violent seizures after every blast. My two year old son gets awakened from his naps by blasting. You can't even imagine his screams. We hear the grading and the drag line, as well as the miner's CB conversations. There are huge chunks of coal in my grandmother's front lawn, to a degree I took a picture of my son holding it. I made a video recording of all the noise in the early morning hours between 1-3am, being sure to note the date and time via the guide on my TV, I've taken before and after pictures of my house, along with recording every blast and the damage by it. I've taken pictures and videos of the creeks running orange with goo. These creeks run into Smith Lake and eventually our faucets.

After reviewing every permit via ASMC, ADEM and MSHA, I concur with the people of Brushy Pond P3939, Black Warrior Riverkeeper, and commentators on P3873. National Coal of Alabama is a threat to safety and the environment. They should have their license pulled and all their mines be ordered to cease and reclaim the land. It is clear they have no concern of what they do to others. We can no longer sleep. Our homes are crumbling. We can't fish the streams here anymore because they are orange. Did you know, some of the residents here use well water? We are run off the road by trucks to the extent of being forced into a ditch causing damage our vehicle. There is dust all over the trees on Winston County RD 29, dust we are forced to inhale.

I demand an informal hearing. This is your official notice. Further, I demand restitution for the damages to my property in which I have a legal interest; 217 county Road 3055, Nauvoo, AL 35578. My husband demands restitution for his mental suffering and I for my loss of recreational activities and poisoned water. My grandmother Marie Pitts demands the same. Restitution for her damages and for you to get this permit off her land IMMEDIATELY. Her address is: 204 County Road 3055, Nauvoo, AL 35578. I am prepared to appeal should you approve this revision. I will go to the highest court provided by law. I am contacting every commentator that National Coal has ever had.

This is America and you can't continue to do this to us! The Declaration of Independence states:

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

AND IT STATES --

"That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it" AND IT STATES

" But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security."

I and many other residents here are suffering at the hands of this mine and your decision to allow their operation. We are mad as hell and we are not going to take this anymore! DENY the revision and revoke National Coal's license! Thank you.

With best regards,
Mrs. CPL James W. Dunn

Miles, Ann

From: Woodley, Mark
Sent: Thursday, October 06, 2011 3:43 PM
To: Miles, Ann
Subject: FW: P-3886

-----Original Message-----

From: James Dunn [<mailto:jameswdunn1@gmail.com>]
Sent: Saturday, September 03, 2011 9:53 PM
To: comments
Subject: P-3886

To whom it may concern,

My name is James W. Dunn and I am a resident of Poplar Springs Winston County Alabama, and I am an ex U.S. Army Ranger that served in Afghanistan in 2001-2002. I have lived in this area for four (4) years. Three (3) years ago I was unaware of a coal mine being behind my wife's grandmother, Marie Pitts, property. What let us know that there was a coal mine there was the first blast that was discharged. That blast occurred at approximately 4-5 pm. It was so hard of a blast that it set me off in an extreme flashback of war. The flashback was so severe that I was told while inpatient in Hillcrest Psychiatric Hospital that I had given my wife Vanessa Dunn, her grandmother Marie Pitts, and her aunt Roseann Gray orders as if they were soldiers in my platoon while in combat. Then proceeded into the woods beside Marie Pitts property, and finally to the VA outpatient center at Walker Baptist Medical Center in Jasper, Alabama. Since then I have been going through therapy for PTSD due to combat. I am also aware of the water in the creek that runs behind Marie Pitts property being red in color. That creek runs into Black Creek which then runs into Clear Creek which runs into Smith Lake. I am truly disgusted with this shoddy mine and the operator over the mine which is National Coal of Alabama. I have made a complaint to the ASMC and went on an inspection with ASMC inspector Thomas Trotter. We inspected the blasting reports from 7-1-2011 until 8-15-2011. Even though he will say we inspected to present which is impossible when our inspection was done on 8-24-2011. So to say the least I am disgusted and angry. This mine should not be allowed to operate when they are only bonded for 22 acres in one area. In my opinion they are trying to divide and conquer Poplar Springs. I am requesting an informal hearing so I can express my concerns and disgust for this mine.

Sent from my iPhone