STATE OF ALABAMA

SURFACE MINING COMMISSION

P.O. BOX 2390 • JASPER, ALABAMA 35502-2390
(205) 221-4130 • FAX: (205) 221-5077

APPROVAL OF PERMIT TRANSFER

Approval is hereby granted for transfer of Permit P-3889-39-13-S along with all rights, provisions, terms, conditions and obligations granted or assessed thereunder to:

ALABAMA CARBON LLC
106 LOCKHEED DRIVE
BEAVER WV 25813
(MINE NO. 3)

License No.: L-816

CONDITION TR-1: THIS TRANSFER IS ISSUED CONDITIONALLY PER ATTACHED:

SATISFACTORY ABATEMENT OF KENTURY VIOLATION: #630259 PERMIT 8130260.

As a condition of transfer, the transferee has provided performance bond guaranteeing compliance with all laws and regulations applicable to the permit and reclamation of all lands disturbed under this permit.

EFFECTIVE DATE: APRIL 24, 2012

for Randall C. Johnson, Director

/ns
cc: I & E
PERMIT FILE
OSM
GTM ENERGY PARTNERS LLC