

Applicant: Alabama Carbon, LLC  
Mine Name: Poore Mine  
Permit Number: P-3908-28-14-S

# STATE OF ALABAMA SURFACE MINING COMMISSION

- (XX) Transfer Application for a Surface Coal Mine
- ( ) Transfer Application for an Underground Coal Mine
- ( ) Transfer Application for a Preparation Facility

**NAME OF CURRENT PERMITTEE: GTM Energy Partners, LLC**

**ADDRESS: 442 County Road 464 Phone (256) 632-2267**  
**Flat Rock, AL 35966**

### **PART I A. IDENTIFICATION**

#### **1. PERMIT APPLICANT**

Name: Alabama Carbon, LLC  
Street Address: 106 Lockheed Drive  
City: Beaver State: WV Zip: 25813  
Mailing Address: 106 Lockheed Drive  
City: Beaver State: WV Zip: 25813  
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: 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: Pete Parrish c/o PERC Engineering Co., Inc.  
Mailing Address: Post Office Box 1712  
City: Jasper State: AL Zip: 35502-1712  
Telephone Number: ( 205 ) 295-3100

Also please copy: Zac Wright  
Alabama Carbon, LLC  
106 Lockheed Drive  
Beaver, WV 25813

Applicant: Alabama Carbon, LLC  
Mine Name: Poore Mine  
Permit Number: P-3908-28-14-S

**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:

**Not Applicable**

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: Not Applicable  
Street Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone Number: (\_\_\_\_) \_\_\_\_ - \_\_\_\_\_  
Social Security Number (Voluntary): \_\_\_\_ - \_\_\_\_ - \_\_\_\_  
Employer Identification Number: \_\_\_\_\_  
ASMC License#: \_\_\_\_\_

Applicant: Alabama Carbon, LLC  
 Mine Name: Poore Mine  
 Permit Number: P-3908-28-14-S

**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

Legal description of property or permit map symbol: Carlton & Donna A. Poore (S)

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

Legal owner(s) of record: Carlton & Donna A. Poore

Address: 3821 Alabama Highway 75 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	Carlton & Donna A. Poore	GTM Energy Partners, LLC.	12/17/04	No
Asset Purchase	GTM Energy Partners, LLC	Alabama Carbon, LLC.	2/17/12	No

Applicant: Alabama Carbon, LLC  
 Mine Name: Poore Mine  
 Permit Number: P-3908-28-14-S

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

Legal description of property or permit map symbol: Dianna L. Bethune (S)

Surface/Mineral/or Fee Simple (both): Surface  
 Legal owner(s) of record: Dianna L. Bethune  
 Address: 3202 Alabama Highway 75 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	Dianna L. Bethune	GTM Energy Partners, LLC.	01/13/05	No
Asset Purchase	GTM Energy Partners, LLC.	Alabama Carbon, LLC.	2/17/12	No

Legal description of property or permit map symbol: B. L. & Claudine Kirby (S)

Surface/Mineral/or Fee Simple (both): Surface  
 Legal owner(s) of record: B. L. & Claudine Kirby  
 Address: 329 County Road 811 City: Higdon State: AL Zip: 35979  
 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	B.L. & Claudine Kirby	GTM Energy Partners, LLC.	11/01/05	No
Asset Purchase	GTM Energy Partners, LLC.	Alabama Carbon, LLC.	2/17/12	No

Applicant: Alabama Carbon, LLC  
 Mine Name: Poore Mine  
 Permit Number: P-3908-28-14-S

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

Legal description of property or permit map symbol: \_\_\_\_\_  
Claudine Claridy Kirby (S) & (Fee)  
 Surface/Mineral/or Fee Simple (both): Surface & Fee Simple  
 Legal owner(s) of record: Claudine Claridy Kirby  
 Address: 329 County Road 811 City: Higdon State: AL Zip: 35979  
 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	Claudine Claridy Kirby	GTM Energy Partners, LLC.	11/01/05	No
Asset Purchase	GTM Energy Partners, LLC.	Alabama Carbon, LLC.	2/17/12	No

Legal description of property or permit map symbol: \_\_\_\_\_  
Geraldine Claridy Ellis (Fee)  
 Surface/Mineral/or Fee Simple (both): Fee Simple  
 Legal owner(s) of record: Geraldine Claridy Ellis  
 Address: 239 County Road 814 City: Higdon State: AL Zip: 35979  
 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	Geraldine Claridy Ellis	GTM Energy Partners, LLC.	11/07/07	No
Asset Purchase	GTM Energy Partners, LLC.	Alabama Carbon, LLC.	2/17/12	No

Applicant: Alabama Carbon, LLC  
 Mine Name: Poore Mine  
 Permit Number: P-3908-28-14-S

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: \_\_\_\_\_  
North Alabama Mineral Development Company, LTD (M)  
 Surface/Mineral/or Fee Simple (both): Mineral  
 Legal owner(s) of record: North Alabama Mineral Development Company, LTD  
 Address: 401 Franklin Street City: Huntsville State: AL Zip: 35801  
 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	North Alabama Mineral Development Company, LTD.	GTM Energy Partners, LLC.	11/01/05	No
Asset Purchase	GTM Energy Partners, LLC.	Alabama Carbon, LLC.	2/17/12	No

Legal description of property or permit map symbol: \_\_\_\_\_  
Daniel Shane Hartline (S)  
 Surface/Mineral/or Fee Simple (both): Fee Simple  
 Legal owner(s) of record: Daniel Shane Hartline  
 Address: 1576 County Road 146 City: Higdon State: AL Zip: 35979  
 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	Daniel Shane Hartline	GTM Energy Partners, LLC.	12/20/07	No
Asset Purchase	GTM Energy Partners, LLC.	Alabama Carbon, LLC.	2/17/12	No

Applicant: Alabama Carbon, LLC  
Mine Name: Poore Mine  
Permit Number: P-3908-28-14-S

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 1

Name: Carlton & Donna A. Poore  
Address: 3821 Alabama Highway 75  
City: Flat Rock State: AL Zip: 35966  
Interest owned (Surface, Coal or Fee Simple): Surface  
Type of Interest (Owner, Lease, or Other): Owner

Name: Dianna L. Bethune  
Address: 3202 Alabama Highway 75  
City: Flat Rock State: AL Zip: 35966  
Interest owned (Surface, Coal or Fee Simple): Surface  
Type of Interest (Owner, Lease, or Other): Owner

Name: B. L. & Claudine Kirby  
Address: 329 County Road 8113  
City: Higdon State: AL Zip: 35979  
Interest owned (Surface, Coal or Fee Simple): Surface  
Type of Interest (Owner, Lease, or Other): Owner

Name: Claudine Claridy Kirby  
Address: 329 County Road 811  
City: Higdon State: AL Zip: 35979  
Interest owned (Surface, Coal or Fee Simple): Surface  
Type of Interest (Owner, Lease, or Other): Owner

Name: Geraldine Claridy Ellis  
Address: 239 County Road 814  
City: Higdon State: AL Zip: 35979  
Interest owned (Surface, Coal or Fee Simple): Surface  
Type of Interest (Owner, Lease, or Other): Owner

Name: North Alabama Mineral Development Company, LTD  
Address: 401 Franklin Street  
City: Huntsville State: AL Zip: 35801  
Interest owned (Surface, Coal or Fee Simple): Surface  
Type of Interest (Owner, Lease, or Other): Owner

Name: Daniel Shane Hartline  
Address: 1576 County Road 146  
City: Higdon State: AL Zip: 35979  
Interest owned (Surface, Coal or Fee Simple): Fee Simple  
Type of Interest (Owner, Lease, or Other): Owner



Applicant: <u>Alabama Carbon, LLC</u>
Mine Name: <u>Poore Mine</u>
Permit Number: <u>P-3908-28-14-S</u>

**PART I D. PERMIT AREA INFORMATION**

1. Give the requested term of this permit: 5 years.
2. Give the acreage of the permit, each increment and the type of bonding.
  - a. Total permit acreage: 310 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>70</u>	<u>Surety</u>
2.	<u>48</u>	<u>Surety</u>
3.	<u>54</u>	<u>Surety</u>
4.	<u>53</u>	<u>Surety</u>
5.	<u>80</u>	<u>Surety</u>
6.	<u>5</u>	<u>Surety</u>

- c. Identify the increment(s) on which mining will initially begin upon issuance of this permit: Increments No. 1 and 6
3. Has any acreage in the proposed permit area been previously disturbed by mining? ( ) YES (XX) 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.
- 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>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

- c. For each area which has not been reclaimed or received a 100% release, indicate whether you intend to assume responsibility for reclamation of the area under this permit and its performance bond(s)

Applicant: <u>Alabama Carbon, LLC</u>
Mine Name: <u>Poore Mine</u>
Permit Number: <u>P-3908-28-14-S</u>

**PART I D. (CONTINUED)**

4. 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>01-03394</u>	<u>MSHA</u>	<u>*</u>	<u>Issued 7/1/2008</u>
<u>NPDES</u>	<u>AL0078867</u>	<u>ADEM</u>	<u>**</u>	<u>Issued 9/1/2007</u>

\* 135 Gemini Circle, Suite 213, Birmingham, AL 35209-5842

\*\* 1400 Coliseum Blvd., Montgomery, AL 36110-2059

5. Did the applicant receive assistance from the Small Operator Assistance Program in preparing this application? ( ) YES (XX) NO  
If YES, list SOAP I.D. Number: \_\_\_\_\_

6. Submit a certificate of proof of Liability Insurance with this application.

See ASMC Master Insurance File

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

12. 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/PermitApplications.html>

13. 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.13. to appear in The Daily Sentinel.

**PART 6: VERIFICATION OF APPLICATION**

- (a) One copy must be original

Applicant: <u>Alabama Carbon, LLC</u>
Mine Name: <u>Poore Mine</u>
Permit Number: <u>P-3908-28-14-S</u>

Attachment I.E.13.

NOTICE OF APPLICATION TO TRANSFER  
A SURFACE COAL MINING PERMIT

Alabama Carbon, LLC, 106 Lockheed Drive, Beaver, WV 25813, hereby gives notice that it has filed application to succeed by transfer to the rights granted under Alabama Surface Mining Commission Permit P-3908-28-14-S currently held by GTM Energy Partners, LLC, 442 County Road 464, Flat Rock, AL 35966. This operation is known as the Poore Mine located in DeKalb County, Alabama. The permit lies within the NW 1/4 of NE 1/4, SE 1/4 of NW 1/4, SW 1/4 of NE 1/4, SE 1/4 of NE 1/4, NE 1/4 of SW 1/4, NW 1/4 of SE 1/4, NE 1/4 of SE 1/4, SW 1/4 of SW 1/4, SE 1/4 of SW 1/4, SW 1/4 of SE 1/4, SE 1/4 of SE 1/4 of Section 32, Township 2 South, Range 10 East, NW 1/4 of NW 1/4, NE 1/4 of NW 1/4, NW 1/4 of NE 1/4, NE 1/4 of NE 1/4 of Section 5, Township 3 South, Range 10 East, DeKalb County, Alabama. A copy of the permit transfer application is available for public inspection at the Alabama Surface Mining Commission website <http://surface-mining.alabama.gov/PermitApplications.html>. 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.

The Daily Sentinel  
701 Veterans Drive  
Scottsboro, AL 35768  
256-259-1020 FAX 256-259-2709

Proof of Publication

State of Alabama

County of Jackson

Before me, the undersigned authority in and for said County in said State, this day personally appeared Brad Shurett, who, being by me first duly sworn, deposes and says that he is Publisher of The Daily Sentinel, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for one (1) successive day(s), said notice having appeared in the issues of said paper on July 15, 2011.

Sworn to and subscribed before me July 19,  
2011.

Robert Lay Notary

Commission Expires:  
MY COMMISSION EXPIRES 6-16-2015

Brad Shurett

**SEQ CHAPTER  
1 NOTICE OF  
APPLICATION  
TO TRANSFER**

A SURFACE COAL  
MINING PERMIT

SEQ CHAPTER 1

Alabama Carbon,

LLC, 106 Lockheed

Drive, Beaver, WV

25813; hereby gives

notice that it has filed

application to succeed

by transfer to the rights

granted under Alabama

Surface Mining Com-

mission Permit

P-3908-28-14-S cur-

rently held by GTM En-

ergy Partners, LLC,

442 County Road 464,

Flat Rock, AL 35966.

This operation is known

as the Poore Mine lo-

cated in DeKalb

County, Alabama. The

permit lies within the

NW 1/4 of NE 1/4, SE

1/4 of NW 1/4, SW 1/4

of NE 1/4, SE 1/4 of NE

1/4, NE 1/4 of SW 1/4,

NW 1/4 of SE 1/4, NE

1/4 of SE 1/4, SW 1/4

of SW 1/4, SE 1/4 of

SW 1/4, SW 1/4 of SE

1/4, SE 1/4 of SE 1/4 of

Section 32, Township 2

South, Range 10 East,

NW 1/4 of NW 1/4, NE

1/4 of NW 1/4, NW 1/4

of NE 1/4, NE 1/4 of NE

1/4 of Section 5, Town-

ship 3 South, Range 10

East, DeKalb County,

Alabama. A copy of

the permit transfer ap-

plication is available for

public inspection at the

Alabama Surface Min-

ing Commission web-

site **HYPERLINK**

"[http://surface-](http://surface-mining.alabama.gov/PermitApplications.html)

[mining.alabama.gov/Pe-](http://surface-mining.alabama.gov/PermitApplications.html)

[rmitApplications.html.](http://surface-mining.alabama.gov/PermitApplications.html)"

Written comments, ob-

jections, 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

fast publication of this

notice.

Publish: July 16, 2011



# NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM INDIVIDUAL PERMIT

PERMITTEE: Alabama Carbon, LLC. (formerly GTM Energy Partners, LLC.)  
106 Lockheed Drive  
Beaver, West Virginia 25813

FACILITY LOCATION: Poore Mine  
DeKalb County Road 167  
DeKalb County  
T2S, R10E, Section 32  
T3S, R10E, Section 5

PERMIT NUMBER: AL0078867

<u>DSN</u>	<u>Receiving Water</u>	<u>DSN</u>	<u>Receiving Water</u>
001-1	Miller Creek	002-1	Miller Creek
003-1	Miller Creek	004-1	Unnamed Tributary to Miller Creek
005-1	Unnamed Tributary to Miller Creek	006-1	Unnamed Tributary to Miller Creek
007-1	Unnamed Tributary to Miller Creek	008-1	Unnamed Tributary to Miller Creek
009-1	Miller Creek	010-1	Unnamed Tributary to Miller Creek
011-1	Miller Creek	012-1	Miller Creek

*In accordance with and subject to the provisions of the Federal Water Pollution Control Act, as amended, 33 U.S.C. §§1251-1378 (the "FWPCA"), the Alabama Water Pollution Control Act, as amended, Code of Alabama 1975, §§ 22-22-1 to 22-22-14 (the "AWPCA"), the Alabama Environmental Management Act, as amended, Code of Alabama 1975, §§22-22A-1 to 22-22A-16, and rules and regulations adopted thereunder, and subject further to the terms and conditions set forth in this Permit, the Permittee is hereby authorized to discharge into the above-named receiving waters.*

ISSUANCE DATE: August 31, 2007

EFFECTIVE DATE: September 1, 2007

EXPIRATION DATE: August 31, 2012

MODIFICATION ISSUANCE DATE: August 30, 2011

MODIFICATION EFFECTIVE DATE: August 30, 2011

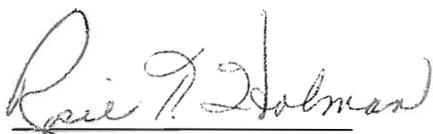
*GLENN A. DEAN*  
Alabama Department of Environmental Management

AGREEMENT

This agreement is entered into this date by GTM Energy Partners, LLC and Alabama Carbon, LLC, in order to effect a transfer of Alabama Surface Mining Commission, ASMC, Permit No. P-3908-28-14-S and the responsibility, bond coverage, and liability thereunder from GTM Energy Partners, LLC to Alabama Carbon, LLC

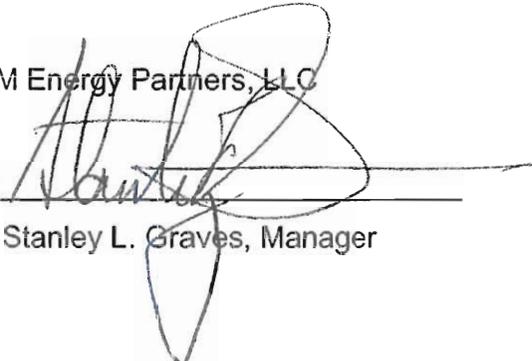
On the date such transfer becomes effective, Alabama Carbon, LLC agrees to assume the responsibility, bond coverage, and liability of ASMC Permit No. P-3908-28-14-S and GTM Energy Partners, LLC agrees to relinquish all rights which it may have under said permit.

This agreement is entered into by parties this 27<sup>th</sup> day of June, 2011. Said transfer is to become effective on the effective date that ASMC approves this transfer.

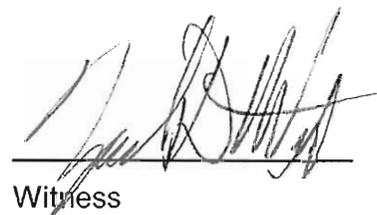


Witness

GTM Energy Partners, LLC

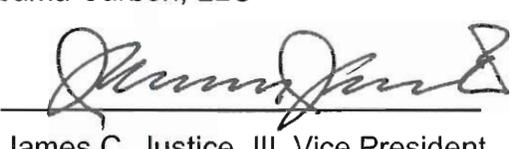
BY: 

Stanley L. Graves, Manager



Witness

Alabama Carbon, LLC

BY: 

James C. Justice, III, Vice President

Applicant: Alabama Carbon, LLC  
Mine Name: Poore Mine  
Permit Number: P-3908-28-14-S

Part VI - Verification of Permit Application (771.27)  
For new Permit ( ) Transfer (X) Renewal ( )

I, the undersigned operator and holder of an ASMC license, do hereby submit this as my application for a permit to engage in surface coal mining operations 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.

Alabama Carbon, LLC  
Permittee:

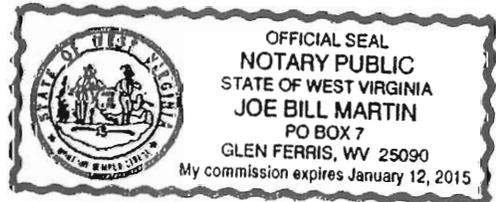
License No. L-816

By: *James C. Justice, III*  
James C. Justice, III, Vice President

STATE OF WEST VIRGINIA )  
RALEIGH COUNTY )

Before me, the undersigned authority, personally appeared James C. Justice, III, 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 27th day of JUNE, 2011.



*Joe Bill Martin*  
Notary Public  
January 12 2015  
Commission Expires

Applicant: Alabama Carbon, LLC  
Mine Name: Poore Mine  
Permit Number: P-3908-28-14-S

PART VII - FINAL VERIFICATION OF PERMIT APPLICATION

I, the undersigned applicant 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.

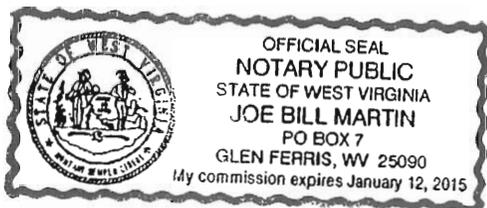
This verification is submitted in conformance with the rules and regulations of the Commission and it is agreed that any operations pursuant to the permit will be conducted in accordance with those rules and regulations. I further certify that I will keep the Commission advised of any change of facts as may pertain to the license or this permit information.

Licensee: Alabama Carbon, LLC  
License No: L-816  
By: [Signature]  
Date: JUNE 27, 2011

STATE OF WEST VIRGINIA )  
RALEIGH COUNTY )

Before me, the undersigned authority, personally appeared James C. Justice, III, 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 27th day of JUNE, 2011.



[Signature]  
NOTARY PUBLIC  
JANUARY 12 2015  
Commission Expires