BEST COAL, INC.

SLOAN MOUNTAIN MINE NO. 2, P-3913, R-10

ALABAMA SURFACE MINING COMMISSION

SURFACE MINING PERMIT APPLICATION

P A R T I

Prepared by:

MCGEHEE ENGINEERING CORP.
P. O. Box 3431
450 19th Street West
Jasper, Alabama 35502-3431
Telephone: (205) 221-0686
Fax: (205) 221-7721

ASMC USE ONLY

Fee:_____

Bond Required:_____

Date Approved:_____

APPLICATION FOR PERMIT REVISION

Name of Permittee: **Best Coal, Inc.**

License Number: L-0568 Complete Permit Number: P-3913-01-19-S

Expiration Date of Permit: October 22, 2019 Revision Number: R-10

Mine Name: Sloan Mountain Mine No. 2

The nature of Proposed Revision R-10:

1. Transfer sediment basin 004 & access (3.0 acres) from Inc. 6 to Inc. 3.
2. Transfer 27.0 acres from Inc. 6 to Inc. 7
3. Change post-mining land use of 27.0 acres in Inc. 7 from Undeveloped/No Current Use to Industrial/Commercial.
4. Change post mining land use of sediment basins 001, 001A, 002, 003, 004, 010, 011 & 011A (10.0 acres) from undeveloped / no current use (temporary) to Fish & Wildlife Habitat (permanent).

Identify any conditions placed on this permit which would relate to the proposed revision being requested:

None

STATE OF ALABAMA
SURFACE MINING COMMISSION

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

PART I A. IDENTIFICATION

1. PERMIT APPLICANT
Name: **Best Coal, Inc.**
Street Address: **9865 Highway 269**
City: **Parrish** State: **AL** Zip: **35580**
Mailing Address: **9865 Highway 269**
City: **Parrish** State: **AL** Zip: **35580**
Telephone Number: **(205)-686-0055**
Social Security Number (Voluntary): ___-__-____
Employer Identification Number: _____
ASMC License#: **L-0568**

2. ENTITY OR PERSON RESPONSIBLE FOR PAYING ABANDONED MINE LAND RECLAMATION FEES
Name: **Best Coal, Inc.**
Street Address: **9865 Highway 269**
City: **Parrish** State: **AL** Zip: **35580**
Mailing Address: **9865 Highway 269**
City: **Parrish** State: **AL** Zip: **35580**
Telephone Number: **(205)-686-0055**
Social Security Number (Voluntary): ___-__-____
Employer Identification Number: _____
ASMC License#: **L-0568**

3. IDENTIFY THE OPERATOR FOR THIS MINE IF DIFFERENT FROM THE PERMITTEE
Name: **SAME AS PERMITTEE**
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: **McGehee Engineering, Corp.**
Mailing Address: **P.O. Box 3431, 450 19th Street West**
City: **Jasper** State: **AL** Zip: **35502**
Telephone Number: **(205) 221-0686**
Email Address: **jwhitlock@mcgehee.org**

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:

_X_ 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:

_X_ 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: **Best Coal, Inc.**
Street Address: **9865 Highway 269**
City: **Parrish** State: **AL** Zip: **35580**
Mailing Address: **9865 Highway 269**
City: **Parrish** State: **AL** Zip: **35580**
Telephone Number: **(205) 686-0055**
Social Security Number (Voluntary): ___-___-____
Employer Identification Number: **63-0853487**
ASMC License#: **L-0568**

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**:** **S-1 & M-1 (SEE PERMIT MAP)**
Surface/Mineral/or Fee Simple (both): **SURFACE & MINERAL**
Legal owner(s) of record: **DRUMMOND COMPANY, INC.**
Address: **P.O. BOX 1549** City: **JASPER** State: **AL** Zip: **35502**
Holders of leasehold interest: _____
Address: _____ City: _____ State: _____ Zip: _____
Purchasers under a real estate contract: _____
Address: _____ City: _____ State: AL 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	DRUMMOND CO., INC.	M. S. & R. EQUIPMENT CO., INC.	10-26-1999	NO
ASSIGNMENT	M. S. & R. EQUIPMENT CO., INC.	BEST COAL, INC.	3-15-2021	NO

NOTE: Lease applies only to the NW/NE of Section 1, Township 15 South, Range 4 West.

PART I C. PROPERTY OWNERSHIP, INTERESTS AND RIGHTS (CONTINUED)

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Legal description of property or permit map symbol: **S-2**
SEE PERMIT MAP
Surface/Mineral/or Fee Simple (both): **SURFACE**
Legal owner(s) of record: **MARIGOLD LAND COMPANY**
Address: **PO BOX 1549** City: **JASPER** State: **AL** Zip: **35502**
Holders of leasehold interest: _____
Address: _____ City: _____ State: _____ Zip: _____
Purchasers under a real estate contract: _____
Address: _____ City: _____ State: _AL__ 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 NO. 1 LEASE NO. 2	MARIGOLD LAND COMPANY	M.S.&R. EQUIPMENT CO., INC.	10-26-99 07-29-10	NO
ASSIGNMENT	M. S. & R. EQUIPMENT CO., INC.	BEST COAL, INC.	3-15-2021	NO

NOTE: Lease No. 1 applies only to the NE/SE & SE/SE of Section 36, Township 14 South, Range 4 West, the NW/SW of Section 31, Township 14 South, Range 3 West and the NE/NE of Section 1, Township 15 South, Range 4 West.

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 IN THE FORMAT BELOW AS NECESSARY

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Name: **DRUMMOND COMPANY, INC.**
Address: **P.O. BOX 1549**
City: **JASPER** State: **AL** Zip: **35502**
Interest owned (Surface, Coal or Fee Simple): **FEE**
Type of Interest (Owner, Lease, or Other): **OWNER**

Name: **MARIGOLD LAND COMPANY**
Address: **P.O. BOX 1549**
City: **JASPER** State: **AL** Zip: **35502**
Interest owned (Surface, Coal or Fee Simple): **SURFACE**
Type of Interest (Owner, Lease, or Other): **OWNER**

PART I C. (CONTINUED)

3. INTERESTS OR PENDING INTERESTS IN LANDS CONTIGUOUS TO THE PERMIT AREA.
INSTRUCTIONS:

THE APPLICANT HAS NO INTEREST IN ANY LANDS OR CONTIGUOUS LAND OTHER THAN THE PERMITTED AREA.

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 AS NECESSARY

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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: _____

_____

_____

Describe the nature of the interest:_____

_____

_____

PART I D. PERMIT AREA INFORMATION

1. Give the requested term of this permit: **5** years.

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 & SE/SE OF SECTION 36, TOWNSHIP 14 SOUTH, RANGE 4 WEST, SW/SW & NW/SW OF SECTION 31, TOWNSHIP 14 SOUTH, RANGE 3 WEST, SW/NE, NW/NE, & SE/NW OF SECTION 1, SE/NE, SW/NE & NW/NE OF SECTION 12, TOWNSHIP 15 SOUTH, RANGE 4 WEST, THE NE/NW, SE/NW & NW/NW OF SECTION 6, TOWNSHIP 15 SOUTH, RANGE 3 WEST, ALL IN JEFFERSON COUNTY, ALABAMA.

3. Give the acreage of the permit, each increment and the type of bonding.
   a. Total permit acreage: **582.0** acres

   b. Give the acreage and type of bond for each mining increment:

Increment	Acres	Type Bond Proposed
1.	413.0	Surety
2.	100.0	Phase III Release granted
3.	3.0	Surety
6.	39.0	Surety
7.	27.0	Surety

   c. Identify the increment(s) on which mining will initially begin upon issuance of this permit: Increment No. 1

4. Has any acreage in the proposed permit area been previously disturbed by mining? (XX) YES ( ) 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.
      SEE PERMIT MAP
   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)

Permit	Acres	Status
P-3611 & P-3196	121.0 ac	Pre-Law .

5. Is disturbance to be conducted within 300 feet, measured horizontally, from an occupied dwelling?

   ( )YES (XX)NO.

   If YES, attach a signed waiver from the owner of the dwelling indicating the minimum distance disturbance will be allowed by the owner.

PART I D. (CONTINUED)

6. Is disturbance proposed within 100 feet of a public road right-of-way or will a public road be closed or relocated?

   ( ) YES (XX) NO.

   If YES, enclose a copy of the approval granted by the government entity which has jurisdiction over the road. The approval must state the minimum distance disturbance will be allowed to the road or road right-of-way.

7. 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
MSHA ID	01-03180	MSHA	228 West Valley Ave. Birmingham, AL 35209	02-01-00
NPDES	AL0073067	ADEM	1751 Federal Drive Montgomery, AL 36130	05-31-00

8. Is the property in the permit covered by zoning or other land use restrictions? (XX) YES ( ) NO.
   If yes, indicate the jurisdictional authority and zoning or landuse restriction for the entire permit area. If more than one zoning classification exists for the permit area, identify the boundaries of each on the permit map.

Jurisdictional Authority	Zoning Classification	Allows mining? Yes or No
JEFFERSON CO	I3-S	YES

9. Describe access to the proposed mine from a known point on the nearest public highway: From the intersection of Jefferson County Road 140 (Warrior-Jasper Road) and Jefferson County Road 77 (Mt. Olive Road) at Partridge Crossroads, travel northeast on Jefferson County Road 140 approximately 2.2 miles to the mine entrance on the right. The boundaries to the permit area will be marked and signs will be posted.

10. 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:_____

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

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

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

BEST COAL, INC.
SLOAN MOUNTAIN MINE NO. 2, P-3913, R-10

PUBLIC NOTICE FILING OF PERMIT APPLICATION

In accordance with the provision of Act No. 81-435 of the State of Alabama and the regulations promulgated under this act, Best Coal, Inc., 9865 Highway 269, Parrish, AL 35580 is filing an application to revise its Sloan Mountain Mine No. 2 (P-3913), Surface Mine. Access to the mine is as follows:

From the intersection of Jefferson County Road 140 (Warrior-Jasper Road) and Jefferson County Road 77 (Mt. Olive Road) at Partridge Crossroads, travel northeast on Jefferson County Road 140 approximately 2.2 miles to the mine entrance on the right. The boundaries to the permit area will be marked and signs will be posted.

Nature of Proposed Revision R-10:

1. Transfer sediment basin 004 & access (3.0 acres) from Inc. 6 to Inc. 3.

2. Transfer 27.0 acres from Inc. 6 to Inc. 7.

3. Change post-mining land use of 27.0 acres in Inc. 7 from Undeveloped/No Current Use to Industrial/Commercial.

4. Change post mining land use of sediment basins 001, 001A, 002, 003, 004, 010, 011 & 011A (10.0 acres) from undeveloped / no current use (temporary) to Fish & Wildlife Habitat (permanent).

NE/SE & SE/SE OF SECTION 36, TOWNSHIP 14 SOUTH, RANGE 4 WEST, SW/SW & NW/SW OF SECTION 31, TOWNSHIP 14 SOUTH, RANGE 3 WEST, SW/NE, NW/NE, SE/SE, NW/SE, NE/NW & SE/NW OF SECTION 1, SE/NE, SW/NE & NW/NE OF SECTION 12, TOWNSHIP 15 SOUTH, RANGE 4 WEST, THE NE/SW, NE/NW, SE/NW & NW/NW OF SECTION 6, TOWNSHIP 15 SOUTH, RANGE 3 WEST, ALL IN JEFFERSON COUNTY, ALABAMA.

A copy of the permit application is available for public inspection and review on the Alabama Surface Mining Commission website http://surface-mining.alabama.gov. A copy of the permit application is also available for public inspection and review at the office of the Alabama Surface Mining Commission located on the second floor of the Pinnacle Bank Building at 1811 2nd Avenue, Jasper, Alabama 35501. Written comments, objections, request for public hearing or request for informal conferences concerning this permit should be sent to the Alabama Surface Mining Commission, P.O. Box 2390, Jasper, Alabama 35502-2390, no later than 30 days from the last date of publication of this notice.

TO THE ALABAMA MESSENGER:

Please run this notice on the following dates: 12/02, 12/09, 12/16 & 12/23/2023

Please send invoice and a notarized proof of publication to:

McGehee Engineering Corp.
P.O. Box 3431
Jasper, AL 35502-3431
Telephone (205) 221-0686

If you have any questions or need additional information, please call: (205) 221-0686