

ALABAMA SURFACE MINING COMMISSION

INFORMAL CONFERENCE

SHANNON, LLC
P-3925 R-7, SHANNON MINE #2

DATE

THURSDAY, FEBRUARY 23, 2012
11:00 A.M.

LOCATION

ALABAMA SURFACE MINING COMMISSION HEARING ROOM
PINNACLE BANK BUILDING 1811 2ND AVE
JASPER, ALABAMA 35501

HEARD BY: ROBERT ALLEN, R.F.
ASSESSMENT OFFICER
LEGAL DIVISION
ALABAMA SURFACE MINING COMMISSION

RECORDED BY: ANN R. MILES
HEARINGS REPORTER
DIVISION OF HEARINGS AND APPEALS
ALABAMA SURFACE MINING COMMISSION

This informal conference was held at 11:00 a.m. on the 23rd day of February 2012, at the Alabama Surface Mining Commission Hearing Room, Pinnacle Bank Building 1811 2nd Ave, Jasper, Alabama 35501. The following is a transcript of the proceedings of said informal conference, including testimony and comments by the representatives and citizens.

APPEARANCES

FOR THE STATE OF ALABAMA:

Robert Allen, R.F.
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FOR THE PUBLIC:

SEE ATTACHED SIGN-IN CARDS

P R O C E E D I N G S

MR. ALLEN: My name is Robert Allen; I am the assessment officer for the Alabama Surface Mining Commission. Ann Miles is will be recording the information that is gathered here today. We are here today to take comments regarding the application of Shannon, LLC, Shannon Mine #2, on P3925, the application is for revision R-7. The law allows for public participation in this permitting process by allowing each person having an interest that may be affected by the proposed mine operation to have an opportunity to speak his or her objection to the issuance of this revision. Anyone wishing to be heard will be given an opportunity to speak. We reserve the right to limit the length of each presentation in order to allow all parties an opportunity to speak. We are required by law to record all comments that are made. It is important that when you are called on to speak that you come up, state your name and give your objections clearly. We stress that this is just an informal conference; it is not a trial or a formal hearing. It is a chance to say what is on your mind, express your concerns about this proposed operation, and tell how you object to this application. Limit your comments specifically to this revision, Shannon Mine # 2 Revision 7. A copy of this transcript will be forwarded to our permit manager for this revision and he will use this information in making the final determination of whether this revision will be denied, or modified and issued, or issued as is. At the time that the final decision is made, we will be mailing out postcards or sending out email to all persons who have contacted us about this application. You will be directed to our web site at <http://surface-mining.alabama.gov>. There you can go and review the decision. You will be able to make copies of that decision on your printer and if you do not have access to a computer and/or printer please make a written request to the mining commission for a copy of that

decision. Within thirty days from the date of that decision anyone will be able to request a hearing in front of our Division of Hearings and Appeals. Anyone wanting a CD copy of what is being recorded here today must make a request in writing to the mining commission. The cost of that CD will be \$20.00 dollars. For those who are going to our web site you may wish to go ahead and make a copy of our decision as quickly as possible. The decision will only be posted for only thirty days after the decision is made. Once again thirty days is the time frame allowed for one to appeal to the final decision to our Division of Hearings and Appeals about our final decision. Who would like to speak first?

MR. ALLEN: Please ma'am would you...come to either one of these chairs up here... get a little bit closer to our microphone here. Where we can be sure we have it recorded.

MS. JANET IRFAN: Greetings! I am Janet Irfan. I live at 9106 Weller Sumpter Rd, Adger, AL 35006. My concerns...concerning the upcoming permit...um...is ah...environmental. I'm concerned about our water. Our property and our plant life, because we do garden around. So, I'm not...I just want clarity...as to how it's going to effect us specifically?

MR. ALLEN: Well...uh...this is not really a question and answer session. This is your opportunity to provide your comments...

MS. IRFAN: Okay...

MR. ALLEN: You can ask general questions but you're not necessarily gonna get an answer today.

MS. IRFAN: Okay...sure...Got you.

MR. ALLEN: It's just your opportunity to provide your case....

MS. IRFAN: And exactly who's going to give those answers to me? That's...

MR. ALLEN: Ah...like I said once before its going to go to our permit manager and he is going to be sending it out to the different various...um...hydrologists, geologists...our engineers. They will be reviewing what is said here today and they will make a response.

MS. IRFAN: Okay...okay...gotcha....okay...

MR. ALLEN: Our attorney may...ah...maybe making a response, but it will be made at the time that the final decision is made.

MS. IRFAN: Okay....I am interested in...if possible since the...it's so closely to my home...it's about $\frac{3}{4}$ of a mile. Um...if at my home um...I can have one of the...I guess it's the seismograph to size the blasting near my home. Um...I...um...I am also interested in the hydraulic monitoring plan. I would like to know exactly um what that entails of, how it would effect us...specifically if at all? Uh...I am totally interested in finding out about the excess spoil disposal and what are would that be...would it be near my home? Would it be in my back door? I mean exactly where are these locations would be...um...and those are the areas that I am concerned about.

MR. ALLEN: Yes ma'am....and like I just said...you know...our hydrologist, our engineers and our permit...review people...don't come to these sessions in order to...ah you know...answer questions...

MS. IRFAN: Sure.

MR. ALLEN: Well...you know...its been down stairs or uh...where ever this is... it's displayed at...it's online. You could review it online on the website. You need to look at that and...

MS. IRFAN: Yeah...I

MR. ALLEN: build your case and maybe you have engineers or hydrologists take a look at it and help build umm...your case possibly.

MS. IRFAN: Okay.

MR. ALLEN: But we...we can take your concerns now and specifically, I'm sure...what your questions are and what your concerns are.....now that we know that...and what our engineer will take and answer more specifically in that direction instead of just...generalizations about...you know its understood that there spoil...that's going to be taken care of properly...maybe they can address your concern more specifically related to your home. The hydrologist could do the same thing and answer it...but here and now its really not what we could give you...a good answer. It would take some reviewing and going over it...and maybe this would cause um...our staff to ask the...ah the company for more information...if it raises questions...and the information is not in the permit application. We can request more information...

MS. IRFAN: That is where I got that information from...even know to ask these questions, which was online...so if anyone could possibly...ah get back with me concerning...umm Belle Sumpter area...that would be most appreciative. Um...because that's where we live.

MR. ALLEN: Yes ma'am...yes ma'am.

MS. IRFAN: So, I know its probably just sound like a whole bunch of...big words to some but I did read it online.

MR. ALLEN: Okay...

MS. IRFAN: I was concerned about what I read, which is why I am here. Yep...

MR. ALLEN: I understand. Okay. Well it will be reviewed and there will be responses to your questions in our final decision.

MS. IRFAN: Okay...okay...and Alabama Surface Mining Commission has reviewed the permit and it has...

MR. ALLEN: It's still in process...

MS. IRFAN: Okay...

MR. ALLEN: We're going through it....

MS. IRFAN: Okay...okay...

MR. ALLEN: It's not completed...

MS. IRFAN: Because I was told that it was approved already and that...um...we where in the last stages of the pre-blasting...um I've been told that from....

MR. ALLEN: It's not been approved yet...I'm not saying it won't be a week, or a month, or ninety days, but today right now it is not approved.

MS. IRFAN: Okay...All right...I'm...well I guess I'm actually here asking a whole bunch of questions that I really can't get answers too. I'm really concerned about exactly when the start date of it? When is the end date of it? Again that's where I live so I'm really concerned about that.

MR. ALLEN: Yeah, I understand.

MS. IRFAN: Me and my neighbors and it's only a few of us.

MR. ALLEN: Yes ma'am....yes ma'am.

MR. ALLEN: Would anyone else like to raise questions or speak or make comments...or additional questions...your welcome to come up and if you would state your name...

MRS. LOLLIE WILLIAMS: My name is Lollie Williams. I live at 9186 Weller Sumpter Road, Adger, AL 35006. Okay, in this area where you all are talking about putting the mine...well we already...we just have one way in and one way out. Anything happen we don't have no outlet. So, we would like to know...you know...what would all be trying to...you know...fix a way for us to have ah...lead way to get out in case something happen to the mine...and where we live at. It's like we're just trapped in. So, that's one concern that we have and ah...the other one is the noise that's going to be...ah coming from this. We know its noisy and we know a lot of trucks going to be running because we're already having that...I mean I hear the trucks running up and down the road at night. From where I live now...so...I mean...you know...I know it's going to be more and more ah noise. So, I'm concerned about that.

MR. ALLEN: Okay, thank you ma'am.

MRS. WILLIAMS: Okay...thank you.

MR. ALLEN: It's your opportunity to speak if you wish.

MR. ALLEN: Okay, as I've said we'll take this information and each of your concerns would be more specifically addressed in our final decision...and ah it could cause a modification and it may not cause a modification to...what's already under review. We will just have to wait and see what the permit reviewers have to say about it. Otherwise that concludes this informal conference. Thank you very much.

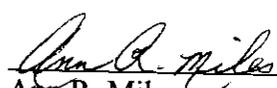
C E R T I F I C A T E



STATE OF ALABAMA)

WALKER COUNTY)

I hereby certify that the above and foregoing proceedings were electronically recorded taken down by me in shorthand or otherwise and questions and answers thereto were typewritten by me, and that the foregoing represents a true and correct transcript of said hearing. I further certify that I am neither of counsel nor of kin to the parties of the action nor am I anywise interested in the result of said cause.



Ann R. Miles
Hearings Reporter

