P.O. Box 1549
Jasper, Alabama 35502-1549

Telephone: 205-387-0501
Fax: 205-384-2456

DRUMMOND COMPANY, INC.

April 27, 2012

Mr. Matt Marshall
Alabama Department of Conservation and Natural Resources
64 North Union Street
Montgomery, Alabama 36130

RE: Shannon, LLC
Shannon Mine No. 2
Area to be added

Dear Mr. Marshall:

Attached, please find a request for the identification of areas of special concern and mapping showing the permit area (+/- 871 acres) previously commented on by your agency. Shannon, LLC proposes to add approximately +/- 29 acres to the current permit area. We are requesting another review for this additional +/- 29 acres being added to this site. This area is identified on the attached map as the 'Area to be added'. Please process at your earliest convenience. Your prompt consideration will be most appreciated.

If you require additional information, please feel free to call me at (205) 387-0501.

Sincerely,

Keith Madison

Keith Madison, P.G.
Manager of Permitting
On Behalf of Shannon, LLC

REQUEST FOR IDENTIFICATION OF AREAS OF SPECIAL CONCERN FOR A SURFACE OR UNDERGROUND COAL MINING OPERATION

Mining Company Name: Shannon, LLC

Return Address: c/o Drummond Co., Inc.

Post Office Box 1549

Jasper, AL 35502

Contact: Keith Madison

Type Mining Operation: Surface

Number of acres to be Disturbed: +/- 29

County: Jefferson County

Section(s), Township(s), and Range(s) of the Areas Contained in the Permit:

Part of Sections 28 & 29, Township 19 South, Range 5 West

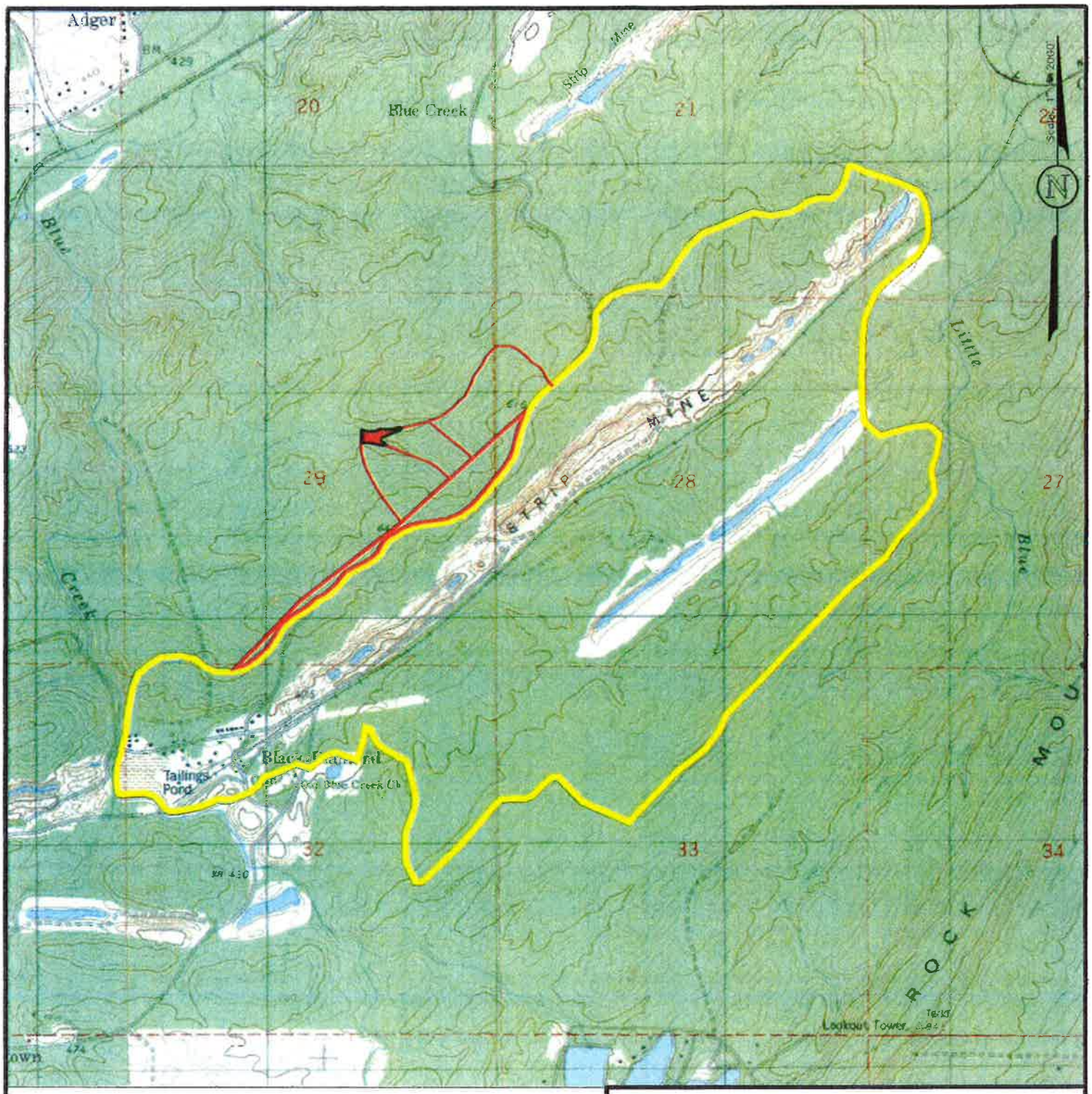
Latitude: 33° 21' 21.00"

Longitude: 87° 04' 38.00"

Enclose Copy of Map (1=2,000 scale) showing:

1. All topographical features as shown on a USGS quadrangle sheet
2. An accurate outline of the proposed permit area, including all incidental facilities
3. All previously mined disturbance
4. All existing water bodies including lakes, ponds, streams, depressions, swamps, and wetlands which exceed one-fourth acre in size.
5. The current landuse(s) of the permit area and the areas immediately adjacent to the permit area.
6. The dominant vegetation communities on the permit area and the immediate adjacent area.
7. A legend which includes map scales, the USGS quad sheet name, and other appropriate symbols and indices.

Enclose copy of Alabama Heritage Data Base survey conducted by the State Lands Division, Natural Heritage Section.



LEGEND

- PREVIOUSLY REVIEWED
- PROPOSED AREA TO BE ADDED
- PREVIOUSLY DISTURBED

DRUMMOND COMPANY, INC.
P.O. BOX 1549 JASPER, AL 35502
205-387-0501 OFFICE

SHANNON, LLC
SHANNON MINE NO. 2
SITE LOCATION MAP

Part of Sections 21, 22, 27, 28, 29, 31, 32, & 33,
Township 19 South, Range 5 West,
Jefferson County, Alabama

DRAWN BY: HOCUTT DWG. NAME: SM2SLM	DATE: 4-27-12
APPROVED BY: W.K.M.	SCALE: 1"=2000'

STATE OF ALABAMA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
WILDLIFE AND FRESHWATER FISHERIES DIVISION

64 North Union Street, Ste. 567
P. O. Box 301456
Montgomery, AL 36130-1456
Phone: (334) 242-3465 Fax: (334) 242-3032
www.outdooralabama.com

ROBERT BENTLEY
GOVERNOR

N. GUNTER GUY, JR.
COMMISSIONER

CURTIS JONES
DEPUTY COMMISSIONER

The mission of the Wildlife and Freshwater Fisheries Division is to manage, protect, conserve, and enhance the wildlife and aquatic resources of Alabama for the sustainable benefit of the people of Alabama.

FRED R. HARDERS
ACTING DIRECTOR

May 10, 2012

Mr. Keith Madison
Drummond Company, Inc.
74 Industrial Parkway
P.O. Box 1549
Jasper, Alabama 35502

Re: Shannon, LLC.
Shannon Mine No. 2
Area to be added

Dear Mr. Madison:

Based on a review of the project proposal, the Division of Wildlife and Freshwater Fisheries has no objection provided:

1. No state- **or** federally-protected species is adversely impacted by mining. Please contact the U.S. Fish and Wildlife Service (251-441-5181) regarding potential impacts to federally-protected species. If there is a potential for adverse impacts to state- or federally-protected species, a sensitive species survey by a qualified biologist is strongly recommended. If adverse impacts to protected species occur as a result of the project, further coordination with the Division of Wildlife and Freshwater Fisheries (334-242-3851) and the U.S. Fish and Wildlife Service will be required.

2. No net loss of stream or wetland function and habitat should occur as a result of the project. If flowing streams, ditches, or wetlands will be impacted by the proposed activity, the Army Corps of Engineers - Mobile District (251-690-3188), should be contacted to determine if the activity falls under a Corps regulation requiring mitigation for adverse ecological, morphological, or hydrological impacts. Be advised that the USACE advises that all wetlands on mine sites, whether on previously disturbed or pristine areas, fall within the category of jurisdictional wetlands; however, dredge and fill activities might be permitted under specified conditions. We have no objection to the use of a wetland mitigation protocol such as WRAP (the Wetland Rapid Assessment Procedure), provided it is properly applied and provided that

The Department of Conservation and Natural Resources does not discriminate on the basis of race, color, religion, age, gender, national origin, or disability in its hiring or employment practices nor in admission to, access to, or operations of its programs, services, or activities.

temporal losses are correctly accounted for. We have no objection to the purchase of mitigation credits from a Corps-sanctioned wetland mitigation bank.

3. The density or diversity of aquatic biota is not adversely impacted and that aquatic habitat quality in streams and wetlands is not diminished: excessive siltation resulting from uncontrolled erosion at a mine site can be as destructive to the aquatic ecosystem of a stream or wetland as acid mine discharges. We are therefore very concerned about the degradation/loss of aquatic habitat which may occur as a result of siltation associated with mining operations. We are also very concerned about the loss of stream habitat and stream functions which occur when settling ponds are constructed on intermittent or perennial streams. Such ponds not only result in the loss of stream functions within the impounded areas, but flows below the dam are altered (during low rainfall periods, there is often no flow or inadequate flow downstream of the dam) and the upstream movement of fish is restricted except during floods, resulting in aquatic habitat fragmentation. Sediment ponds should be temporary and subsequently removed post mining. The best way to protect aquatic habitat is to prevent sediment from entering a stream or wetland, not to contain the sediment within the stream or wetland once it has entered the aquatic ecosystem. We therefore recommend that spoil banks or other slopes be grassed as early as possible (well prior to reclamation), that silt barriers, terraces, and check dams be properly installed and maintained, that streamside buffer zones be 100 feet in width and well vegetated in order to function properly, that sedimentation ponds not be constructed in streams or wetlands, and that the mine owner/operator should be responsible for in-kind restoration or mitigation if streams or wetlands are adversely impacted by mining activities.

4. Channel realignment, excavation, diversion or alteration of flow, impoundment, or excessive sedimentation of streams should not occur as a result of mining. If such impacts do occur, the mine owner/operator should provide corrective action through active restoration or stream mitigation for unresolved impacts.

5. State water quality standards (particularly those related to erosion control, water turbidity, and dissolved oxygen) should be strictly adhered to.

We appreciate the opportunity to comment on this project.

Sincerely,

Matthew D. Marshall
Environmental Coordinator