

ASMC Use Only:

Fee: _____
Bond Required: _____
Date Approved: _____

APPLICATION FOR PERMIT REVISION

Name of Permittee: WB Mining, LLC

License Number: L-760 Permit Number: P-3930-01-16-S

Permit Expiration Date: 03/27/2016 Mine Name: Fishtrap Mine No. 2

Revision Number: Revision R-3

Nature of Revision:

- 1) Add 68 mining acres to Increment No. 1.
- 2) Add 69 mining acres to Increment No. 2
- 3) Transfer 50 mining acres from Increment No. 2 to Increment No. 1.
- 4) Transfer 38 mining acres from Increment No. 3 to Increment No. 1.
- 5) Transfer 4 acres from Increment No. 6 to Increment No. 1 for Mining Acres.
- 6) Transfer 39 mining acres from Increment No. 3 to Increment No. 2.
- 7) Transfer 37 mining acres from Increment No. 4 to Increment No. 2.
- 8) Transfer 23 mining acres from Increment No. 5 to Increment No. 2.
- 9) Add 31 mining acres to Increment No. 3.
- 10) Transfer 75 mining acres from Increment No. 4 to Increment No. 3.
- 11) Transfer 22 mining acres from Increment No. 5 to Increment No. 3.
- 12) Transfer 29 acres from Increment No. 5 to Increment No. 4, 28 mining acres and 1 incidental acre for Basin 011P.
- 13) Transfer 4 mining acres from Increment No. 1 to Increment No. 6 for Basin 009BP.
- 14) Update the General Plan by the Modification of Basin 009BP, the Re-evaluation of Basins 009E and 009AE and the modification of Basin 006E.

Continued on next page.

- 14) Submit the Re-evaluation/Modification Detailed Design Plans for Basin 006E.
- 15) Submit the Re-evaluation Detailed Design Plans for Basins 009E and 009AE along with the Detailed Design Plans for Basin 009BP Phase I and II.
- 16) Extend Topsoil Variance to include the area added by Revision R-3.
- 17) Update Operations Plan with regard to Cut Alignment.
- 18) Update Reclamation Plan.
- 19) Update Hydrologic Monitoring Plan.

Attach Detailed estimate of effect of proposed revision on reclamation costs.

Applicant: WB Mining, LLC
Mine Name: Fishtrap Mine No. 2
Permit Number: P-3930, Revision R-3

STATE OF ALABAMA SURFACE MINING COMMISSION

- (X) Permit Application Revision for a Surface Coal Mine
() Permit Application Revision for an Underground Coal Mine
() Permit Application Revision for a Preparation Facility

PART I A. IDENTIFICATION

1. PERMIT APPLICANT

Name: WB Mining, LLC
Street Address: 1748 King James Drive
City: Alabaster State: AL Zip: 35007
Mailing Address: 1748 King James Drive
City: Alabaster State: AL Zip: 35007
Telephone Number: (205) 648-2290
Social Security Number (Voluntary): _____
Employer Identification Number: 20-2750262
ASMC License#: L-760

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: 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: Stephen Miles c/o PERC Engineering Co., Inc.
Mailing Address: Post Office Box 1712
City: Jasper State: AL Zip: 35502-1712
Telephone Number: (205) 295-3131

ALSO PLEASE COPY:

WB Mining, LLC
1748 King James Drive
Alabaster, AL 35007
Telephone: (205)648-2290

Applicant: <u>WB Mining, LLC</u> Mine Name: <u>Fishtrap Mine No. 2</u> Permit Number: <u>P-3930, Revision R-3</u>

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 IA through Part IF 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: Applicant
 Street Address: _____
 City: _____ State: _____ Zip: _____
 Mailing Address: _____
 City: _____ State: _____ Zip: _____
 Telephone: (____) _____ - _____
 Social Security Number (Voluntary): _____ - _____ - _____
 Employer Identification Number: _____
 ASMC License Number: _____

Applicant: <u>WB Mining, LLC</u> Mine Name: <u>Fishtrap Mine No. 2</u> Permit Number: <u>P-3930, Revision R-3</u>

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: Palos, LLC (M) & (FEE)
Surface/Mineral/or Fee Simple (both): Fee Simple and Mineral
Legal owner(s) of record: Palos, LLC
Address: 120 Kingsley Road City: Alabaster State: AL Zip: 35007-8427
Holders of leasehold interest: WB Mining, LLC
Address: 1748 King James Drive City: Alabaster State: AL Zip: 35007
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	Palos, LLC	WB Mining, LLC	07/15/02	No

Applicant: <u>WB Mining, LLC</u> Mine Name: <u>Fishtrap Mine No. 2</u> Permit Number: <u>P-3930, Revision R-3</u>

PART I C 1. (CONTINUED)

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Legal description of property or permit map symbol: _____
U.S. Steel Corp. (M)
Surface/Mineral/or Fee Simple (both): Mineral (Pratt Seam Only)
Legal owner(s) of record: U.S. Steel Corp.
Address: P.O. Box 599 City: Fairfield State: AL Zip: 35064
Holders of leasehold interest: WB Mining, LLC
Address: 1748 King James Drive City: Alabaster State: AL Zip: 35007
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	U.S. Steel Corp.	WB Mining, LLC	Pending	No

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Legal description of property or permit map symbol: _____
West Jefferson Minerals (M)
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Surface/Mineral/or Fee Simple (both): Mineral
Legal owner(s) of record: West Jefferson Minerals, LLC
Address: P.O. Box 1549 City: Jasper State: AL Zip: 35502
Holders of leasehold interest: WB Mining, LLC
Address: 1748 King James Drive City: Alabaster State: AL Zip: 35007
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	West Jefferson Minerals, Inc.	WB Mining, LLC	Pending	No

Applicant: <u>WB Mining, LLC</u> Mine Name: <u>Fishtrap Mine No. 2</u> Permit Number: <u>P-3930, Revision R-3</u>

PART I C 1. (CONTINUED)

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Legal description of property or permit map symbol: USX Corp. (S)
Surface/Mineral/or Fee Simple (both): Surface
Legal owner(s) of record: USX Corp.
Address: 600 Grant Street City: Pittsburgh State: PA Zip: 15219
Holders of leasehold interest: WB Mining, LLC
Address: 1748 King James Drive City: Alabaster State: AL Zip: 35007
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	USX Corp.	WB Mining, LLC	04/30/03	No

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Legal description of property or permit map symbol: _____
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Surface/Mineral/or Fee Simple (both): _____
Legal owner(s) of record: _____
Address: _____ City: _____ State: _____ Zip: _____
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				

Applicant: WB Mining, LLC
Mine Name: Fishtrap Mine No. 2
Permit Number: P-3930, Revision R-3

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: Palos, LLC
Address: 120 Kingsley Road
City: Alabaster State: AL Zip: 35007-8427
Interest owned (Surface, Coal or Fee Simple): Fee Simple & Mineral
Type of Interest(Owner, Lease , or Other): Owner

Name: U.S. Steel Corp.
Address: P.O. Box 599
City: Fairfield State: AL Zip: 35064
Interest owned (Surface, Coal or Fee Simple): Mineral
Type of Interest(Owner, Lease , or Other): Owner

Name: West Jefferson Minerals, LLC
Address: P.O. Box 1549
City: Jasper State: AL Zip: 35502
Interest owned (Surface, Coal or Fee Simple): Mineral
Type of Interest(Owner, Lease , or Other): Owner

Name: USX Corp.
Address: 600 Grant Street
City: Pittsburgh State: PA Zip: 15219
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest(Owner, Lease , or Other): Owner

Applicant: <u>WB Mining, LLC</u> Mine Name: <u>Fishtrap Mine No. 2</u> Permit Number: <u>P-3930, Revision R-3</u>

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.

NW/NW of Section 2; NE/NE, SE/NE, SW/NE, NW/NE, NE/NW, NW/NW, SW/NW, SE/NW, NW/SE, SW/SE, NE/SW, NW/SW, SE/SW, SW/SW of Section 3, NE/NE, SE/NE, NE/SE, NW/SE, SW/SE, SE/SE of Section 4, all in Township 17 South, Range 5 West and also the SE/SE of Section 33; SW/SW, SE/SW, NW/SW, NE/SW, NW/SE, SW/SE, SE/SE of Section 34, all in Township 16 South, Range 5 West Jefferson County, Alabama.

3. Give the acreage of the permit, each increment and the type of bonding.
 - a. Total revision acreage: 166 acres to be added.
 - 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>244</u>	<u>Letter of Credit</u>
2.	<u>168</u>	<u>Letter of Credit</u>
3.	<u>143</u>	<u>Letter of Credit</u>
4.	<u>29</u>	<u>Letter of Credit</u>
5.	<u>0</u>	
6.	<u>13</u>	<u>Letter of Credit</u>

- c. Identify the increment(s) on which mining will initially begin upon issuance of this permit: Increment No. 1 & 6.

4. Has any acreage in the proposed permit area been previously disturbed by mining?
()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.
- 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>
<u>Prelaw</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </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). Reed Minerals Inc. intends to accept the reclamation responsibility for the areas which they redisturb.

5. Is disturbance to be conducted within 300 feet, measured horizontally from an occupied dwelling? ()YES ()NO.

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

Applicant: <u>WB Mining, LLC</u> Mine Name: <u>Fishtrap Mine No. 2</u> Permit Number: <u>P-3930, Revision R-3</u>

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? (XX) YES () 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.

See Attachment III-B-5(a), Elbo Porter and Forrester Road Closure and Vacation of Right of Way from Jefferson County.

See Attachment III-B-5(a), Short Creek setback waiver from Jefferson County.

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 of issuance
<u>MSHA ID</u>	<u>01-03182</u>	<u>MSHA</u>	<u>*</u>	<u>03/05/02</u>
<u>NPDES</u>	<u>AL0078441</u>	<u>ADEM</u>	<u>**</u>	<u>Modified 01/01/11</u>

* 135 Gemini Circle, Suite213, Birmingham, AL 35209

** 1751 Congressman W.L. Dickinson Drive, Montgomery, AL 36130

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 area. If more than one zoning classification exists for the permit area, identify the boundaries of each the permit map.

Jurisdictional Authority	Zoning Classification	Allows mining? Yes or No
<u>Jefferson County</u>	<u>I-3-S See Attachment I-D-8</u>	<u>Yes</u>

9. Describe access to the proposed mine from a known point on the nearest public highway:

From Jasper, travel southeast on U.S. Highway 118 to Sumiton. From Sumiton, continue to travel southeast on U.S. Highway 118 approximately 12 miles to Flat Top Road on the right. Travel approximately 10 miles to Short Creek Road on the Right, then travel approximately 1 mile to the proposed permit area on the left. The mine entrance 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 (XXX) NO

If YES, list SOAP I.D. Number: _____

11. Submit a certificate of proof of Liability Insurance with this application. See AMC Master 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>

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: The Birmingham News

Applicant: <u>WB Mining, LLC</u>
Mine Name: <u>Fishtrap Mine No. 2</u>
Permit Number: <u>P-3930, Revision R-3</u>

Attachment I-E-13

PUBLIC NOTICE OF FILING OF PERMIT APPLICATION

In accordance with the provisions of Act No.81-435 of the State of Alabama and the regulations promulgated under this act, WB MINING, LLC, 120 Kingsley Road, Alabaster, Alabama 35507, hereby gives notice that it has filed an application to revise permit P-3930-01-16-S for its Fishtrap Mine No. 2 located in the NW/NW of Section 2; NE/NE, SE/NE, SW/NE, NW/NE, NE/NW, NW/NW, SW/NW, SE/NW, NW/SE, SW/SE, NE/SW, NW/SW, SE/SW, SW/SW of Section 3, NE/NE, SE/NE, NE/SE, NW/SE, SW/SE, SE/SE of Section 4, all in Township 17 South, Range 5 West and also the SE/SE of Section 33; SW/SW, SE/SW, NW/SW, NE/SW, NW/SE, SW/SE, SE/SE of Section 34, all in Township 16 South, Range 5 West Jefferson County, Alabama.

Revision R-3 consists of the following: 1)Add 135 mining acres to Increment No. 1, 2)Transfer 50 mining acres from Increment No. 2 to Increment No. 1, 3) Transfer 38 mining acres from Increment No. 3 to Increment No. 1, 4) Transfer 4 mining acres from Increment No. 6 to Increment No. 1, 5) Transfer 39 mining acres from Increment No. 3 to Increment No. 2, 6) Transfer 38 mining acres from Increment No. 4 to Increment No. 2, 7) Transfer 23 mining acres from Increment No. 5 to Increment No. 2, 8)Add 31 mining acres to Increment No. 3, 9) Transfer 75 mining acres from Increment No. 4 to Increment No. 3, 10) Transfer 22 mining acres from Increment No. 5 to Increment No. 3, 11) Transfer 29 mining acres from Increment No. 5 to Increment No. 4, 28 Mining Acres and 1 Incidental Acre for Basin 011P, 12) Transfer 4 mining acres from Increment No. 1 to Increment No. 6 for Basin 009BP, 13)Update the General Plan by the Modification of Basin 009BP, the Re-evaluation of Basins 009E and 009AE and the Modification of Basin 006E, 14) Submit the Re-Evaluation/Modification Detailed Design plans for Basin 006E, 15) Submit the Re-Evaluation Detailed Design Plans for Basins 009E and 009AE along with the Modification Detail Design Plans for Basin 009BP, 16)Extend Topsoil Variance to include the area added by Revision R-3, 17)Update Operations Plan with regard to Cut Alignment, 18) Update Reclamation Plan, 19) Update Hydrologic Monitoring Plan.

A copy of the permit revision 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.