

Applicant: Black Warrior Minerals, Inc.
Mine Name: Seaboard Mine
Permit Number: P-3937 / Revision R-4

ASMC Use Only:

Fee: _____
Bond Required: _____
Date Approved: _____

APPLICATION FOR PERMIT REVISION

Name of Permittee: Black Warrior Minerals, Inc.
License Number: L-698 Permit Number: P-3937-63-15-S
Permit Expiration Date: 01/12/2015 Mine Name: Seaboard Mine
Revision Number: Revision R-4

Nature of Proposed Revision:

- 1) Transfer 5.0 mining acres from Increment No. 4 to Increment No. 3.
- 2) Transfer 2.0 mining acres from Increment No. 3 to Increment No. 4.
- 3) Modify Sediment Basin 020.

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

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STATE OF ALABAMA SURFACE MINING COMMISSION

- (X) 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: Black Warrior Minerals, Inc.
Street Address: 4788 Hwy. 78 West
City: Cordova State: AL Zip: 35550
Mailing Address: P. O. Box 1190
City: Sumiton State: AL Zip: 35148
Telephone Number: (205) 648-2290
Social Security Number (Voluntary): _____
Employer Identification Number: 63-0906486
ASMC License#: L-698

2. ENTITY OR PERSON RESPONSIBLE FOR PAYING ABANDONED MINE LAND RECLAMATION FEES

Name: Black Warrior Minerals, Inc.
Street Address: same as above
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: Black Warrior Minerals, Inc.
Street Address: same as above
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: Tim Thomas, c/o PERC Engineering Co., Inc.
Mailing Address: P O Box 1712
City: Jasper State: AL Zip: 35502-1712
Telephone Number: (205) 384-5553

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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: Black Warrior Minerals, Inc.
Street Address: 4788 Hwy. 78 West
City: Cordova State: AL Zip: 35550
Mailing Address: P O Box 1190
City: Sumiton State: AL Zip: 35148
Telephone: (205) 648 - 2290
Social Security Number (Voluntary): - -
Employer Identification Number: 63-0906846
ASMC License Number: L-698

Applicant: <u>Black Warrior Minerals, Inc.</u> Mine Name: <u>Seaboard Mine</u> Permit Number: <u>P-3937 / Revision R-4</u>
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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.
Tuscaloosa County, Township 20 South, Range 8 West, Section 32, SE-SE, Section 33, SW-SW, Township 21 South, Range 8 West, Section 3, NW-NE, NE-NE, SE-NW, SW-NE, SE-NE, NW-SW, NE-SW, SW-SW, SE-SW, NW-SE, SW-SE, Section 4, NW-NW, NE-NW, SW-SW, Section 8, NW-NW

3. Give the acreage of the permit, each increment and the type of bonding.
 - a. Total permit acreage: 277 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>66</u>	<u>Letter of Credit</u>
2.	<u>46</u>	<u>Letter of Credit</u>
3.	<u>52</u>	<u>Letter of Credit</u>
4.	<u>56</u>	<u>Letter of Credit</u>
5.	<u>41</u>	<u>Letter of Credit</u>
6.	<u>7</u>	<u>Letter of Credit</u>
7.	<u>9</u>	<u>Letter of Credit</u>

- c. Identify the increment(s) on which mining will initially begin upon issuance of this permit: Inc. 1
4. Has any acreage in the proposed permit area been previously disturbed by mining? (XXX)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.)

<u>Permit</u>	<u>Acres</u>	<u>Status</u>
<u>Pre-law mining</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).

Black Warrior Minerals, Inc. will assume reclamation responsibility on previously disturbed areas affected by this proposed surface mine permit.
5. Is disturbance to be conducted within 300 feet, measured horizontally from an occupied dwelling? ()YES (X)NO.

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

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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 of issuance
<u>MSHA ID</u>	<u>01-011379</u>	<u>MSHA</u>	<u>*</u>	<u>01-14-00</u>
<u>NPDES</u>	<u>AL0071358</u>	<u>ADEM</u>	<u>**</u>	<u>12-2-99</u>
				Renewed 12/2/99 & modified

- * 228 West Valley Avenue, Birmingham, AL 35209
** 1400 Coliseum Blvd., Montgomery, AL 36130

8. Is the property in the permit covered by zoning or other land use restrictions?

()YES (XXX)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
_____	_____	_____
_____	_____	_____

9. Describe access to the proposed mine from a known point on the nearest public highway: Beginning in the City of Tuscaloosa, at State Highways 215 and 216, travel St. Hwy. 216 approximately 6 miles to the Fleetwood Road. Travel south on Fleetwood Road approximately 1 mile. Access road to pit will be on left (east) side of Fleetwood Road. Signs will identify the mine site.

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. On file at ASMC

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: N/A

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: N/A