



May 18th, 2011

Department of the Army Corps of Engineers

Attention: Ms. Cindy J. House-Pearson
Birmingham Field Office Manager
Regulatory Division, USACE
218 Summit Parkway, Suite 222
Homewood, AL 35209

**RE: Shannon, LLC. – Shannon Mine No. 3 – Revision R-4
ASMC Permit Number P-3948
Jurisdictional Determination**

Dear Ms. Cindy House-Pearson:

In regards to the above referenced project,

We are in the process of applying for a mining permit revision for the area described below and are therefore submitting this letter of request for a jurisdictional determination to your office for authorization to proceed with the project.

Shannon, LLC. has existing mining operations in Jefferson County, Alabama adjacent to this Revision R-4 area. The project area consists of 154 acres located in Section 16, Township 19 South, Range 5 West all on the Concord, Alabama U.S.G.S Quadrangle as found in Jefferson County, Alabama. The site location is shown on the attached 2000' scale project area map attachment "B".

The project area consists of 154 acres most of which have been previously disturbed through mining and/or logging operations. The primary purpose of this project is area mining.

McGehee Engineering has performed a site visit which included evaluating the project area therefore I have included a wetland delineation of this project area as can be found in attachment "B".

I have also attached a copy of the completed preliminary JD form for the area evaluated, as found in attachment "C".

The attached preliminary Jurisdictional Determination Form outlines the total jurisdictional area and quantifies that number. Although there is one delineated jurisdictional water onsite, this jurisdictional water is very minimal. To be more specific the only jurisdictional water onsite is 175 foot of an ephemeral drain totaling 0.003 acres.

Please note that although the USGS Quadrangle indicates that there is some open water impoundments on site. These areas have been evaluated and found to be reclaimed and therefore no open water impoundments exist at those areas currently.

Due to the size, length, type and quality of this drain and based on the attached jurisdictional determination forms and tables and the included and attached data would you concur that this project will not require a Department of Army Permit.

I would like to thank you for your co-operation and considerations of these matters and if you should have any questions or need additional information, please contact me at (205) 221-0686.

Sincerely,

McGehee Engineering Corp.

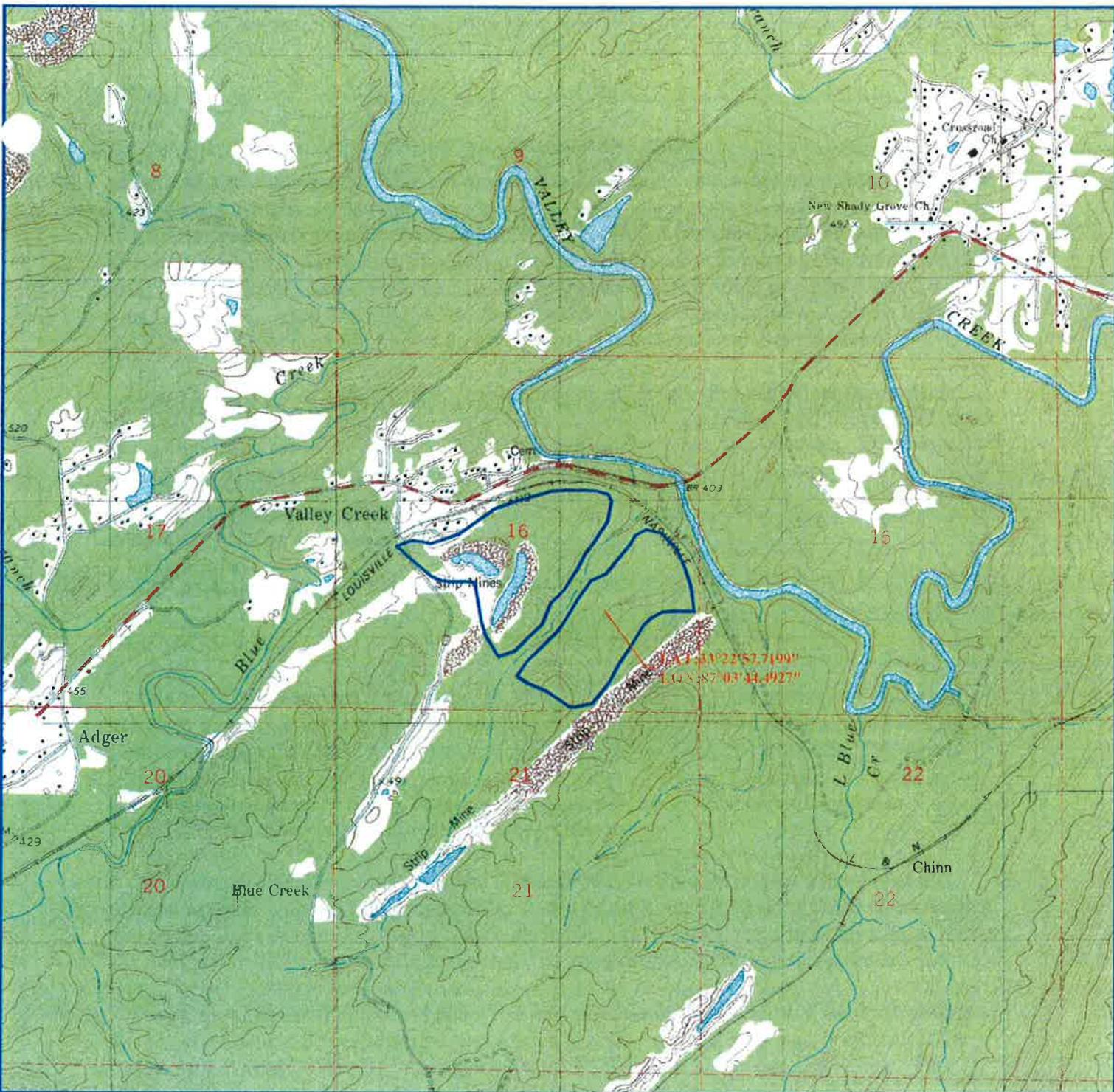
L. Stephen Blankenship

L. Stephen Blankenship
Project Manager

Attachments:

Enclosure:

- (A) *Project Area Map 2000 Scale*
- (B) *Wetland Delineation*
- (C) *Preliminary JD Form*
- (D) *Aerial Photo*



SCALE: 1" = 2000'
 April 26th, 2011

SHANNON, LLC.
 SHANNON MINE NO. 3
 (APPROXIMATELY 154 ACRES TOTAL)

PROJECT AREA MAP

SECTION 16, TOWNSHIP 19 SOUTH, RANGE 5 WEST,
 ALL IN JEFFERSON COUNTY, ALABAMA
 AS FOUND ON THE CONCORD, ALABAMA USGS QUAD.



MEC
 mcgehee engineering corp
 post office box 3431
 jasper, alabama 35502-3431
 telephone: (205) 221-0686 fax: 221-7721
 email: staff@mcgehee.org

 REVISION R-4 BOUNDARY

Latitude: 33°22'57" N
 Longitude: 87°03'44" W



REPLY TO
ATTENTION OF:

**DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, MOBILE DISTRICT
CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001**

June 16, 2011

Inland Section North
Regulatory Division

**SUBJECT: Nationwide Permit Authorization - Permit Number SAM-2011-00640-CTM,
Shannon Mine No.3 Revision R-4, Shannon, LLC.**

Mr. David Muncher
c/o McGehee Engineering Corp.
Attention: Mr. Stephen Blankenship
Post Office Box 3431
Jasper, Alabama 35502

Dear Mr. Muncher:

This letter is in response to your May 18, 2011, application for a Department of the Army permit to impact approximately 175 linear feet of jurisdictional stream in association with an existing mining operation. It has been assigned file number SAM-2011-00640-CTM, which should be referred to in all future correspondence with this office. The project is located in Section 16, Township 19 South, Range 5 West (Latitude 33.384023° N and Longitude 87.065120° W), near Adger, Jefferson County, Alabama.

Department of the Army authorization is necessary because your project will involve the placement of fill material into jurisdictional waters of the United States, regulated under Section 404 of the Clean Water Act. The project includes impacts to 175 linear feet of ephemeral stream. No mitigation will be required do to the minimal impacts associated with this project.

Based upon the information and plans you provided, we hereby verify that the work described above, which would be performed in accordance with the received drawings, is authorized by Nationwide Permit (NWP) 21 in accordance with 33 CFR Part 330 of our regulations. This NWP and its associated Regional and General Conditions can be viewed at our website www.sam.usace.army.mil/RD/reg.

This verification is valid until the NWP is modified, reissued, or revoked. All of the existing NWPs are scheduled to be modified, reissued, or revoked prior to March 18, 2012. It is incumbent upon you to remain informed of changes to the NWPs. We will issue a public notice when the NWPs are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have twelve (12) months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this nationwide permit.

This letter of authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. Please note you are also required to submit a signed certification regarding the commencement and completion of proposed work, including the completion of any required mitigation. The enclosed certification forms must be completed and returned to the letterhead address at commencement and within 60 days of completion of the work authorized. Also, enclosed please find a Notification of Administrative Appeals Options and Process and Request for Appeal form regarding this Jurisdictional Determination.

Please contact me at 205-290-9096 if you have any questions. For additional information about our Regulatory Program, visit our web site at www.sam.usace.army.mil/RE/reg, and please take a moment to complete our customer satisfaction survey while you are there. Your responses are appreciated and will allow us to improve our services.

Sincerely,

A handwritten signature in black ink that reads "Candice Wheelahan". The signature is written in a cursive, flowing style.

Candice Wheelahan
Regulatory Specialist
Regulatory Division

Enclosures

Rec'd 5/24/11
SAM-201-00661-CTM



May 26th, 2011

U.S. Army Corps of Engineers

Department of the Army Corps of Engineers
Attention: Ms. Cindy J. House-Pearson
Birmingham Field Office Manager
Regulatory Division, USACE
218 Summit Parkway, Suite 222
Homewood, AL 35209

A Department of the Army permit will not be required for your project as proposed.

C. Wheelahan
PROJECT MANAGER
REGULATORY DIVISION

6/16/11
DATE

**RE: Shannon, LLC. – Shannon Mine No. 3 – Revision R-4 – Additional Area “A”
ASMC Permit Number P-3948
Jurisdictional Determination**

Dear Ms. Cindy House-Pearson:

In regards to the above referenced project,

We are in the process of applying for a mining permit revision for the additional area described below and are therefore submitting this letter of request for a jurisdictional determination to your office for authorization to proceed with the project.

Shannon, LLC. has existing mining operations in Jefferson County, Alabama adjacent to this Revision R-4 – Additional area. The project area consists of 11 acres located in Section 16 & 21, Township 19 South, Range 5 West all on the Concord, Alabama U.S.G.S Quadrangle as found in Jefferson County, Alabama. The site location is shown on the attached 2000' scale project area map attachment “B”.

The proposed project activity consists of an addition of eleven (11) acres all of which has no drainage courses and has no wetlands. I have attached an aerial photo in attachment “C”, which reveals the absence of any jurisdictional waterways.

McGehee Engineering has also performed a site visit which included evaluating the project area and it was evident that the most of the area had been previously disturbed in the past through logging operations. However, I have included a wetland delineation, as found in attachment “D” and a JD Form, attachment “E” indicating that the area is all upland.

Therefore based on the fact that this project area is solely upland and will not impact any waters of the US would you concur that the project activities will not require a Department of Army Permit.

I would like to thank you for your co-operation concerning this matter and would appreciate your comments at your earliest convenience. If you should have any questions or need additional information, please do not hesitate to contact our office.

Sincerely,

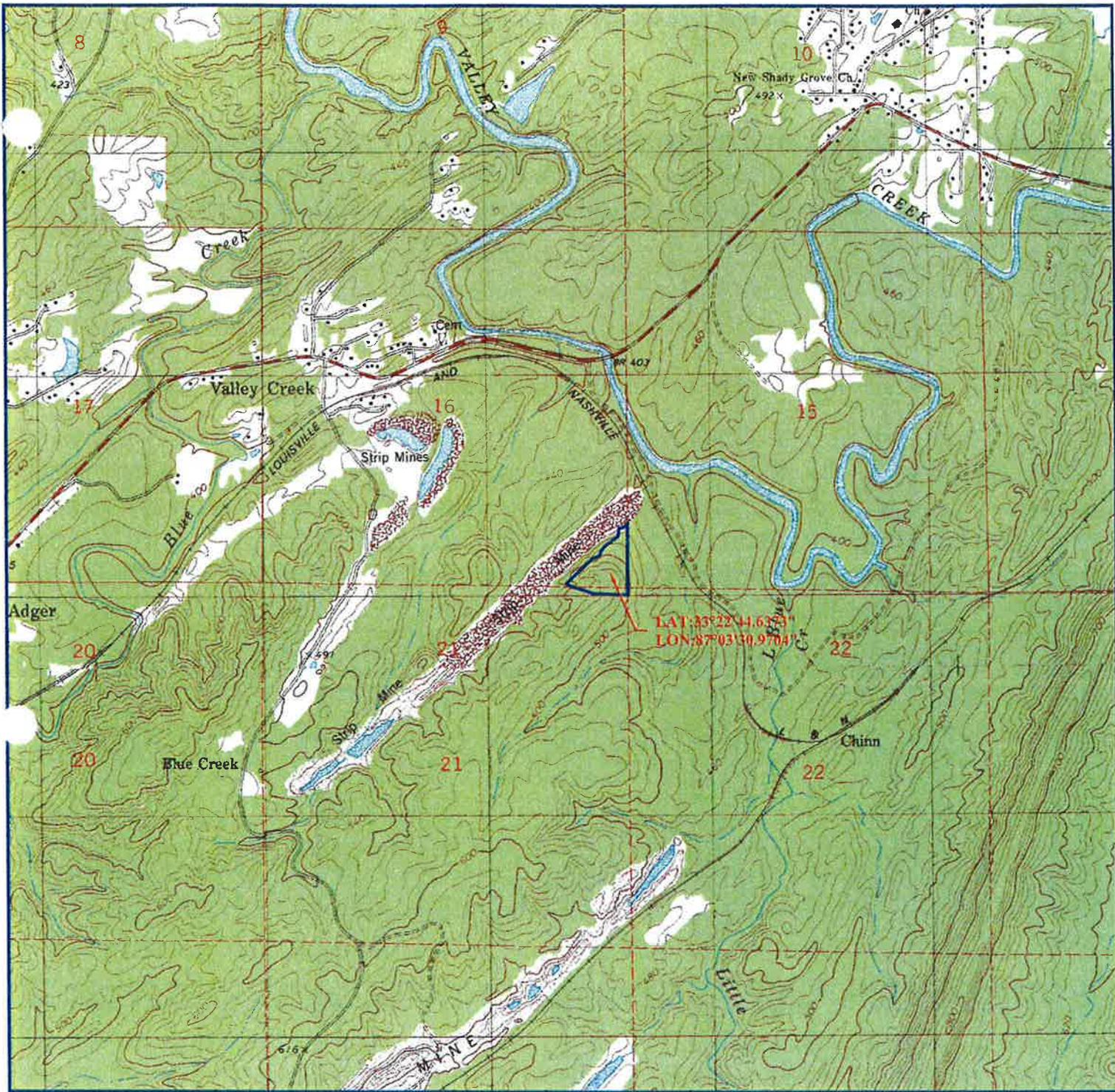
McGehee Engineering Corp.

L. Stephen Blankenship

L. Stephen Blankenship
Project Manager,
stephenb@mcgehee.org

Enclosure:

- (A) Project Notification Summary*
- (B) Project Area Map 2000 Scale*
- (C) Aerial Photo*
- (D) Wetland Delineation*
- (E) JD Form*



SCALE: 1" = 2000'
 May 25th, 2011

SHANNON, LLC.
SHANNON MINE NO. 3 -- REVISION R-4
 (APPROXIMATELY 11 ACRES TOTAL)



PROJECT AREA MAP

SECTIONS 16 & 20, TOWNSHIP 19 SOUTH, RANGE 5 WEST,
 ALL IN JEFFERSON COUNTY, ALABAMA
 AS FOUND ON THE CONCORD, ALABAMA USGS QUAD.

MEC
mcgehee engineering corp
 post office box 3431
 jasper, alabama 35502-3431
 telephone: (205) 221-0686 fax: 221-7721
 email: staff@mcgehee.org

 **ADDITIONAL AREA "A" BOUNDARY**

Latitude: 33°22'44" N
 Longitude: 87°03'30" W



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
MOBILE DISTRICT, CORPS OF ENGINEERS
BIRMINGHAM FIELD OFFICE
218 SUMMIT PARKWAY, SUITE 222
HOMEWOOD, ALABAMA 35209

July 18, 2012

Inland Section North
Regulatory Division

SUBJECT: Nationwide Permit Authorization - Permit Number SAM-2012-00767-CMS,
Shannon Mine No. 3 Revision R-7, Shannon, LLC

Shannon, LLC
c/o McGehee Engineering
Attention: Mr. Bradley Vance
Post Office Box 3431
Jasper, Alabama 35502

Dear Mr. Vance:

This letter is in response to your June 14, 2012 application for a Department of the Army (DA) permit to install two culverts for road crossings in association with the Shannon Mine No. 3 Revision R-7 haul road. The project is located in Section 16, Township 19 South, Range 5 West (N 33.3828, W 87.06417), Jefferson County, Alabama.

DA authorization is necessary because your project will involve the placement of fill material into jurisdictional waters of the United States, regulated under Section 404 of the Clean Water Act. The project will include the installation of two culverts in two separate locations, impacting 0.09 acre of open water. Mitigation will not be required because the impacts are to open waters and are minimal.

Based upon the information and plans provided, we hereby verify that the work described above, which would be performed in accordance with the received drawings, is authorized by Nationwide Permit (NWP) 14 in accordance with 33 CFR Part 330 of our regulations. This NWP and its associated Regional and General Conditions can be viewed at our website www.sam.usace.army.mil/RD/reg. You must comply with all of the special and general conditions of this authorization or you may be subject to enforcement action. In the event you have not completed construction of your project within the specified time limit, a separate application or re-verification may be required.

Our verification of this NWP authorization is valid for 2 years from the date of this letter unless the NWP is modified, reissued, or revoked prior to that date. If the authorized work has not been completed by that date, please contact us to discuss the status of your authorization. Failure to comply with all terms and conditions of this NWP verification invalidates this authorization and could result in a violation of Section 404 of the Clean Water Act.

This letter of authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. Further, please note General Condition 30 requires that you submit a signed certification to us once any work has commenced and when the work and required mitigation are completed. Please complete and submit the attached Notification of Commencement of Work when work has begun and the attached Compliance Certification form to this office within 60 days of completion of the authorized work.

A copy of this authorization is being provided to the Alabama Department of Environmental Management, Attention: Mr. Richard Hulcher, Field Operations Division, 1400 Coliseum Boulevard, Montgomery, Alabama 36110.

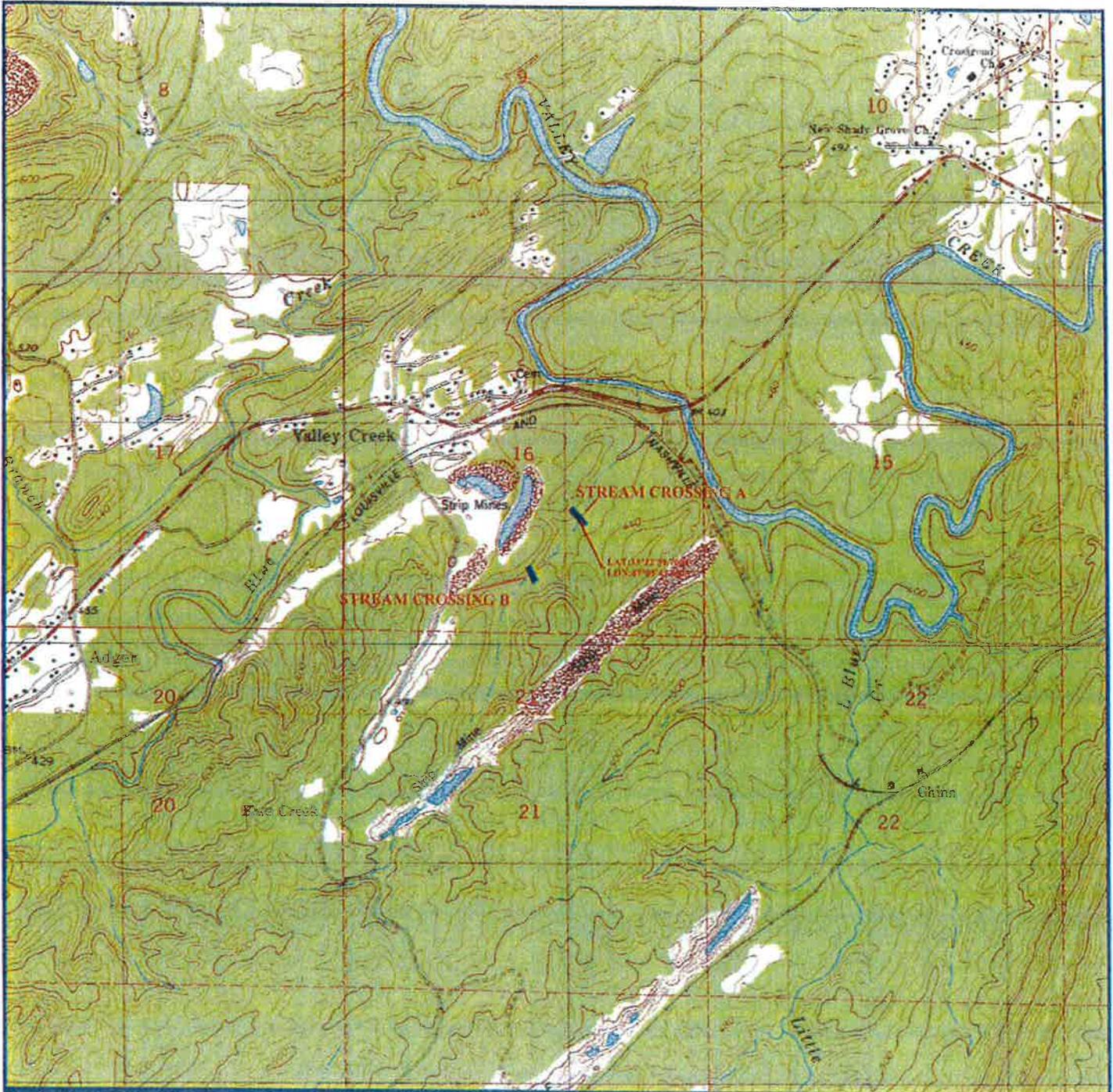
Please contact me at 205-290-9096 if you have any questions. For additional information about our Regulatory Program, visit our web site at www.sam.usace.army.mil/RD/reg, and please take a moment to complete our customer satisfaction survey while you are there. Your responses are appreciated and will allow us to improve our services.

Sincerely,

A handwritten signature in black ink, appearing to read 'CS', with a long horizontal line extending to the right.

Courtney Shea
Project Manager
Regulatory Division
Birmingham Field Office

Enclosures



SCALE: 1" = 2000'
June 11th, 2012

SHANNON, LLC.
SHANNON MINE NO. 3 -- REVISION R-7
(APPROXIMATELY 1.2 ACRES TOTAL)



PROJECT AREA MAP

SECTION 16, TOWNSHIP 19 SOUTH, RANGE 5 WEST,
ALL IN JEFFERSON COUNTY, ALABAMA
AS FOUND ON THE CONCORD, ALABAMA USGS QUAD.

MEC
moyce engineering corp
post office box 3431
jasper, alabama 35502-3431
telephone: (205) 221-0888 fax: 221-7721
email: staff@moyce.org

 REVISION R-7 BOUNDARY

Latitude: 33°22'50" N
Longitude: 87°03'49" W