BIRMINGHAM COAL & COKE COMPANY, INC.

OLD UNION #2 MINE

ALABAMA SURFACE MINING COMMISSION

SURFACE MINING PERMIT APPLICATION

PART VII

Prepared by:

DSM DESIGN GROUP, LLC.
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PART VII - FINAL VERIFICATION OF PERMIT APPLICATION P-3962

I, the undersigned operator and holder of an A.S.M.C. license, do hereby certify that:

☒ The information in the license file regarding ownership and control and violation information is accurate and complete as of this date.

☐ The information in the license file regarding ownership and control and violation information is not accurate and complete as of this date. The necessary update is attached.

This application is submitted in conformance with rules and regulations of the Commission and it is agreed that any operations pursuant to the permit will be conducted in accordance with those rules and regulations. I further certify that I will keep the Commission advised of any changes of facts as may pertain to the license information or this permit application.

BIRMINGHAM COAL & COKE CO., INC. License No.: **L-378**
Licensee:

By: **Robert A. Lewis**
Its President

Signature

STATE OF ALABAMA)))

COUNTY OF WALKER)))

Before me, the undersigned authority, personally appeared **Robert A. Lewis** who being duly sworn upon oath, deposed and said, that he has read the foregoing application, that he is the responsible official of the applicant who executed the application, that the facts and matters contained therein are true and correct to the best of his information and belief, and that he executed the same for the purposes therein expressed.

Sworn to and subscribed before me, this the **8** day of **August**, 2012.

NOTARY PUBLIC

My Commission Expires: **03/07/2014**

J. DAVID MCGEHEE
NOTARY
My Commission Expires
03/07/2014
PUBLIC
ALABAMA STATE AT LARGE