BIRMINGHAM COAL & COKE COMPANY, INC.

OLD UNION #2 MINE P-3962, R-2

ALABAMA SURFACE MINING COMMISSION

SURFACE MINING PERMIT APPLICATION

PART VI

Prepared by:

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PART VI - VERIFICATION OF PERMIT APPLICATION (771.27)

I, the undersigned operator and holder of an A.S.M.C. license do hereby submit this as my application for a permit to engage in surface coal mining operation and certify that the information in the application is true and correct to the best of my information and belief. 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 Company, Inc. License No.: **L-378**
Licensee:

By: **Robert A. Lewis**
President

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 1st day of November 2012.

NOTARY PUBLIC

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

My Commission Expires: _____

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