



STATE OF ALABAMA
SURFACE MINING COMMISSION

P.O. BOX 2390 - JASPER, ALABAMA 35502-2390
(205) 221-4130 • FAX: (205) 221-5077

APPROVAL OF PERMIT TRANSFER

Approval is hereby granted for transfer of Permit P-3963-33-17-S along with all rights, provisions, terms, conditions and obligations granted or assessed thereunder to:

P-3963-33-17-S
YELLOWHAMMER ENERGY SOLUTIONS LLC
912 EDENTON STREET
BIRMINGHAM, AL 35242
(Posey Mill #2)

License No.: L-838

As a condition of transfer, the transferee has provided performance bond guaranteeing compliance with all laws and regulations applicable to the permit and reclamation of all lands disturbed under this permit.

Permit Condition TR-1: Where the permittee does not currently have ownership or control required by ASMC Administrative Code r.880-X-8D-.077, within 30 days hereof the permittee shall either:

- 1) Document its right to enter and conduct surface coal mining operations upon any property for which a current right of entry has not been established
- 2) Submit a revision application to revise the permit to delete or release such property from the permit

Permit Condition TR-2: The permittee must provide ASMC with written approval from the U. S. Army Corps of Engineers (USACE), for USACE Permit LRN-2010-00697, showing that the permit has officially been transferred to Yellowhammer Energy Solutions, LLC from Birmingham Coal & Coke Co., Inc. within 30 days of issuance.

EFFECTIVE DATE: January 17, 2017

J.H.
/mw

cc: I & E
PERMIT FILE



JOHNATHAN E. HALL, DIRECTOR