

Applicant: RJR Mining Company, Inc.
Mine Name: Bunt Mine
Permit Number: P-

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: RJR Mining Company, Inc.
Street Address: 109 2nd Avenue NE
City: Cullman State: AL Zip: 35055
Mailing Address: P.O. Box 1253
City: Cullman State: AL Zip: 35055
Telephone Number: (256) 775-0067
Social Security Number (Voluntary): _____
Employer Identification Number: _____
ASMC License#: L-614

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

Name: Applicant
Street Address: _____
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: Applicant
Street Address: _____
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: Leslie G. Stephens c/o PERC Engineering Co., Inc.
Mailing Address: Post Office Box 1712
City: Jasper State: AL Zip: 35502-1712
Telephone Number: (205) 384-5553

ALSO PLEASE COPY: Randy C. Johnson
RJR Mining Company, Inc.
P.O. Box 1253
Cullman, AL 35055
Telephone: (256)775-0067

Applicant: RJR Mining Company, Inc.
Mine Name: Bunt Mine
Permit Number: P-

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
.) -
+) ,
X 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: Applicant
Street Address: _____
City: _____ State: _____ Zip: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Telephone: (____) _____ - _____
Social Security Number (Voluntary): _____ - _____ - _____
Employer Identification Number: _____
ASMC License Number: _____

Applicant: <u>RJR Mining Company, Inc.</u>
Mine Name: <u>Bunt Mine</u>
Permit Number: <u>P-</u>

PART I C. PROPERTY OWNERSHIP, INTERESTS AND RIGHTS

1. OWNERSHIP OF PROPERTY TO BE MINED AND RIGHT OF ENTRY.

INSTRUCTIONS: Show the property ownership boundaries of each parcel of land in the permit area on the permit map or an overlay of the same scale as the permit map. If the surface estate is severed from the mineral estate, show and describe the ownership of each estate separately. In the spaces below, identify:

1. Every current legal or equitable owner(s) of record (as found in a standard search of title) of the property;
2. The holders of record of any leasehold interest in the property; and,
3. Any purchaser of record under a real estate contract of the property.

Describe the basis of the applicant's legal right to enter and mine on all properties contained in the permit application. If the mineral estate has been severed from the surface estate, describe the basis of the legal right to enter and mine both the surface and mineral separately. Give the nature of such right (i.e. lease, deed, contract, etc.), where recorded, describe from whom, to whom, and the date executed, and whether that right is the subject of pending litigation.

USE ADDITIONAL SHEETS IN THE FORMAT BELOW AS NECESSARY

Page 1 of 5

Legal description of property or permit map symbol: _____
James H. Bunt(Fee)
 Surface/Mineral/or Fee Simple (both): Fee
 Legal owner(s) of record: James H. Bunt
 Address: P.O. Box 407 City: Morris State: AL Zip: 35116
 Holders of leasehold interest: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Description of right to enter or mine:
 Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain
Lease	James H. Bunt	RJR Mining Company, Inc.		No

Applicant: RJR Mining Company, Inc.
 Mine Name: Bunt Mine
 Permit Number: P-

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: John F. III & Kenneth S. Rogers (S)

Surface/Mineral/or Fee Simple (both): Surface

Legal owner(s) of record: John F. III & Kenneth S. Rogers

Address: 401 Cross Creek Drive City: Morris State: AL Zip: 35116

Holders of leasehold interest: _____

Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: _____

Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain
Lease	John F. III & Kenneth S. Rogers	RJR Mining Company, Inc.		No

Legal description of property or permit map symbol: J.F. Rogers, Jr. (S)

Surface/Mineral/or Fee Simple (both): Surface

Legal owner(s) of record: J.F. Rogers, Jr.

Address: 400 Cross Creek Drive City: Morris State: AL Zip: 35116

Holders of leasehold interest: _____

Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: _____

Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain
Lease	J.F. Rogers, Jr.	RJR Mining Company, Inc.		No

Applicant: RJR Mining Company, Inc.
 Mine Name: Bunt Mine
 Permit Number: P-

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: Marion Moss Miles (M)

Surface/Mineral/or Fee Simple (both): Mineral

Legal owner(s) of record: Marion Moss Miles

Address: 5315 Kaywood Drive City: Jackson State: MS Zip: 39211

Holders of leasehold interest: _____

Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: _____

Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain
Lease	Marion Moss Miles	RJR Mining Company, Inc.		No

Legal description of property or permit map symbol: E.M. Tutwiler, Ltd (M)

Surface/Mineral/or Fee Simple (both): Mineral

Legal owner(s) of record: E.M. Tutwiler, Ltd

Address: P.O. Box 12045 City: Birmingham State: AL Zip: 35202

Holders of leasehold interest: _____

Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: _____

Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain
Lease	E.M. Tutwiler, Ltd	RJR Mining Company, Inc.		No

Applicant: RJR Mining Company, Inc.
 Mine Name: Bunt Mine
 Permit Number: P-

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: The Estate of A.F. Morton - 4/5 Interest (M)

Surface/Mineral/or Fee Simple (both): Mineral - 4/5 Interest

Legal owner(s) of record: The Estate of A.F. Morton

Address: 923 Lelie Lane City: Gardendale State: AL Zip: 35071

Holders of leasehold interest: _____

Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: _____

Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain
Lease	The Estate of A.F. Morton	RJR Mining Company, Inc.		No

Legal description of property or permit map symbol: M-1

Surface/Mineral/or Fee Simple (both): Mineral - 1/5 Interest

Legal owner(s) of record: Beatrice Morton Arnold, Maude Morton Roy and William T. Morton - 1/5 Interest

Address: 923 Lelie Lane City: Gardendale State: AL Zip: 35071

Holders of leasehold interest: _____

Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: _____

Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain
Lease	Beatrice Morton Arnold, Maude Morton Roy and William T. Morton	RJR Mining Company, Inc.		No

Applicant: RJR Mining Company, Inc.
 Mine Name: Bunt Mine
 Permit Number: P-

PART I C 1. (CONTINUED)

Legal description of property or permit map symbol: Charlotte Hughes Finley (S)

Surface/Mineral/or Fee Simple (both): Surface

Legal owner(s) of record: Charlotte Hughes Finley

Address: 9223 Bankston Road City: Dora State: AL Zip: 35062

Holders of leasehold interest: _____

Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: _____

Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain
Lease	Charlotte Hughes Finley	RJR Mining Company, Inc.		No

Legal description of property or permit map symbol: _____

Surface/Mineral/or Fee Simple (both): _____

Legal owner(s) of record: _____

Address: _____ City: _____ State: _____ Zip: _____

Holders of leasehold interest: _____

Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: _____

Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain
Lease				No

Applicant: <u>RJR Mining Company, Inc.</u>
Mine Name: <u>Bunt Mine</u>
Permit Number: <u>P-</u>

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>01-03443</u>	<u>MSHA</u>	<u>*</u>	<u>Pending</u>
<u>NPDES</u>	<u>AL00</u>	<u>ADEM</u>	<u>**</u>	<u>Pending</u>

* 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?

(XXX)YES ()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
<u>City of Morris</u>	<u>* I-3</u>	<u>Yes</u>
<u>Jefferson County</u>	<u>I-3-S</u>	<u>Yes</u>

* See Attachment I-D-8 from the City of Morris to allow surface mining.

9. Describe access to the proposed mine from a known point on the nearest public highway: From the town of Morris travel south on 1st Avenue for 0.8 miles to the intersection of County Road 129. Turn right onto County Road 129 and travel approximately 0.4 miles to the mine entrance on the right.

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. See ASMC Master File

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: _____

ASMC website <http://surface-mining.alabama.gov/PermitApplications.html>

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: The Birmingham News

See Attachment for I-D-13

Applicant: <u>RJR Mining Company, Inc.</u>
Mine Name: <u>Bunt Mine</u>
Permit Number: <u>P-</u>

Attachment I-E-13

PUBLIC NOTICE OF FILING OF PERMIT APPLICATION

In accordance with the provisions of Act No.81-435 of the State of Alabama and the regulations promulgated under this act, RJR Mining Company, Inc., P.O. Box 1253, Cullman, Alabama 35055, hereby gives notice that it has filed an application with the Alabama Surface Mining Commission to permit a surface mining site as follows: From the town of Morris travel south on 1st Avenue for 0.8 miles to the intersection of County Road 129. Turn right onto County Road 129 and travel approximately 0.4 miles to the mine entrance on the right. The area to be permitted is located in NW/NW, SW/NW, SE/NW, SW/NE, SE/NE, NE/SW, NW/SE, NE/SE, SW/SE and SE/SE of Section 13 and NE/NE of Section 14, Township 15 South, Range 3 West and SW/NW, NW/SW, NE/SW and SW/SW of Section 18, Township 15 South, Range 2 West, Jefferson County, Alabama, as shown on the Gardendale, Alabama United States Geological Survey quadrangle map. A copy of the permit revision application is available for public inspection at the Alabama Surface Mining Commission website <http://surface-mining.alabama.gov/PermitApplications.html>. Written comments, objections, or requests for informal conferences should be submitted to the Alabama Surface Mining Commission, P.O. Box 2390, Jasper, Alabama 35502-2390, within 30 days from the last publication of this notice.