



STATE OF ALABAMA
SURFACE MINING COMMISSION

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Permit Number:P- 3972-01-18-U

License Number:L- 823

PERMIT TO ENGAGE IN SURFACE COAL MINING OPERATIONS

Pursuant to **The Alabama Surface Mining Control and Reclamation Act of 1981**, as amended, ALA. Code Section 9-16-70 et. seq. (1975) a permit to engage in Surface Coal Mining Operations in the State of Alabama is hereby granted to:

NORTH PRATT MINING LLC
P O BOX 279
PELHAM AL 35124
(Pratt No. 1 Mine)

Such operations are restricted to 68* acres as defined on the permit map and located in: (See Condition #3)

NE/SE, SE/SE, SW/SE, SE/SW, NW/SE of Section 19, SW/NW, NW/SW of Section 20, NW/SW, SW/SW, NE/SW, SE/SW of Section 29, NW/NE, NE/NW, NW/NW, SW/NW, SE/NW, SW/NE, SE/NE, NE/SW, NW/SW, NW/SE, NE/SE of Section 30, Township 16 South, Range 4 West; NE/NE and SE/NE of Section 25, Township 16 South, Range 5 West all in Jefferson County, Alabama.

This permit is subject to suspension or revocation upon violation of any of the following conditions:

1. The permittee shall conduct Surface Coal Mining and Reclamation Operations in accordance with the plans, provisions and schedules in the permit application.
2. The permittee shall conduct operations in a manner to prevent damage or harm to the environment and public health and safety and shall notify ASMC and the public ~~in accordance with the provisions of the Act~~ of any condition which threatens the environment or public health and safety.

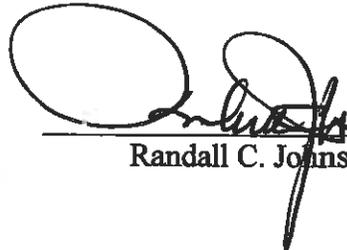
3. Surface coal mining operations are restricted to those areas for which sufficient bond has been posted with ASMC. On the date of issuance of this permit bond was posted only for increments(s) #4 consisting of 12 acres as defined on the permit map.
4. No mining disturbance is to occur on any part of the permit on which legal "right of entry" has not been obtained. When such rights are "pending" the applicant shall submit acceptable evidence, to the Director, that such rights have been obtained according to ASMC Regulation 880-X-8D-.07.
5. No disturbance is to occur on any properties on which land use comments from legal owners of record are "pending" prior to the applicant providing acceptable comments.
6. No disturbance is to occur in the 300' setback area to any occupied dwelling prior to the applicant providing acceptable evidence to ASMC of its having secured a waiver of each subject area signed by the owner of the dwelling.
7. No mining disturbance shall occur within the 100' setback of any public road or the relocation of any public road prior to the applicant providing acceptable evidence, to the Director, of its having secured approval for a waiver from the appropriate jurisdictional authority and specific written waiver from ASMC.
8. The permittee shall notify the ASMC and seek consultation with the U.S. Fish and Wildlife Service if:
 - a. The permit is modified in any way that causes an effect on species or Critical Habitat listed under the Endangered Species Act of 1973.
 - b. New information reveals the operation may affect Federally protected species or designated Critical Habitat in a manner or extent not previously considered, or
Species Act that may be affected by the operation.
 - c. A new species is listed or Critical Habitat is designated under the Endangered Species Act that may be affected by the operation.
9. The permittee shall contact the ASMC and consult with the Alabama Historic Preservation Officer if the permit is modified or if previously unknown archaeological or historic resources are discovered on the permit area. Upon discovery of previously unknown artifacts or archaeological features the permittee shall cease operations until the Alabama Historic Preservation Officer approves resumption of operations.
10. No blasting will be associated with this permit.

11. Sedimentation Pond 001 shall be modified in accordance with the approved design plans and be certified as such to the Alabama Surface Mining Commission no later than 60 days after issuance of this permit.
12. The drainage control berm shall be upgraded in accordance with the approved Modification/Repair Plans and be certified as such to the Alabama Surface Mining Commission no later than 60 days after issuance of this permit.
13. Primary Road No. 1P and 3P shall be upgraded in accordance with the approved Modification/Repair Plans and be certified as such to the Alabama Surface Mining Commission no later than 60 days after issuance of this permit.
14. The stream crossing of the unnamed tributary to Coal Creek, identified as station 136+95 to 139+90 on Primary Road 1P, shall be constructed in accordance with the approved design plans and be certified as such to the Alabama Surface Mining Commission prior to commencing use of the crossing as a primary road.
15. The existing stream crossing of the unnamed tributary to Coal Creek referenced above shall be used only for light passenger vehicle traffic until the crossing has been reconstructed in accordance with the approved plans and certified as such to the Alabama Surface Mining Commission. The approved load limit for the existing stream crossing is 2 ton per axle and 5 ton gross weight limit.

EFFECTIVE DATE: August 26, 2013

DATE ISSUED: August 26, 2013

EXPIRATION DATE August 25, 2018


Randall C. Johnson, Director

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cc: I & E & Permit File