

**NORTH PRATT MINING, LLC**

**PRATT NO. 1 MINE, P-3972, R-3**

**ALABAMA SURFACE MINING COMMISSION**

**SURFACE MINING PERMIT APPLICATION**

**P A R T   I**

Prepared by:

**MCGEHEE ENGINEERING CORP.**

P. O. Box 3431  
450 19th Street West  
Jasper, Alabama 35502-3431  
Telephone: (205) 221-0686  
Fax: (205) 221-7721

**NORTH PRATT MINING, LLC  
PRATT NO. 1 MINE, P-3972, R-3**

Fee: \_\_\_\_\_

Bond Required: \_\_\_\_\_

Date Approved: \_\_\_\_\_

APPLICATION FOR PERMIT REVISION

Name of Permittee: **NORTH PRATT MINING, LLC**

License Number: L-823 Complete Permit Number: P-3972-01-18-U

Expiration Date of Permit: 10/23/16 Revision Number: R-3

Mine Name: Pratt No. 1 Mine

Nature of Proposed Revision R-3:

The nature of Revision R-3 is as follows:

1. Add underground slurry injection into Bessie Mine.
2. Show the correct location of Primary Road No. 1 and bath house.
3. Correct mapping error in the NE/SW and NW/SE of Section 30 to show the correct location of Increment 1 south of the unnamed tributary to Coal Creek. (See explanation note below)
4. Show the correct location of coarse refuse belt.
5. Update ownership
6. Modify the hydrologic monitoring plan.

*EXPLANATION OF MAPPING CORRECTION*

*The permit map and boundary for P-3768 was based on section and forty lines taken from the USGS quad sheet. Also, the location of the unnamed tributary to Coal Creek was based on the USGS quad sheet location. The permit map for North Pratt Mining, LLC, P-3972 is based on surveyed section lines.*

*The intent of North Pratt Mining, LLC was to permit the same area south of the unnamed tributary to Coal Creek as previously permitted and disturbed under P-3768. In the NE/SW and NW/SE of Section 30 the surveyed forty lines are approximately 115 feet to the east and 17 feet north of the USGS forty lines. Also, the actual surveyed location of the unnamed tributary to Coal Creek is north of the USGS quad sheet location.*

[\(See Mapping Correction Detail Map\).](#)

Identify any conditions placed on this permit which would relate to the proposed revision being requested:

None.

# STATE OF ALABAMA SURFACE MINING COMMISSION

- ( ) Permit Application for a Surface Coal Mine  
(XX) Permit Application for an Underground Coal Mine  
( ) Permit Application for a Preparation Facility

## PART I A. IDENTIFICATION

### 1. PERMIT APPLICANT

Name: North Pratt Mining, LLC  
Street Address: 12008 Mitchell Bend  
City: Fort Smith State: AR Zip: 72916  
Mailing Address: P. O. Box 279  
City: Pelham State: AL Zip: 35124  
Telephone Number: 205-492-1183  
Social Security Number(Voluntary): - - -  
Employer Identification Number: 30-0712779  
ASMC License#: L-823

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

Name: North Pratt Mining, LLC  
Street Address: 12008 Mitchell Bend  
City: Fort Smith State: AR Zip: 72916  
Mailing Address: P. O. Box 279  
City: Pelham State: AL Zip: 35124  
Telephone Number: 205-492-1183  
Social Security Number(Voluntary): - - -  
Employer Identification Number: 30-0712779  
ASMC License#: L-823

### 3. IDENTIFY THE OPERATOR FOR THIS MINE IF DIFFERENT FROM THE PERMITTEE

Name: SAME AS PERMITTEE  
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: McGehee Engineering, Corp.  
Mailing Address: P. O. Box 3431, 450 19th Street West  
City: Jasper State: AL Zip: 35502  
Telephone Number: (205) 221-0686 Fax: (205) 221-7721

**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 I A through Part I F of the License application form. Check one of the following:

☐ 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.

**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:

☐ A license update is included.

☒ Information contained in the license file is accurate and complete at the time of filing of this application.

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: North Pratt Mining, LLC

Street Address: 12008 Mitchell Bend

City: Fort Smith State: AR Zip: 72916

Mailing Address: P. O. Box 279

City: Pelham State: AL Zip: 35124

Telephone Number: 205-492-1183

Social Security Number(Voluntary): - - -

Employer Identification Number: 30-0712779

ASMC License#: L-823

**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 2**

=====

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

(SEE PERMIT MAP)

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

Legal owner(s) of record: VALLEY CREEK LAND & TIMBER, LLC

Address: 1300 MEADOWBROOK RD, SUITE 202 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	U.S.X. CORPORATION	NORTH PRATT MINING, LLC	8/28/2012	NO

Note: U.S.X. Corporation sold their surface rights to Valley Creek Land & Timber, LLC in August 2014.

**PART I C. PROPERTY OWNERSHIP, INTERESTS AND RIGHTS (CONTINUED)**

=====

**Page 2 of 2**

=====

Legal description of property or permit map symbol: S-2

**(SEE PERMIT MAP)**

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

Legal owner(s) of record: COAL HOLDINGS USA LLC

Address: P.O. BOX 278 City: PELHAM State: AL Zip: 35124

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	COAL HOLDINGS USA LLC	NORTH PRATT MINING, LLC.	3/1/13	NO

**PART I C. (CONTINUED)**

**2. OWNERSHIP OF SURFACE AND MINERAL LANDS CONTIGUOUS TO THE AREA TO BE MINED.**

**INSTRUCTIONS:**

Provide the information below for the owners of record of all surface and mineral properties contiguous to any part of the proposed permit area.

**USE ADDITIONAL SHEETS IN THE FORMAT BELOW AS NECESSARY**

=====

**Page 1 of 1**

=====

Name: **VALLEY CREEK LAND & TIMBER, LLC**  
Address: **1300 MEADOWBROOK ROAD, SUITE 202**  
City: **JACKSON** State: **MS** Zip: **39211**  
Interest owned (Surface, Coal or Fee Simple): **SURFACE**  
Type of Interest (Owner, Lease , or Other): **OWNER**

Name: **COAL HOLDINGS USA LLC**  
Address: **P.O. BOX 278**  
City: **PELHAM** State: **AL** Zip: **35124**  
Interest owned (Surface, Coal or Fee Simple): **SURFACE**  
Type of Interest (Owner, Lease , or Other): **OWNER**

PART I C. (CONTINUED)

**3. INTERESTS OR PENDING INTERESTS IN LANDS CONTIGUOUS TO THE PERMIT AREA.**  
**INSTRUCTIONS:**

THE APPLICANT HAS NO INTEREST IN ANY LANDS OR CONTIGUOUS LAND  
OTHER THAN THE PERMITTED AREA.

Give the legal description of all lands contiguous to the permit area for which the permit applicant:

1. Holds an interest,
2. Holds an option, or
3. Has made a bid for ownership, lease or other interest.

USE ADDITIONAL SHEETS IN THE FORMAT BELOW AS NECESSARY

Page 1 of   

Legal description: \_\_\_\_\_

Describe the nature of the interest: \_\_\_\_\_

Legal description: \_\_\_\_\_

Describe the nature of the interest: \_\_\_\_\_

Legal description: \_\_\_\_\_

Describe the nature of the interest: \_\_\_\_\_

Legal description: \_\_\_\_\_

Describe the nature of the interest: \_\_\_\_\_



**PART I D. PERMIT AREA INFORMATION**

1. Give the requested term of this permit: 5 years.
2. Give the legal description of the land upon which the applicant proposes to conduct surface coal mining operations. List each quarter-quarter section, section, township, range, and county.

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

3. Give the acreage of the permit, each increment and the type of bonding.
- a. Total permit acreage: 70.0 Acres

- b. Give the acreage and type of bond for each mining increment:

<u>Increment</u>	<u>Acres</u>	<u>Type Bond Proposed</u>
1	18.0	Certificate of Deposit
3	40.0	Certificate of Deposit
4	12.0	Certificate of Deposit

- c. Identify the increment(s) on which mining will initially begin upon issuance of this permit: Inc. No. 1

4. Has any acreage in the proposed permit area been previously disturbed by mining? (XX) YES ( ) NO

If yes, supply the following for any and all previously disturbed areas:

- a. Show the boundaries of the previously disturbed area(s) on the permit map and identify with an appropriate symbol.  
SEE PERMIT MAP

- b. List, for each area, the permit number under which it was disturbed and the number of acres. Indicate the status of each permit as Unreleased, Grading released, or 100% released.  
(If no permit, indicate as such)

<u>Permit</u>	<u>Acres</u>	<u>Status</u>
<u>Unknown</u>	<u>    </u>	<u>Unknown</u>
<u>P-3768</u>	<u>48</u>	<u>Phase III Bond Release</u>

5. Is disturbance to be conducted within 300 feet, measured horizontally, from an occupied dwelling?

( ) YES (XX) NO.

If YES, attach a signed waiver from the owner of the dwelling indicating the minimum distance disturbance will be allowed by the owner.

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.

**NORTH PRATT MINING, LLC  
PRATT NO. 1 MINE, P-3972, R-3**

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:

<b>Permit</b>	<b>ID or Permit Number</b>	<b>Issuing Authority</b>	<b>Address</b>	<b>Status or date of issuance</b>
<u>MSHA ID</u>	<u>01-03102</u>	<u>MSHA</u>	<u>228 West Valley Ave.</u> <u>Birmingham, AL 35209</u>	<u>06-01-97</u>
<u>NPDES</u>	<u>AL0082023</u>	<u>ADEM</u>	<u>1751 Federal Drive</u> <u>Montgomery, AL 36130</u>	<u>08-23-13</u>

8. Is the property in the permit covered by zoning or other land use restrictions? ( XX ) YES ( ) NO.  
If yes, indicate the jurisdictional authority and zoning or landuse restriction for the entire permit area. If more than one zoning classification exists for the permit area, identify the boundaries of each on the permit map.

Jurisdictional Authority	Zoning Classification	Allows mining? Yes or No
<u>Jefferson County</u>	<u>I-3</u>	<u>Yes</u>
<u>City of Adamsville</u>	<u>Agriculture</u>	<u>Conditional Use Permit Original Permit Application</u>

9. Describe access to the proposed mine from a known point on the nearest public highway:

From the intersection of Flat Top Road and U.S. Highway 78 near Graysville, Alabama, go westerly on Flat Top Road for approximately 0.75 miles to the proposed haul road on the left.

10. Did the applicant receive assistance from the Small Operator Assistance Program in preparing this application?  
( ) YES (XX) NO

If YES, list SOAP I.D. Number: \_\_\_\_\_

11. Submit a certificate of proof of Liability Insurance with this application.

**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: Birmingham News

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: See Attachment I-E-13

See [Proof of Publication](#)

**PUBLIC NOTICE FILING OF PERMIT APPLICATION**

In accordance with the provision of Act No. 81-435 of the State of Alabama and the regulations promulgated under this act, North Pratt Mining, LLC., P.O. Box 279, Pelham, Alabama 35124 is filing an application to revise permit P-3972 for it Pratt Mine No. 1, Underground Mine. Access to the mine is as follows:

From the intersection of Flat Top Road and U.S. Highway 78 near Graysville, Alabama, go westerly on Flat Top Road for approximately 0.75 miles to the proposed haul road on the left.

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

The nature of Propose Revision R-3 is as follows:

1. Add underground injection into Bessie Mine
2. Show the correct location of Primary Road No. 1 and bath house.
3. Show the correct location of Increment 1 south of Coal Creek.
4. Show the correct location of coarse refuse belt.
5. Add 15 incidental acres to Increment 3 for Slurry Pond 003.
6. Update ownership

A copy of the permit application is available for public inspection and review on the Alabama Surface Mining Commission website <http://surface-mining.alabama.gov>. A copy of the permit application is also available for public inspection and review at the office of the Alabama Surface Mining Commission located on the second floor of the Pinnacle Bank Building at 1811 2nd Avenue, Jasper, Alabama 35501. Written comments, objections, request for public hearing or request for informal conferences concerning this permit should be sent to the Alabama Surface Mining Commission, P.O. Box 2390, Jasper, Alabama 35502-2390, no later than 30 days from the last date of publication of this notice.

This notice to be published in the Birmingham News Newspaper.

**TO THE BIRMINGHAM NEWS:**

Please run this notice once a week for four (4) consecutive weeks starting September 13th, September 15<sup>th</sup>, September 22<sup>nd</sup>, and ending September 29<sup>th</sup>.

Please send invoice and notarized proof of publication to: North Pratt Mining, LLC.  
P.O. Box 279  
Pelham, Alabama 35124  
Telephone (205) 492-1183

Also, please send a notarized proof of publication to:

McGehee Engineering Corp.  
P. O. Box 3431  
Jasper, AL 35502-3431  
Telephone (205) 221-0686

If you should have any questions or need additional information, please call: (205) 221-0686.