



STATE OF ALABAMA
SURFACE MINING COMMISSION

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

Permit Revision Number: R-3

REVISION TO PERMIT FOR
SURFACE COAL MINING OPERATIONS

Pursuant to the Alabama Surface Mining Control and Reclamation Act, Act No. 81-435, and duly promulgated rules of the Commission, revision is hereby approved for permit:

P-3972-01-18-U
NORTH PRATT MINING LLC
PO BOX 279
PELHAM AL 35124
(PRATT NO. 1 MINE)

License No.: L-823
Pursuant to the permit map: 1 OF 1
Certified by: SANFORD M HENDON #18208
Date: 12-19-14

The permit is revised 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.

CONDITION R-3-1: The permittee shall conduct Surface Coal Mining and Reclamation Operations in accordance with the plans, provisions and schedules in the permit revision application.

CONDITION R-3-2: 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 of any condition which threatens the environment or public health and safety.

CONDITION R-3-3: 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 revision, bond was posted only for increment(s) #1, #3 and #4 consisting of 70 acres as defined on the permit map.

CONDITION R-3-4: 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.

CONDITION R-3-5: 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.

CONDITION R-3-6: 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.

CONDITION R-3-7: 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.

CONDITION R-3-8: No disturbance is to occur on any area that conforms to the U.S. Army Corps of Engineers (Corps) definition of wetlands until acceptable evidence is submitted, to the Director, of Corps approval.

CONDITION R-3-9: This permit revision in no way authorizes the operator to cause material damage to or otherwise impair any lands, facilities, or improvements located on the surface above or adjacent to the mineral being mined in violation of the property rights of any owner of surface lands or facilities.

CONDITION R-3-10: Any water supply impacted by subsidence or other causes associated with underground mining will be replaced or restored by the permittee.

CONDITION R-3-11: The operator shall not commence underground injection of fine coal processing waste into the abandoned Bessie underground mine until the Mine Safety and Health Administration has approved, in writing, the proposed disposal plan. Evidence of such approval/concurrence shall be submitted to the ASMC prior to commencement of underground injection.

CONDITION R-3-12: Allowable number of injection wells open at any given time shall not exceed 3 injection wells per increment. Allowable number of withdrawal wells shall not exceed 1 withdrawal well per increment.

The ASMC, acting by and through its Director, hereby finds, on the basis of information set forth in the revision application or from information otherwise available, that --

FINDING R-3-1: The permit revision application is complete and accurate and the applicant has complied with all requirements of the Act and the regulatory program.

FINDING R-3-2: The applicant has demonstrated that reclamation as required by the Act and the regulatory program can be accomplished under the reclamation plan contained in the permit revision application.

FINDING R-3-3: The proposed permit area is:

- (a) Not within an area under study or administrative proceedings under a petition, filed pursuant to Chapter 880-X-7 to have an area designated as unsuitable for surface coal mining operations;
- (b) Not within an area designated as unsuitable for mining pursuant to Chapter 880-X-7 or subject to the prohibitions or limitations of Section 880-X-7B-.06 and Section 880-X-7B-.07 of this chapter; or
- (c) Is within an area under study or designated as unsuitable for mining but the applicant has demonstrated valid existing rights.

FINDING R-3-4: For mining operations where the private mineral estate to be mined has been severed from the private surface estate, the applicant has submitted to the Regulatory Authority the documentation required under Section 880-X-8D.07 and Section 880-X-8G-.07 of this chapter.

FINDING R-3-5: The Regulatory Authority has made an assessment of the probable cumulative impacts of all anticipated coal mining on the hydrologic balance in the cumulative impact area and has determined that the proposed operation has been designed to prevent material damage to the hydrologic balance outside the permit area.

FINDING R-3-6: The applicant has demonstrated that any existing structure will comply with Section 880-X-2B-.01, and the applicable performance standards of Chapter 3 or 10.

FINDING R-3-7: The applicant has paid all reclamation fees from previous and existing operations as required by 30 C.F.R., Subchapter R.

FINDING R-3-8: The applicant has satisfied the applicable requirements of Subchapter 880-X-8J.

FINDING R-3-9: The applicant has, if applicable, satisfied the requirements for approval of a long-term, intensive agricultural, postmining land use, in accordance with the requirements of 880-X-10C-.58(4) and 880-X-10D-.52(4).

FINDING R-3-10: The operation will not affect the continued existence of endangered or threatened species, or result in destruction or adverse modification of their critical habitats, as determined under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

FINDING R-3-11: The Regulatory Authority has taken into account the effect of the proposed permitting action on properties listed or eligible for listing on the National Register of Historic Places. This finding is supported in part by inclusion of appropriate permit conditions or changes in the operation plan protecting historic resources, or a documented decision that the Regulatory Authority has determined that no additional protection measures are necessary.

FINDING R-3-12: For a proposed remining operation where the applicant intends to reclaim in accordance with the requirements of Section 880-X-10C-.56 or 880-X-10D.-49, the site of the operation is a previously mined area as defined in Section 880-X-2A-.06.

FINDING R-3-13: Surface coal mining and reclamation operations will not adversely affect a cemetery.

FINDING R-3-14: After application approval but prior to issue of permit revision, ASMC reconsidered its approval, based on the compliance review required by Section 880-X-8K-.10(2)(a) in light of any new information submitted under 880-X-8D-.05(8).

FINDING R-3-15: The applicant has submitted the performance bond or other equivalent guarantee required under Chapter 880-X-9 of the ASMC Rules prior to the issuance of the permit revision.

FINDING R-3-16: For mining operations where a waiver is granted from the 100' setback from a public road according to 880-X-7B-.07, the interests of the public and affected landowners have been protected.

FINDING R-3-17: This permit does not constitute a determination that the operator has the legal right to cause material damage to or impair any surface lands or facilities above or adjacent to the mineral being mined, according to the Energy Policy Act of 1992, SMCRA Section 720(a)(1), 30 U.S. Code Section 1309a. In addition, by accepting this permit revision the applicant agrees that any water supplies impacted by subsidence be replaced according to the Energy Policy Act of 1992, SMCRA Section 720(a)(2) 30 U.S. Code Section 1309a.

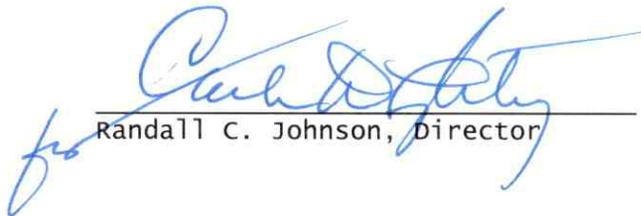
ACREAGE SUMMARY:

* Increment #1 remains at	-----	18 acres
* Increment #3 remains at	-----	40 acres
* Increment #4 remains at	-----	12 acres
* Bonded to date	Total -----	70 Acres

All other terms and conditions remain in effect as well as all Findings in the original permit and any Findings appropriate for this revision.

EFFECTIVE DATE: January 13, 2015

/ns
cc: I & E, Permit File



for Randall C. Johnson, Director