



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS - MOBILE DISTRICT
BIRMINGHAM FIELD OFFICE
218 SUMMIT PARKWAY, SUITE 222
HOMEWOOD, ALABAMA 35209

October 2, 2014

North Branch
Regulatory Division

SUBJECT: Nationwide Permit Authorization- Project Number SAM-2012-1500-CMS,
Dutton Hill Mine No. 2, Quality Coal Company, Inc.

Quality Coal Company, Inc.
c/o McGehee Engineering
Attention: Ms. Amber Tubbs
Post Office Box 3431
Jasper, Alabama 35502

Dear Ms. Tubbs:

This letter is in response to your February 7, 2014, Pre-Construction Notification (PCN) for a Department of the Army (DA) permit to impact two open water impoundments in association with the Dutton Hill Mine No. 2 surface coal mining project. The project is located in Sections 22, 23, 26 and 27, Township 14 South, Range 8 West, in Walker County, Alabama (N 33.807541, W 87.354852).

DA authorization is necessary because the project will involve the placement of fill material into jurisdictional waters of the United States, regulated under Section 404 of the Clean Water Act. The work will involve the placement of fill in 1.69 acres of jurisdictional open waters. Mitigation is not required because impacts are considered minimal.

Based upon the PCN received, your proposal is authorized by Nationwide Permit (NWP) 49 for Coal Remining Activities (Federal Register, February 21, 2012 Vol. 77, No. 34). In order for this NWP authorization to be valid, you must ensure that the work is performed in accordance with the General Conditions of Nationwide Permit 49, including the Section 401 Water Quality Certification, which can be viewed at our website at, <http://www.sam.usace.army.mil/Missions/Regulatory.aspx>.

This verification is valid until March 18, 2017 unless the NWP is modified, reissued, or revoked prior to that date. If the authorized work has not been completed by that date, please contact us to discuss the status of your authorization. Failure to comply with all terms and conditions of this NWP verification invalidates this authorization and could result in a violation of Section 404 of the Clean Water Act.

This letter of authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. Further, please note General Condition 30 requires that you submit a signed certification to us when the work and required mitigation are completed. Please complete and submit the attached Compliance Certification form to this office within 60 days of completion of the authorized work.

A copy of this authorization is being provided to the Alabama Department of Environmental Management, Attention: Mr. Richard Hulcher, Field Operations Division, 1400 Coliseum Boulevard, Montgomery, Alabama 36110.

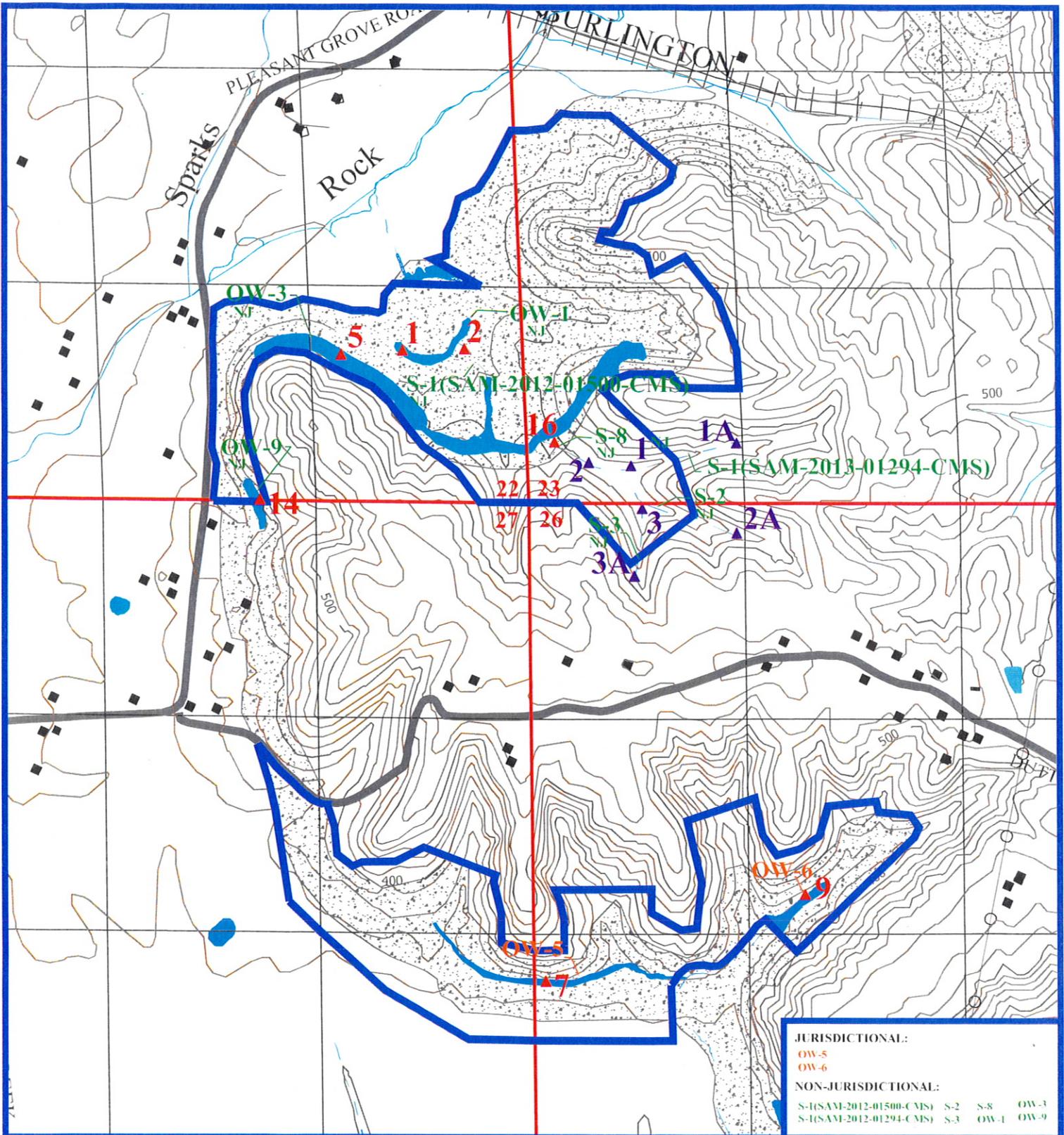
Please contact me at 205-290-9096 if you have any questions. For additional information about our Regulatory Program, visit our web site at <http://www.sam.usace.army.mil/Missions/Regulatory.aspx>, and please take a moment to complete our customer satisfaction survey while you are there. Your responses are appreciated and will allow us to improve our services.

Sincerely,

A handwritten signature in black ink, appearing to read 'Courtney Shea', with a long horizontal flourish extending to the right.

Courtney Shea
Project Manager

Enclosures



JURISDICTIONAL:			
OW-5			
OW-6			
NON-JURISDICTIONAL:			
S-1(SAM-2012-01500-CMS)	S-2	S-8	OW-3
S-1(SAM-2013-01294-CMS)	S-3	OW-1	OW-9

November 12th, 2013
SCALE: 1" = 800'

QUALITY COAL COMPANY, INC.
DUTTON HILL MINE NO. 2
(APPROXIMATELY 163 ACRE TOTAL)

SAM-2012-01500-CMS 10/21/14

JURISDICTIONAL WATERS MAP

(CMS)



Latitude: 33°48'22" N
Longitude: 87°21'12" W

LEGEND	
	AREA A PROJECT BOUNDARY
	HIGHWALL
	PREVIOUSLY DISTURBED
	PRIVATE ROAD
	PUBLIC ROAD
	UTILITY
	RAILROAD
	OCCUPIED DWELLING
	STREAM TEXT
	EPHEMERAL STREAM
	INTERMITTENT STREAM
	OPEN WATER
	SAM-2012-01500-CMS DELINEATED POINTS
	SAM-2013-01294-CMS DELINEATED POINTS



US Army Corps of Engineers
Mobile District

SELF-CERTIFICATION - STATEMENT OF COMPLIANCE

Permit Number: SAM-2012-1500-CMS

Name of Permittee: Quality Coal Company, Inc.

Date of Permit Issuance: October 2, 2014

Location of the Work: Walker County, AL

Upon completion of the activity authorized by this permit and any mitigation required by the permit, you must complete and return this certification to the following address:

**U.S. Army Corps of Engineers, Mobile District
Regulatory Division (RD-N)
218 Summit Pkwy, Suite 222
Homewood, AL 35209**

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with all terms and conditions of this permit the permit is subject to permit suspension, modification, or revocation and you are subject to an enforcement action by this office.

PERMITTEE TO COMPLETE THE FOLLOWING:

Date Work Completed: _____

I hereby certify that the work authorized by the above-referenced permit has been completed in accordance with the permit authorization, including all general and/or special conditions of the said permit, and the required mitigation (if applicable) was completed in accordance with the permit conditions.

Signature of Permittee

Date