

Applicant: Oak Grove Resources, LLC
Mine Name: Concord Prep Plant 2012 Permit Renewal
Permit Number: P- 3233

STATE OF ALABAMA

SURFACE MINING COMMISSION

- () Renewal Application for a Surface Coal Mine
(X) Renewal Application for an Underground Coal Mine
() Renewal Application for a Preparation Facility

PART I A. IDENTIFICATION

1. PERMIT APPLICANT

Name: Oak Grove Resources, LLC
Street Address: c/o Oak Grove Resources, LLC
8360 Taylors Ferry Road
City: Hueytown State: AL Zip: 35023
Mailing Address: 8360 Taylors Ferry Road
City: Hueytown State: AL Zip: 35023
Telephone Number: (205) 436-7100
Social Security Number (Voluntary): _____
Employer Identification Number: 04-3740300
ASMC License#: L-737

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: Heath Franks c/o PERC Engineering Co., Inc.
Mailing Address: Post Office Box 1712
City: Jasper State: AL Zip: 35502-1712
Telephone Number: (205) 384-5553

Applicant: Oak Grove Resources, LLC
Mine Name: Concord Prep Plant 2012 Permit Renewal
Permit Number: P- 3233

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:

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: Not Applicable

Street Address: _____

City: _____ State: _____ Zip: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone Number: (____) ____ - _____

Social Security Number (Voluntary): ____ - ____ - ____

Employer Identification Number: _____

Applicant: Oak Grove Resources, LLC
Mine Name: Concord Prep Plant 2012 Permit Renewal
Permit Number: P- 3233

ASMC License#: _____

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 1

Legal description of property or permit map symbol: USX (S), (M), (FEE)

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

Legal owner(s) of record: U.S. Steel Corporation

Address: P.O. Box 599 City: Fairfield State: AL Zip: 35064

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. Steel Mining Company, LLC.	Oak Grove Resources, LLC.	6-30-03	No

Applicant: Oak Grove Resources, LLC
Mine Name: Concord Prep Plant 2012 Permit Renewal
Permit Number: P- 3233

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 AS NECESSARY IN THE FORMAT BELOW

PAGE 1 of 1

Name: U.S. Steel Mining Company
Address: P.O. Box 599
City: Fairfield State: AL Zip: 35064
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): Owner

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Interest owned (Surface, Coal or Fee Simple): _____
Type of Interest (Owner, Lease, or Other): _____

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Interest owned (Surface, Coal or Fee Simple): _____
Type of Interest (Owner, Lease, or Other): _____

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Interest owned (Surface, Coal or Fee Simple): _____
Type of Interest (Owner, Lease, or Other): _____

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Interest owned (Surface, Coal or Fee Simple): _____
Type of Interest (Owner, Lease, or Other): _____

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Interest owned (Surface, Coal or Fee Simple): _____
Type of Interest (Owner, Lease, or Other): _____

Applicant: Oak Grove Resources, LLC
Mine Name: Concord Prep Plant 2012 Permit Renewal
Permit Number: P- 3233

PART I C. (CONTINUED)

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

Give the legal description of all lands contiguous to the permit area for which the 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 AS NECESSARY IN THE FORMAT BELOW

PAGE OF Not Applicable

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: _____

=====

Legal description: _____

Describe the nature of the interest: _____

=====

Legal description: _____

Describe the nature of the interest: _____

Applicant: Oak Grove Resources, LLC
Mine Name: Concord Prep Plant 2012 Permit Renewal
Permit Number: P- 3233

PART I D. PERMIT AREA INFORMATION

1. Term Information

- a. Date original permit or subsequent renewal expires: 2/28/13
- b. Term or original permit or subsequent renewal: 5 year
- c. Requested term of this permit renewal: 5 year
- d. Sequence number of this renewal: 5

2. Give the legal description of the land upon which the applicant proposes to conduct surface coal mining operations pursuant to this renewal. List each quarter-quarter section, section, township, range, and county.

See attachment I-D-2

3. Give the acreage of the permit renewal, each increment and the type of bonding.

- a. Total permit renewal acreage: 825 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.	<u>753</u>	<u>Surety</u>
2.	<u>72</u>	<u>Surety</u>

NOTE: (Areas that may be included in the renewal of a permit may include that part of the permit which has not been disturbed by mining and those incidental areas necessary to facilitate the mining operations. For underground mining, existing surface areas contained in the permit may be included in the renewal of a permit. No new acres may be added to the permit as a part of this renewal)

Applicant:	<u>Oak Grove Resources, LLC</u>
Mine Name:	<u>Concord Prep Plant 2012 Permit Renewal</u>
Permit Number:	<u>P- 3233</u>

Attachment I-D-2

Legal Description

All Within Jefferson County, Alabama:

Township 18 South Range 6 West:

Section 25: NE/SE, SE/SE

Township 18 South Range 5 West:

Section 21: SW/SE, NW/SE, SW/NE, SE/NE, NE/SE, SE/SE

Section 22: SW/SW, SE/SW, NE/SW, SE/NW, SW/NE, NW/SE, SE/NE,
NE/SE, SW/SE, SE/SE

Section 23: SW/NW, SE/NW, SW/NE, SE/NE, NW/SW, NE/SW, NW/SE,
NE/SE, SW/SW, SE/SW, SW/SE, SE/SE

Section 24: NW/SW, SW/NW

Section 26: NW/NW, NE/NW, SW/NW, SE/NW, NW/NE, NE/NE, SW/NE,
SE/NE, NW/SW, SW/SW, NE/SW, SE/SW, NW/SE, SW/SE

Section 27: SE/SE, NW/NE, NE/NE

Section 28: SW/NW, NW/NW, NE/NW, NW/NE, NE/NE

Section 29: NW/SW, NE/SW, SE/NW, NW/SE, SW/NE, SE/NE

Section 30: SW/SW, NW/SW, NE/SW, NW/SE, NE/SE, SE/SE

Applicant: Oak Grove Resources, LLC
Mine Name: Concord Prep Plant 2012 Permit Renewal
Permit Number: P- 3233

PART I D. (CONTINUED)

5. 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 date of issuance
<u>MSHA ID</u>	<u>01-00329</u>	<u>MSHA</u>	<u>*</u>	<u>Issued 1948</u>
<u>NPDES</u>	<u>AL0003260</u>	<u>ADEM</u>	<u>**</u>	<u>Iss. 12-7-84</u>
<u>UIC</u>	<u>ALSI9937478</u>	<u>ADEM</u>	<u>**</u>	<u>Iss. 8-9-94</u>
<u>AIR-TITLE V</u>	<u>4-07-0395-01</u>	<u>JCHD</u>	<u>***</u>	<u>Iss. 3-24-98</u>

* 135 Gemini Circle, Suite 213, Birmingham, AL 35209

** 1400 Coliseum Blvd., Montgomery, AL 36110-2059

*** Jefferson County Department of Health, 1400 6th Ave. S., Birmingham, AL 35233

6. Did the applicant receive assistance from the Small Operator Assistance program in preparing this application? ()YES (X)NO.
If YES, list SOAP I.D. Number: _____

7. Submit a certificate of proof of Liability Insurance with this application. (See ASMC Master File)

8. Describe any changes at the mining operation (on-site) which are different from the information given in the original permit application, earlier renewals, or revisions. Examples of such changes would be: previously undetected conditions which are creating adverse environmental effects, changes in the permit application such as the operating plan, reclamation timetable, or post-mining land use. In the case of underground mining operations, the anticipated underground development planned for the term of the renewal shall be described along with a subsidence control plan for the area. This plan is to be in the format of the subsidence control plan found in the permit application. None

PART I E. PUBLIC NOTICE AND AVAILABILITY FOR INSPECTION

1. 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>
2. 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: Birmingham News

Applicant: Oak Grove Resources, LLC
Mine Name: Concord Prep Plant 2012 Permit Renewal
Permit Number: P- 3233

**NOTICE OF APPLICATION TO RENEW A PERMIT
FOR AN UNDERGROUND COAL MINE**

Pursuant to Rule 880-X-8M.08, Oak Grove Resources, LLC., c/o Oak Grove Resources, LLC., 8360 Taylors Ferry Road, Hueytown, AL, 35023, hereby gives notice that it has filed an application to renew permit P-3233-01-13 for its Concord Prep Plant located in within Jefferson County, Alabama for a period of five (5) years. The legal description is as follows:

Township 18 South Range 6 West:

Section 25: NE/SE, SE/SE

Township 18 South Range 5 West:

Section 21: SW/SE, NW/SE, SW/NE, SE/NE, NE/SE, SE/SE

Section 22: SW/SW, SE/SW, NE/SW, SE/NW, SW/NE, NW/SE, SE/NE, NE/SE, SW/SE, SE/SE

Section 23: SW/NW, SE/NW, SW/NE, SE/NE, NW/SW, NE/SW, NW/SE, NE/SE, SW/SW, SE/SW, SW/SE, SE/SE

Section 24: NW/SW, SW/NW

Section 26: NW/NW, NE/NW, SW/NW, SE/NW, NW/NE, NE/NE, SW/NE, SE/NE, NW/SW, SW/SW, NE/SW, SE/SW, NW/SE, SW/SE

Section 27: SE/SE, NW/NE, NE/NE

Section 28: SW/NW, NW/NW, NE/NW, NW/NE, NE/NE

Section 29: NW/SW, NE/SW, SE/NW, NW/SE, SW/NE, SE/NE

Section 30: SW/SW, NW/SW, NE/SW, NW/SE, NE/SE, SE/SE

A copy of this renewal request 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.