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DIRECTOR

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Alabama Department of Environmental Management
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Montgomery, Alabama 36130-1463
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MAY 5, 2009

MR NEIL MCDONALD
MCOAL CORPORATION
1400 PARK PLACE TOWER 2001 PARK PLACE NORTH
BIRMINGHAM AL 35203

Re: DRAFT PERMIT ISSUANCE
Rosa Mine
NPDES Permit AL0080080
Blount County (009)

Dear Mr. McDonald :

This is to acknowledge that your application for issuance of a National Pollutant Discharge Elimination System (NPDES) Permit has been determined to be complete.

Processing of your permit application requires public notice by the Department of intent to issue an NPDES permit in a local newspaper followed by a period of at least thirty days for public comments on the proposed permit. You will be notified by letter when your application is placed on public notice, which should occur on or about the 15th day of this month. Copies of the draft permit and fact sheet and/or rationale are enclosed for your review and/or are available for review/download at <http://www.adem.state.al.us/PublicNotice/PublicNotice.htm>. Any comments should be submitted to this office before the end of the thirty day comment period.

Any mining, processing, construction, land disturbance, or other regulated activity proposed to be authorized by this draft permit is prohibited prior to the effective date of formal permit issuance. Any mining or processing activity within the drainage basin associated with each permitted outfall which is conducted prior to Departmental receipt of certification, from a professional engineer licensed to practice in the State of Alabama, that the Pollution Abatement/Prevention Plan was implemented according to the design plan, or notification from the Alabama Surface Mining Commission that the sediment control structures have been certified, is prohibited.

Please review the enclosed draft permit carefully. Should you have any questions concerning this matter, please contact the undersigned by email at Lahall@adem.state.al.us or by phone at (334) 394-4366.

Sincerely,



Latoya A. Hall
Industrial/Mining Section
NPDES Permitting Branch
Water Division

File: DPER

Enclosures

- c: Permits & Services, ADEM, via email
- EPA region IV, via email-Webpage
- Department of Conservation and Natural Resources, via email-Webpage
- Department of Interior, US Fish & Wildlife Service, via email-Webpage
- Alabama Historical Commission, via email-Webpage
- National Marine Fisheries Service, via email-Webpage
- Advisory Council on Historic Preservation, via email-Webpage

Birmingham Branch
110 Vulcan Road
Birmingham, AL 35209-4702
(205) 942-6168
(205) 941-1603 (Fax)

Decatur Branch
2715 Sandlin Road, S. W.
Decatur, AL 35603-1333
(256) 353-1713
(256) 340-9359 (Fax)



Mobile Branch
2204 Perimeter Road
Mobile, AL 36615-1131
(251) 450-3400
(251) 479-2593 (Fax)

Mobile - Coastal
4171 Commanders Drive
Mobile, AL 36615-1421
(251) 432-6533
(251) 432-6598 (Fax)



NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM INDIVIDUAL PERMIT

PERMITTEE: Mcoal Corporation
Rosa Mine

FACILITY LOCATION: Blount County
T11S, R2E, S 31
T11S, R1E, S 34-36
T12S, R1E, S 2-11, 14-17, & 20, 21

PERMIT NUMBER: AL0080080

DSN Receiving Water

001 Unnamed tributary to Andy Branch
003 Andy Branch
005 Unnamed tributary to Andy Branch
007 Unnamed tributary to Andy Branch
009 Unnamed tributary to Dry Creek
011 Unnamed tributary to Dry Creek
013 Dry Creek
015 Unnamed tributary to Dry Creek
017 Unnamed tributary to Dry Creek
019 Unnamed tributary to Andy Branch
021 Andy Branch
023 Andy Branch
025 Unnamed tributary to Andy Branch
027 Unnamed tributary to Dry Creek
029 Dry Creek
031 Unnamed tributary to Dry Creek
033 Unnamed tributary to Dry Creek
035 Unnamed tributary to Locust Fork
037 Unnamed tributary to Locust Fork
039 Cold Branch
041 Unnamed tributary to Hood Creek
043 Hood Creek
045 Dry Creek
047 Unnamed tributary to Andy Branch
049 Unnamed tributary to Dry Creek

DSN Receiving Water

002 Andy Branch
004 Unnamed tributary to Andy Branch
006 Unnamed tributary to Andy Branch
008 Unnamed tributary to Andy Branch
010 Unnamed tributary to Dry Creek
012 Dry Creek
014 Dry Creek
016 Unnamed tributary to Dry Creek
018 Unnamed tributary to Dry Creek
020 Unnamed tributary to Andy Branch
022 Andy Branch
024 Andy Branch
026 Unnamed tributary to Andy Branch
028 Dry Creek
030 Unnamed tributary to Dry Creek
032 Dry Creek
034 Dry Creek
036 Unnamed tributary to Locust Fork
038 Cold Branch
040 Unnamed tributary to Hood Creek
042 Unnamed tributary to Hood Creek
044 Dry Creek
046 Unnamed tributary to Andy Branch
048 Dry Creek
050 Unnamed tributary to Dry Creek

051 Unnamed tributary to Dry Creek
053 Unnamed tributary to Dry Creek
055 Dry Creek
057 Dry Creek
059 Unnamed tributary to Dry Creek
061 Dry Creek

052 Unnamed tributary to Locust Fork
054 Dry Creek
056 Dry Creek
058 Dry Creek
060 Unnamed tributary to Locust Fork
062 Dry Creek

In accordance with and subject to the provisions of the Federal Water Pollution Control Act, as amended, 33 U.S.C. §§1251-1378 (the "FWPCA"), the Alabama Water Pollution Control Act, as amended, Code of Alabama 1975, §§ 22-22-1 to 22-22-14 (the "AWPCA"), the Alabama Environmental Management Act, as amended, Code of Alabama 1975, §§22-22A-1 to 22-22A-16, and rules and regulations adopted thereunder, and subject further to the terms and conditions set forth in this permit, the Permittee is hereby authorized to discharge into the above-named receiving waters.

ISSUANCE DATE:

EFFECTIVE DATE:

EXPIRATION DATE:

**** DRAFT ****

Alabama Department of Environmental Management

New Source Coal Mine and Associated Areas

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