State of Mississippi
Surface Mining and Reclamation
PERMIT

TO CONDUCT SURFACE MINING OPERATIONS
IN ACCORDANCE WITH THE
MISSISSIPPI SURFACE MINING AND RECLAMATION LAW
MISS. CODE ANN. § 53-7-1 ET SEQ.

THIS CERTIFIES THAT

RockCo Mining LLC

has been granted permission to
conduct surface mining operations in accordance with the requirements and conditions
set forth herein in the operation of the

Eureka Springs Mine
Panola County, Mississippi.

This permit is issued in accordance with the provisions of the Mississippi Surface Mining and Reclamation Law, Miss. Code Ann. § 53-7-1 et seq., and the regulations and standards adopted and promulgated thereunder.

MISSISSIPPI ENVIRONMENTAL QUALITY PERMIT BOARD

Michael B E. Bograd
AUTHORIZED SIGNATURE

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

Issued: May 21, 2013
Expires: Five years from date of issuance

Permit No. P13-009
Application No. A1861
AI No. 63481

A. General Provisions

1. The definitions and provisions contained in the Mississippi Surface Mining and Reclamation Act ("the Act") and the Mississippi Surface Mining and Reclamation Rules and Regulations ("the Regulations") shall be applied in interpreting any provision of this permit.

2. The permittee shall conduct all surface mining and reclamation operations as described in the complete application and any additional operational or reclamation plans submitted to and approved by the Mississippi Department of Environmental Quality ("MDEQ"), while complying with the Act and the Regulations, unless otherwise provided as a variance in the following provisions. The complete application and any additional operational or reclamation plans submitted to and approved by MDEQ currently or in the future are incorporated herein by reference. The provisions and conditions of this permit enforce the provisions of the Act and the Regulations, and no provision of this permit is intended to exempt the permittee from, or to modify, any provision of the Act, the Regulations, or any other Mississippi or federal law or regulation unless the provision is listed in section E of this permit regarding Variances.

3. The permittee shall allow any authorized representatives of MDEQ, without advance notice or a search warrant, and without delay, to have the rights of entry provided in the Regulations.

4. The permittee shall conduct surface mining and reclamation operations:

   A. Only on those lands specifically designated on the maps submitted and approved in the complete application;

   B. Only within the effective dates of the permit; and

   C. Only on those lands which are subject to the performance bonds or other equivalent guarantee in effect at the time of mining pursuant to the Regulations.

5. The provisions of this permit are severable. If any provision of this permit is held invalid, or if any statutory or regulatory provision upon which such permit provision is based is held invalid or suspended, repealed or amended, such permit provision shall be null, void and ineffective for all purposes, but the remainder of this permit shall not be affected thereby.

6. This permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

7. The permittee shall comply with all conditions of this permit.

8. The filing of a request by MDEQ or the permittee for a permit modification, revocation and reissuance, transfer, or termination or the notification of planned changes or anticipated noncompliance on the part of the permittee does not stay the applicability or enforceability of any permit condition.

9. This permit is not transferable to any person except after notice to and by approval of the Permit Board.

10. The term of this permit is five (5) years from the date issued. Upon expiration, this permit grants no further authority to the permittee to conduct surface mining operations at this site.

11. No officer, agent, employee or other person in any way associated with the permittee shall, except as permitted by law, willfully resist, prevent, impede, or interfere with MDEQ or any of its employees in the performance of duties pursuant to the Act or the Regulations.

12. No blasting operations are approved for this permit.

13. The permittee shall obtain, prior to commencing mining operations, all other required permits from all other local, state and federal agencies.

B. Duties and Requirements

1. Duty to Comply. The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and the Regulations and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or for denial of a permit renewal application.

2. The permittee shall comply with the permittee's surface mining plan, reclamation plan and the standards specified in Miss. Code Ann. § 53-7-37 (Rev. 2003).

3. Duty to reapply. If the permittee wishes to continue an activity allowed by this permit after the expiration date of this permit, the permittee must submit a complete application for renewal of the permit at least 60 days before this permit expires.

4. Duty to mitigate. The permittee shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this permit.

5. Proper Operation and Maintenance. The permittee shall at all times properly operate and maintain all equipment and systems which are installed or used by the permittee to achieve compliance with the conditions of this permit and the application as submitted to MDEQ and approved by the Mississippi Environmental Quality Permit Board.

6. Duty to provide information. The permittee shall furnish to MDEQ, within a reasonable time, any relevant information which MDEQ may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit.

C. Site-Specific Operating Conditions

1. The permittee is authorized to open pit mine 100 acres for sand and gravel in Sections 6 & 7, Township 10 South, Range 6 West and Section 12, Township 10 South, Range 7 West, Panola County.

2. This is the initial permit for this site.

3. Buffer Zones. Also see Part E, Variances and Waivers

The Regulations prohibit mining within 100 feet of the outside right-of-way of any public road, except where mine access roads or haul roads join such right-of-way line; within 300 feet of any occupied dwelling, public building, school, church, community or institutional building; within 100 feet of a cemetery; or, when a highwall will be created and the excavation exceeds thirty feet in depth, within twenty-five feet plus one and one half times the depth of the excavation from a permit boundary. If the excavation is less than thirty feet in depth and a highwall will be created, the distance from the permit boundary shall follow the distance chart in the Regulations at §400(d)(4). The Permit Board may modify these buffer zones, and allow mining within them, upon receipt of written permission from the governmental entity having authority over the subject road, or the owner or occupant of the subject dwelling.

A. Mining will not take place within 100 feet of the outside right-of-way of a public road.

B. Mining will not take place within 100 feet of a cemetery.

C. Mining will not take place within 300 feet of an occupied dwelling.

D. Mining will not take place within 115 feet of the permit boundary.

4. Permit boundaries shall be marked and durable posts shall be placed at the corners of the permit area. The posts shall be painted or flagged to be readily visible during the life of the operation.

5. This permit may be mined to a maximum depth of 60 feet.

6. Dust shall be controlled by water sprayed on the haul roads.

7. Terraced slopes, brush barriers, silt fence, and any other Best Management Practices required will be used for sediment control.

8. Reclamation Schedule. Concurrent reclamation is required by the Act and the Regulations.

   A. Begin clearing: Done.

   B. Begin mining: after May, 2013, and upon permit issuance.

   C. Complete mining: May, 2033.

   D. Reclamation will be concurrent with completion of mining of any segment of the permit.

   E. Complete reclamation: June, 2035.

9. Explosives will not be used.

10. The permittee must obtain any necessary permits through the MDEQ Office of Pollution Control to discharge impacted stormwater or processed water into a specific Water(s) of the State and must do so in accordance with effluent limitations, monitoring requirements, and other conditions set forth in a State of Mississippi Waste Pollution Control Permit to Discharge Wastewater in Accordance with the National Pollutant Discharge Elimination System.

11. Reclamation Plan

   A. The topsoil shall be segregated and stored in stockpiles which will be protected with grass cover adequate to prevent erosion. The use of the topsoil during reclamation will be to respread it over areas requiring vegetative cover.

   B. The site shall be reclaimed with grass cover and reforestation to prevent erosion.

   C. All highwalls shall be eliminated and all areas of the permit shall be graded to a slope no steeper than three horizontal feet to one vertical foot.

   D. The permit area shall be graded and planted to grass cover and reforested to prevent erosion. The grass cover shall be bahia and is to be planted by broadcast seeding at the rate of 50 pounds per acre during the Spring planting season.

   E. Fertilizer (13-13-13 type), for initial planting, shall be applied at the rate of 150

pounds per acre and lime shall be applied at the rate of 1 ton per acre, and be applied by broadcasting. Fertilizer (13-13-13 type) shall be applied at the rate of 100 pounds per acre, in April, each successive year prior to final bond release.

F. Vegetation will be maintained until final bond release by mowing each year in September. Eroded areas shall be re-graded and re-planted as needed, but in no case less frequently than annually.

G. Gullies shall be repaired as necessary to prevent erosion and shall follow all applicable National Pollutant Discharge Elimination System (NPDES) permit requirements.

H. Debris shall be disposed of by hauling to a permitted rubbish disposal facility.

12. The performance bond instrument submitted is Irrevocable Standby Letter of Credit No. PW0113 from First Security Bank, Batesville, MS, as Surety, executed by ROCKO Mining LLC, as Principal, in the amount of $100,000.00, on March 13, 2013, which is $1,000.00 per acre.

13. The facility shall be constructed, operated, and monitored in such a manner as to ensure Mississippi Groundwater Quality Standards are not exceeded by any activity of this facility.

14. The facility shall be constructed, operated, and monitored in such a manner as to prevent a discharge of pollutants into waters of the State, including wetlands, that violates any requirements of the Clean Water Act or the Mississippi Air And Water Pollution Control Act, including, but not limited to, the National Pollutant Discharge Elimination System (NPDES) requirements.

15. Based on the Wastewater Regulations for National Pollutant Discharge Elimination System (NPDES) Permits, Underground Injection Control (UIC) Permits, State Permits, Water Quality Based Effluent Limitations and Water Quality Certification (Regulation WPC-1), Chapter 3, Section IV, part 3, the following buffer zones shall be established between all mining activity and any existing stream, and maintained for the life of the permit:

A. 50-foot buffer zone for intermittent streams (generally shown as a broken blue line on the latest version of the U. S. Geological Survey topographic quadrangle map)

B. 100-foot buffer zone for perennial streams (generally shown as a solid blue line on the latest version of the U. S. Geological Survey topographic quadrangle map)

C. 300-foot buffer zone for navigable waterways (as defined by the U. S. Army Corps of Engineers)

16. No dam may be constructed on the permitted site without first obtaining prior written authorization for the dam in accordance with Dam Safety Regulation LW-4.

D. Wildlife, Threatened and Endangered Species and Unique Biological Communities

1. The permittee shall promptly report to the Mississippi Department of Wildlife, Fisheries, and Parks and MDEQ any State of Mississippi or federally-listed endangered or threatened species within the permit area of which the permittee becomes aware.

2. The permittee shall promptly report to the Mississippi Department of Wildlife, Fisheries, and Parks and MDEQ any unique biological communities within the permit area of which the permittee becomes aware.

E. Variances and Waivers

There are no variances or waivers.

END OF PERMIT

Permit No. P13-009 STATE OF MISSISSIPPI Application No. A1861

SURFACE MINING PERMIT APPLICATION AI#63481

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF GEOLOGY / MINING & RECLAMATION DIVISION
P. O. Box 2279
Jackson, Mississippi 39225-2279
(601) 961-5515
Fax (601) 961-5521

For Office use only

Other permits required:	Y/N	Date
NPDES	___	___
State Operating Permit	___	___
Corps of Engineers	___	___
_____	___	___
_____	___	___

City/County approval Required Yes ___ No ___
Received Date: _____
County _____
City _____

A. GENERAL INFORMATION

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1. Name of Applicant: Rockco Mining, LLC
   Mailing Address: 16308 Highway 315, Sardis, MS 38666
   E-mail Address: mike.havens@hma.com
   Phone No. (662) 934-1140 Fax No. (662) 578-4350
   Authorized Representative Ken McCarley
2. Engineering Firm, Consultant, etc.: Neel-Schaffer, Inc.
   Mailing Address: 1022 Highland Colony Parkway, Ste. 202, Ridgeland, MS 39157
   E-mail Address: ken.mccarley@neel-schaffer.com
   Phone No. (601) 898-3358 Fax No. (601) 898-8485
3. Name of Mine: Eureka Springs Mine Mine Supervisor: John Farrish
   Phone No. (662) 514-8000 Fax No. (662) 578-4350
4. Location of Operation (to nearest quarter-quarter section):
   SW/4 of SW/4 of Sec. 6 and N/2 of NW/4 of Sec. 7, T10S-R6W, and NE/4 of NE/4 of Sec. 12, T10S-R7W, Panola County
5. Physical address of mine or nearest named road Eureka Road
6. Method of Operation X Open Pit ☐ Strip ☐ Dredge X Wash Operation, if so Water Source _____
   Wash System Type X Closed system ☐ Open system
7. **Number of Acres to be Permitted:**

Excavation	85
Haul roads, plant site, ponds, storage piles, etc.	15
TOTAL PERMITTED AREA	100

8. Is the Permit Area located:

	Yes	No
a. within 100 feet of a public road?	___	x
b. within 100 feet of a cemetery?	___	x
c. within 300 feet of an occupied building?	___	x

If YES to a, b, or c, a letter must be filed with the Office giving permission from the owner or maintaining authority to mine within these distances to the subject property.

9. Materials to be Mined: Sand & Gravel

10. Has the applicant applied for, or have, any other permits or licenses that pertain to this or any other mining operation? Yes ___ No x

If "YES," list them in the space provided on page 5, or attach separate pages, and give the current status of each, including any violations or penalties.

B. MINING PROCEDURE AND ENVIRONMENTAL ANALYSIS

1. Description of materials:

Thickness of overburden	10	ft.
for use during reclamation)		
Thickness of useable material	50	ft.
Total depth of excavation	60	ft.
Estimated annual production	unknown	tons

2. Anticipated Schedule (month/year)

Begin clearing	03/13
Begin mining	04/13
Complete mining	05/33
Begin reclamation	05/15
Complete reclamation	06/35

3. Depth to ground water: 100 ft.

4. How will dust be controlled?

X Water on haul roads

☐ _____

5. Types of erosion control structures that will be utilized.

X Settling ponds ☐ Drainage ditches

X Diversion berms ☐ Terraced slopes

☐ _____

6. Describe the land to be affected by mining as it presently exists:

a. Land use Pasture b. Predominant vegetation Grass and trees

7. Will explosives be used? ____ Yes x No 8. Is test-boring data available? ____ Yes x No

9. Are toxic materials likely to be encountered at any time? ____ Yes x No

10. Will there be any discharge to local streams or other bodies of water? ____ Yes x No

If any of questions 7-10 are answered "YES," provide additional information on page 5, or attach separate pages.

C. RECLAMATION PLAN

NOTE: It is suggested that the county NRCS office be consulted for specific recommendations on the following items.

1. Describe the soil handling technique for the reclamation phase of the operation:

X Topsoil segregated ☐ Mixed strata ☐ _____

2. Describe the protection method for the stockpiled topsoil.

X berm around the storage pile

X grass cover on the pile (recommended)

☐ stored under a cover

☐ _____

3. How will highwalls, standing faces, and banks be reduced to minimize erosion? (All highwalls must be sloped, minimum 3 horizontal to 1 vertical.)

☐ slopes will be terraced

X sloped to a gradient of 3 to 1

X blended with surrounding contours

☐ _____

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4. What is the general plan for reclamation?

☐ reforestation
X establish grass cover
X pond or lake
☐ _____

5. What planting method will be used?

X broadcast seed ☐ mechanical seeding
☐ seeding by manual labor
☐ _____

6. How will fertilizer and lime be applied and incorporated?

☐ harrowing X broadcasting ☐ disking

7. Quantity of lime and fertilizer to be applied?

a. For initial planting

lime: one ton per acre

fertilizer: 13-13-13 (type) 150 pounds per acre

b. For successive years prior to 100% release

fertilizer: 13-13-13 (type) 100 pounds per acre

when: April (month)

8. Describe the planting schedule:

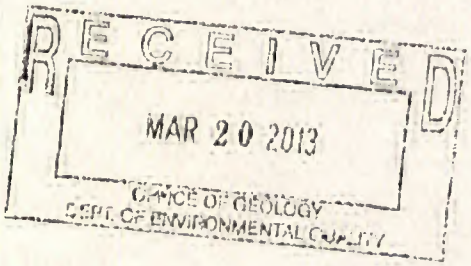
Tree or Seed Species	Tree spacing or lbs./acre	Planting Season
Bahia	50	May

9. Will the area be mulched? ____ Yes x No If yes, rate per acre _____

Method of holding in place: X crimped ☐ _____

10. How will the vegetation be maintained until the final bond release?

☐ watering
☐ mowing
times per year
approximate month(s)
X repairing gullies
X replanting eroded areas
☐ _____



11. How will debris be disposed of when the mine is finally closed?

☐ burying ☐ burning X hauling away

12. Will a soil analysis be submitted for this site? ____ Yes x No
NOTE: available from the Cooperative Extension Service through the applicant's County Agent

13. Estimated cost per acre for reclamation of this site: $1,000.00 (minimum of $1,000 per acre)

D. NAMES AND ADDRESSES OF PERSONS AFFECTED BY THIS OPERATION

1. Landowner(s) of area to be mined/leased

Name: Dr. Michael Havens
Address: 16308 Highway 315, Sardis, MS 38666
Sardis, MS 38666
Phone: (662) 934-1140

Name: _____
Address: _____
_____
Phone: _____

2. Landowner(s) within 500 feet of the area

Name: Martin Willingham
Address: 212 Eureka Road
Batesville, MS 38606
Phone: (662) 563-3838

Name: Tim Henson
Address: 7314 Eureka Road
Courtland, MS 38620
Phone: (662) 578-5452

Name: Clay Baker
Address: 7506 Eureka Road
Courtland, MS 38620
Phone: (662) 563-8253

Name: Rodney Hentz
Address: 7608 Eureka Road
Courtland, MS 38620
Phone: (662) 563-1318

More landowner names and addresses in Section E.

3. Person(s) living on permit area

Name: _____
Address: _____
_____
Phone: _____

Name: _____
Address: _____
_____
Phone: _____

I declare that I have knowledge of the facts presented in the preceding pages and in all of the items attached to this application; furthermore, I certify that they are true to the best of my knowledge.

Feb. 26, 2013
date

John Farrish
signature

John Farrish
printed name

Mine Supervisor
title

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OFFICE OF ENVIRONMENTAL COMPLIANCE

E. ADDITIONAL COMMENTS

Item Number	Space for detailed answers to any of the previous Items. Indicate item number to which the answers apply.
	Additional landowner names, addresses, and phone numbers
	J.W. Cosby, Jr. 247 Cosby Road Courtland, MS 38620 (662) 563-3274
	Boyd Ford 101 Cosby Road Courtland, MS 38620 (662) 563-3200
	David Morris 4849B Eureka Road Batesville, MS 38606 (662) 934-7338
	Tommy Florance 200 Baker Street Batesville, MS 38606 (662) 514-9091

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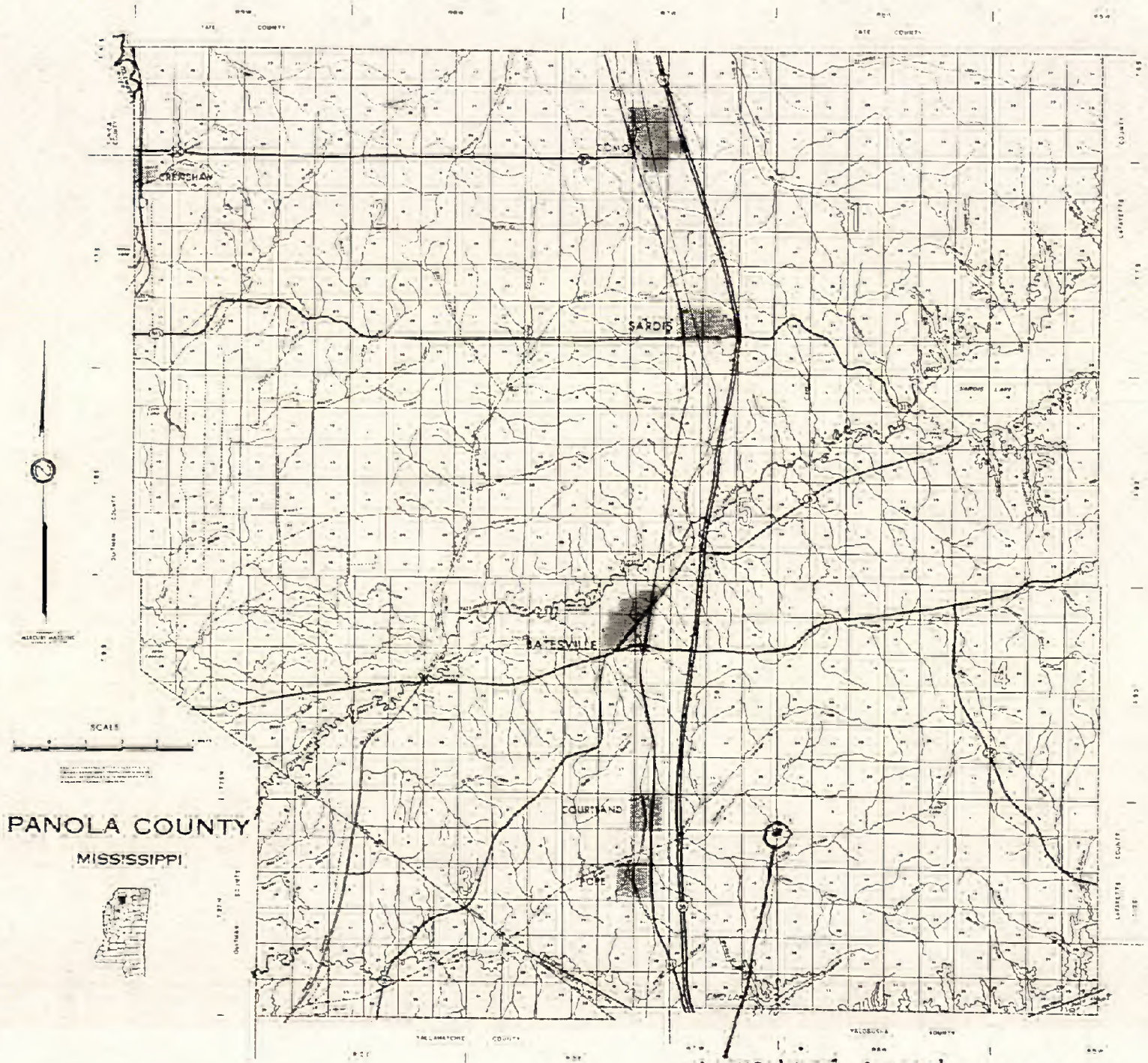
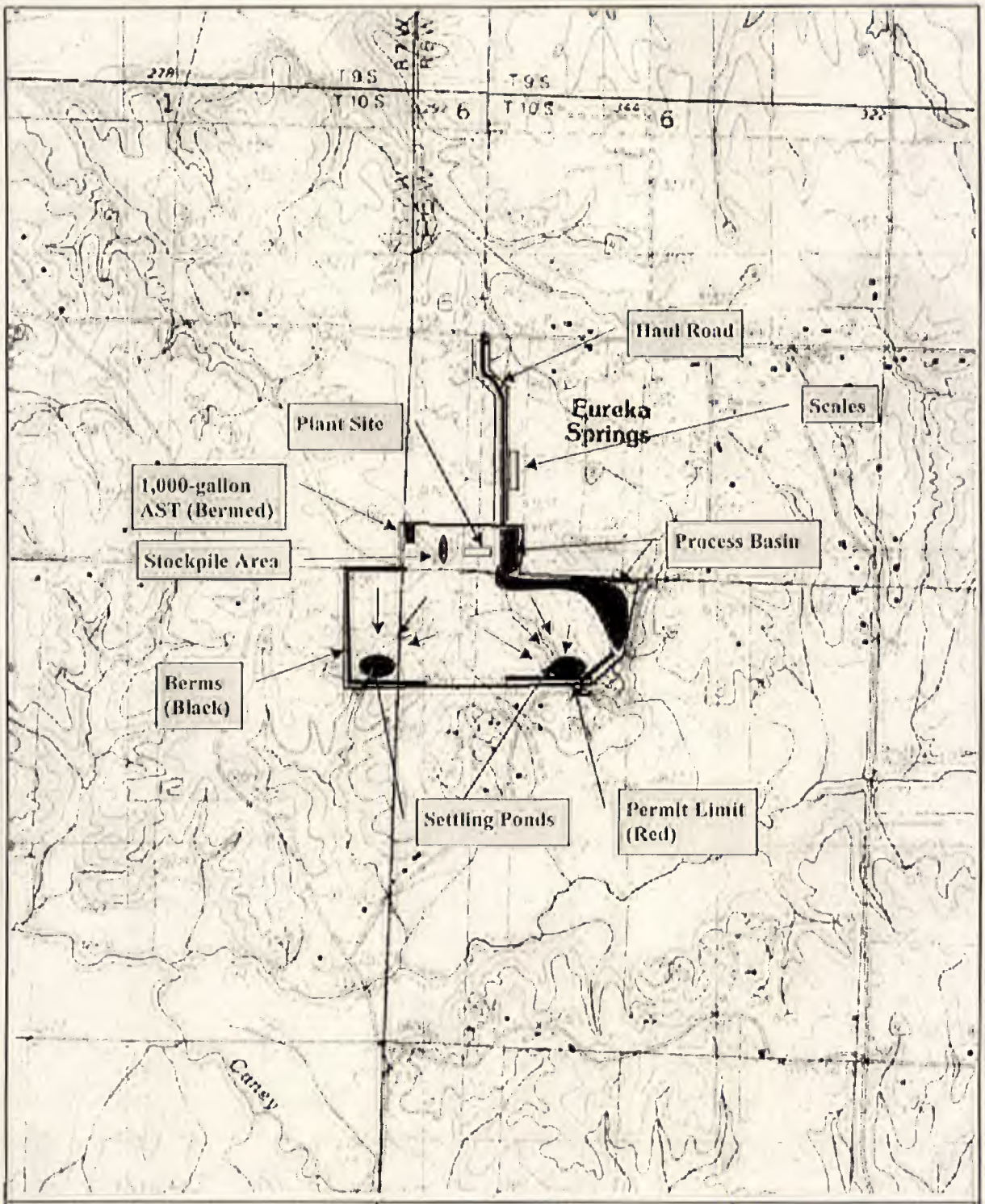


LOCATION A1861



RockCo Mining, LLC
Eureka Road
Batesville, Panola County, Mississippi

Source: Shunford, Mississippi 1983

NEEL-SCHAFFER
Solutions you can build upon

Figure 6
Site Plan

Created By:	JKM	02/15/13	SCALE
Checked By:	RSH	02/22/13	1" = 1,700'

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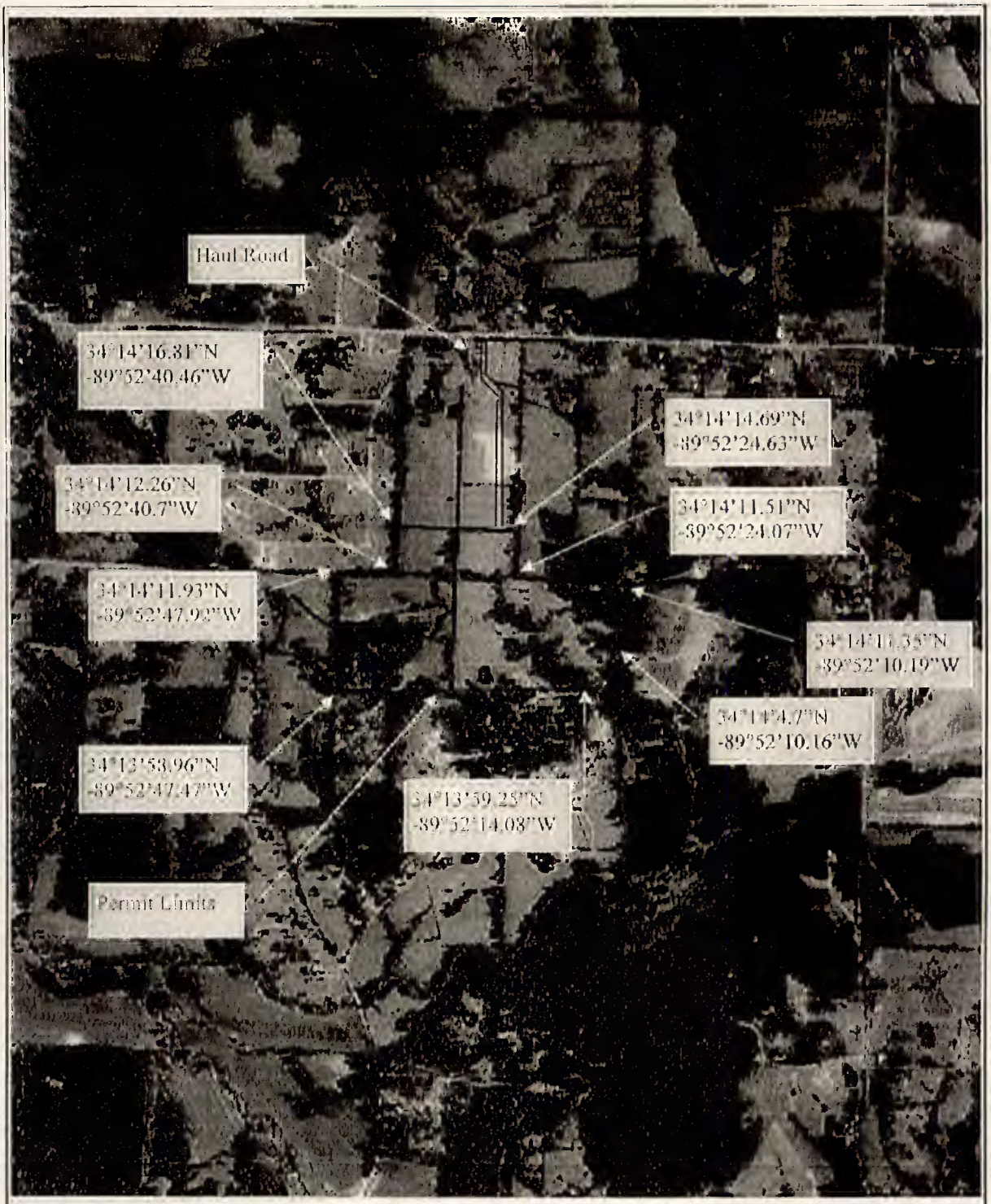

RockCo Mining, LLC
Eureka Road
Sardis, Panola County, Mississippi

NEEL-SCHAFFER
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Figure 1
2010 Aerial Photograph

Created By:	JKM	02/19/13	SCALE	
Checked By:	RSH	02/19/13	1" = 1,700'	

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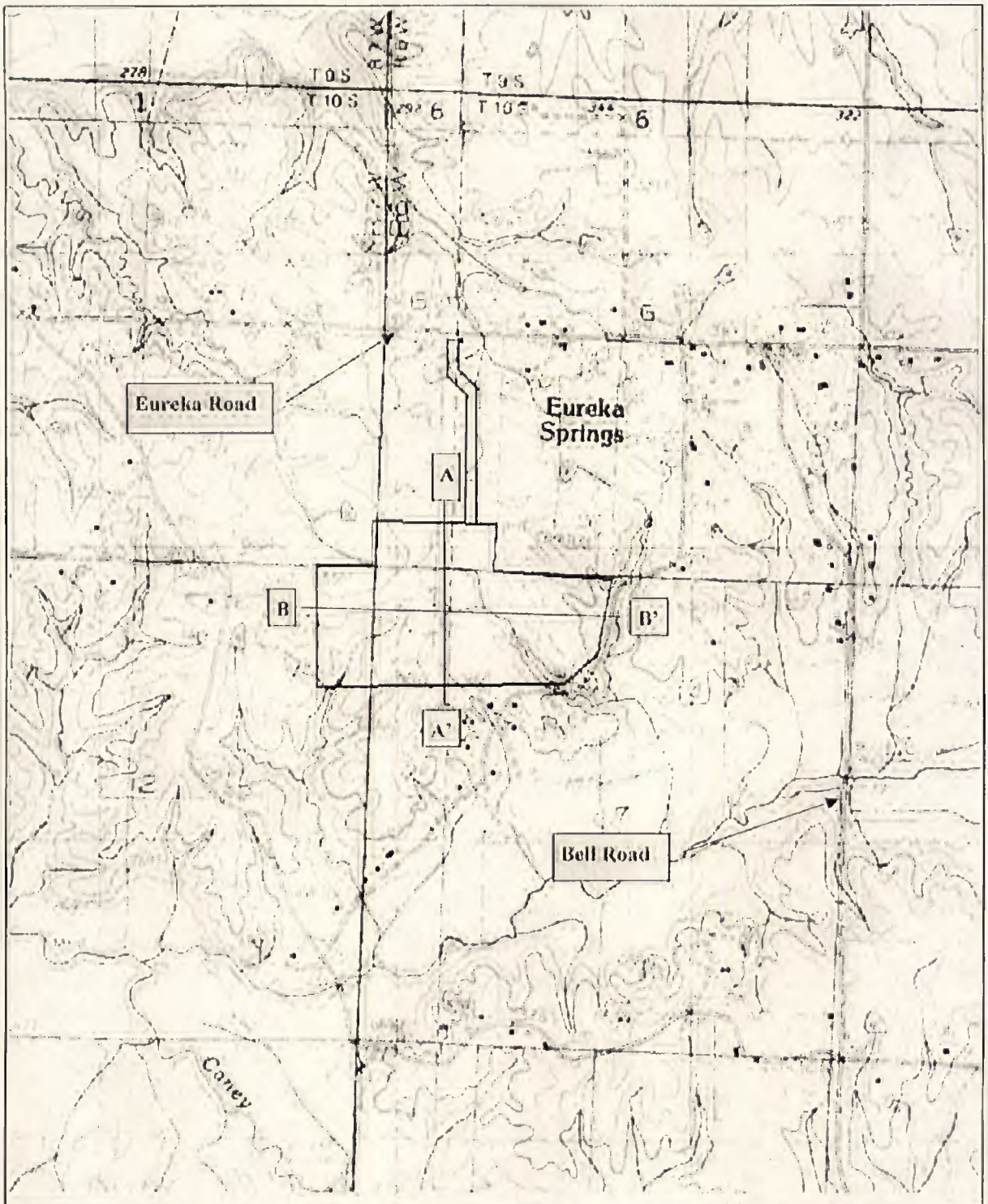

RockCo Mining, LLC
Eureka Road
Batesville, Panola County, Mississippi
Source: Shanford, Mississippi 1983

NEEL-SCHAFFER
Solutions you can build upon

Figure 2
Topographic Map

Created By:	JKM	02/25/13	SCALE
Checked By:	RSH	02/27/13	1" = 1,700'

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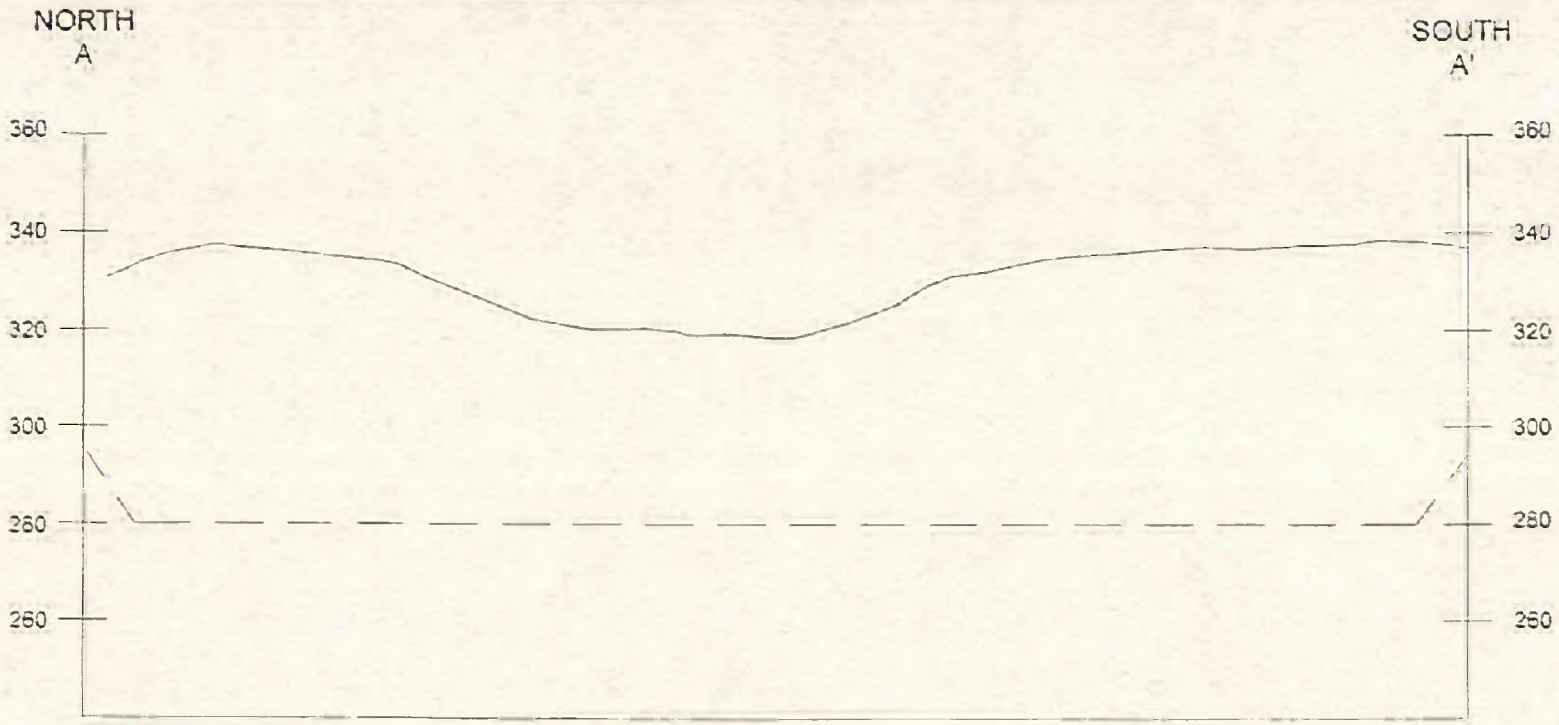

LEGEND

GROUND SURFACE ELEVATION BEFORE SURFACE MINING

GROUND SURFACE ELEVATION AFTER SURFACE MINING

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VERTICAL EXAGGERATION = 6x

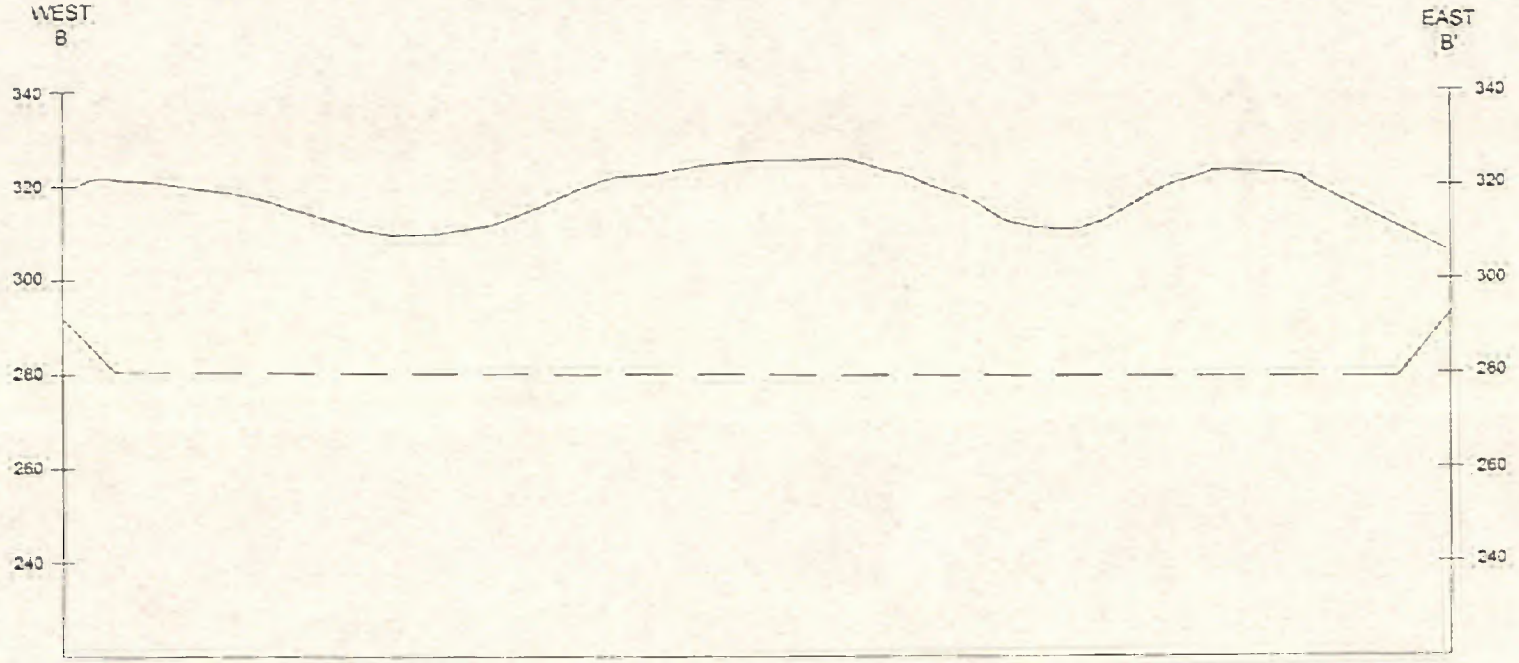
EUREKA SPRINGS MINE
ROCKCO MINING, LLC
PANOLA COUNTY, MISSISSIPPI

Project No.: 11448.001

NEEL-SCHAFFER
Solutions you can build upon

A-A' CROSS SECTION
BEFORE AND AFTER MINING

Drawn By:	APW	Date:	Horizontal Scale:	FIGURE 2a
Checked By:	JKM	02/15/13	1" = 235'	



LEGEND

GROUND SURFACE ELEVATION BEFORE SURFACE MINING

GROUND SURFACE ELEVATION AFTER SURFACE MINING

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VERTICAL EXAGGERATION = 11X

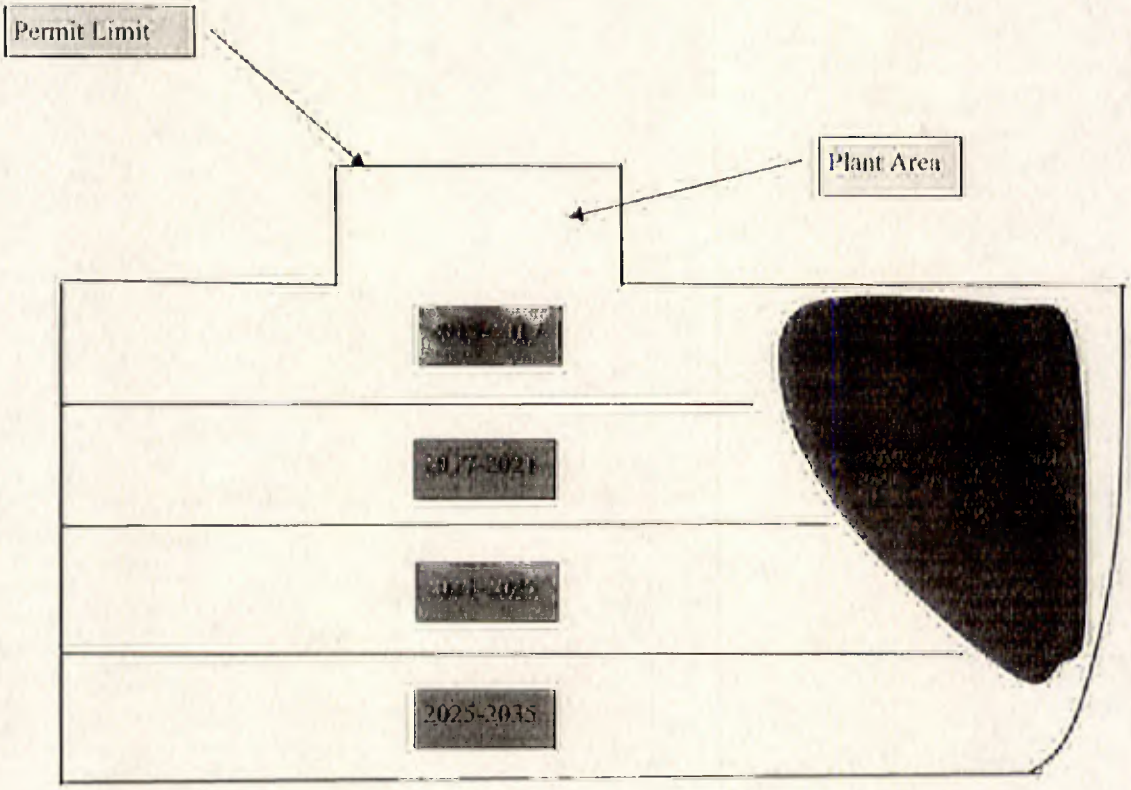
EUREKA SPRINGS MINE
ROCKCO MINING, LLC
PANOLA COUNTY, MISSISSIPPI

Project No.: 11449.001

NEEL-SCHAFFER
Solutions you can build upon

B-B' CROSS SECTION
BEFORE AND AFTER MINING

Drawn By:	APW	Date:	Horizontal Scale:	FIGURE 2b
Checked By:	JKM	02/15/13	1" = 445'	



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RockCo Mining, LLC Eureka Road Batesville, Panola County, Mississippi	NEEL-SCHAFFER Solutions you can build upon			Figure 3 Mining Schedule	
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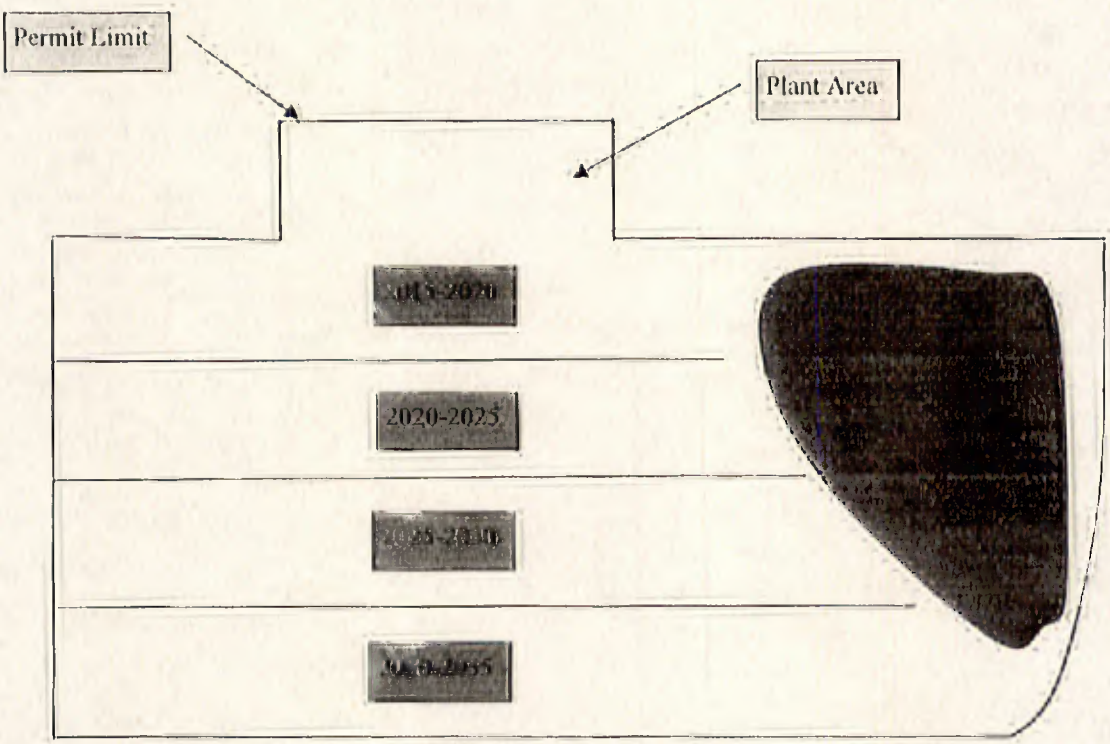

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RockCo Mining, LLC Eureka Road Batesville, Panola County, Mississippi	NEEL-SCHAFFER Solutions you can build upon			Figure 4 Reclamation Schedule	
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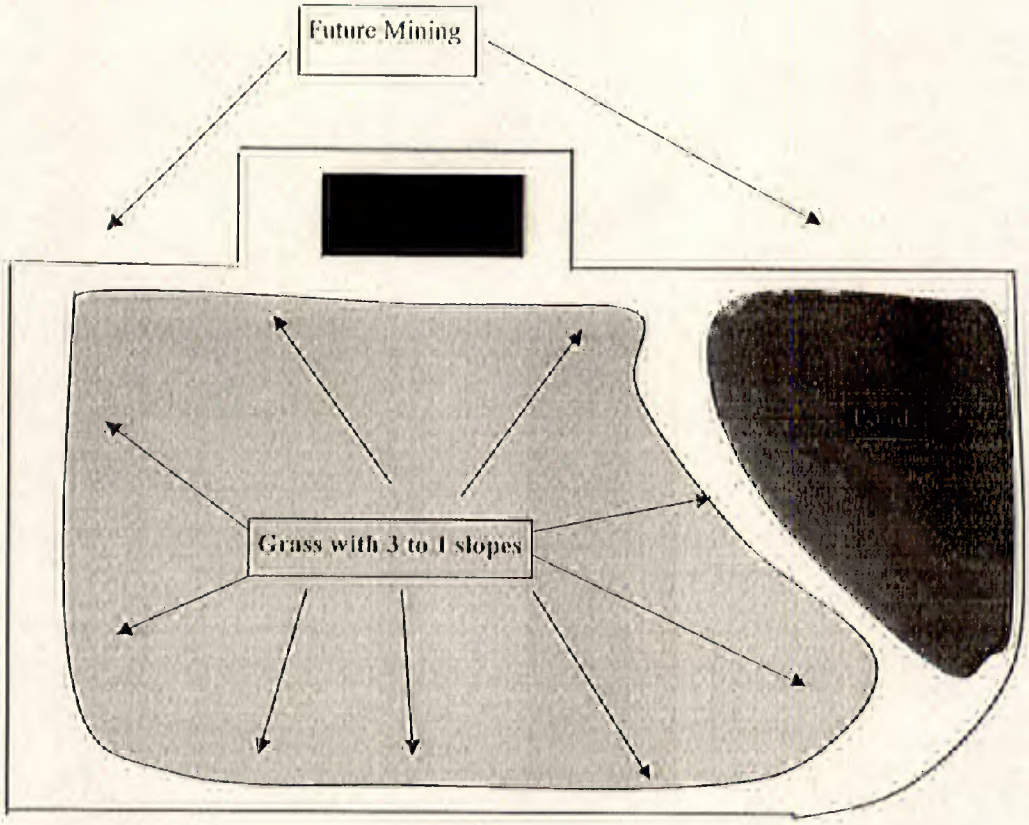

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RockCo Mining, LLC Eureka Road Batesville, Panola County, Mississippi	NEEL-SCHAFFER Solutions you can build upon			Figure 5 Reclamation Plan	
	Created By:	JKM	02/11/13	SCALE	
	Checked By:	RSH	02/15/13	1" = 500'	