

Southern Environmental Group, Inc.

5315 South College Road, Suite E · Wilmington, North Carolina 28412

910.452.2711 · Fax: 910.452.2899 · office@segi.us

www.segi.us

Attachment 1

7 October 2013

US Certified Mail: 7012 1640 0000 9704 6601

[SEGi Project #: 06-010.01]

Mr. Mickey Duvall
Pender County Administration
PO BOX 5
Burgaw, NC 28425

**RE: Notification of Request for New Mining Permit
EFS Properties, LLC
Burton Tract, Holly Township, Pender County**

Dear Mr. Duvall,

Southern Environmental Group, Inc. (SEGi) has been retained by EFS Properties, LLC ("Applicant"), to proceed with requesting a new Mining Permit for a site located off Hwy 210, in the Holly Township. The Applicant proposes to excavate approximately 12.7 acres and is required to secure a Division of Land Resources (DLR) Mining Permit.

According to NCGS 74-50(b1), the Permittee is required to notify the chief administrative officer of the county or municipality, in which any part of the permitted area is located. To assist you in your decision making process, the following documents have been included with this correspondence:

1. Vicinity Map
2. Copy of the Mining Application
3. Copy of proposed Mining Plan

Page 16, of the Mining Permit Application, provides instructions for submitting comments on the proposed work. For information on the mining permit application review process, please contact the Ms. Judy Wehner, with the DLR Mining Program, at (919) 707-9220. The DLR will consider any relevant written comments/documentation, within the provisions of the Mining Act of 1971, throughout the application review process or until a final decision is made on the application. Please note, no response will be interpreted as "no objection", by the DLR. If you have questions about the methods used during the mining process, please feel free to contact me by phone, at 910.452.2711 or via email, at dlutheran@segi.us.

Sincerely,

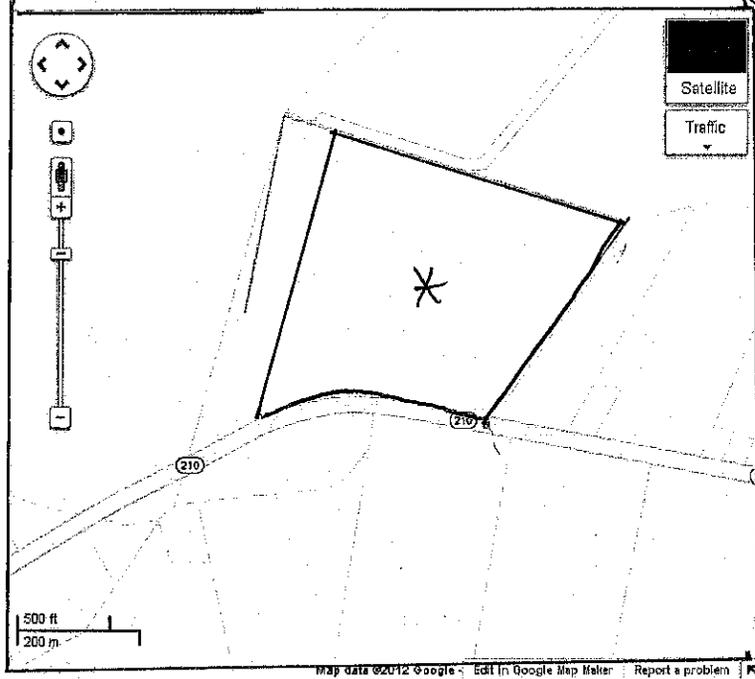
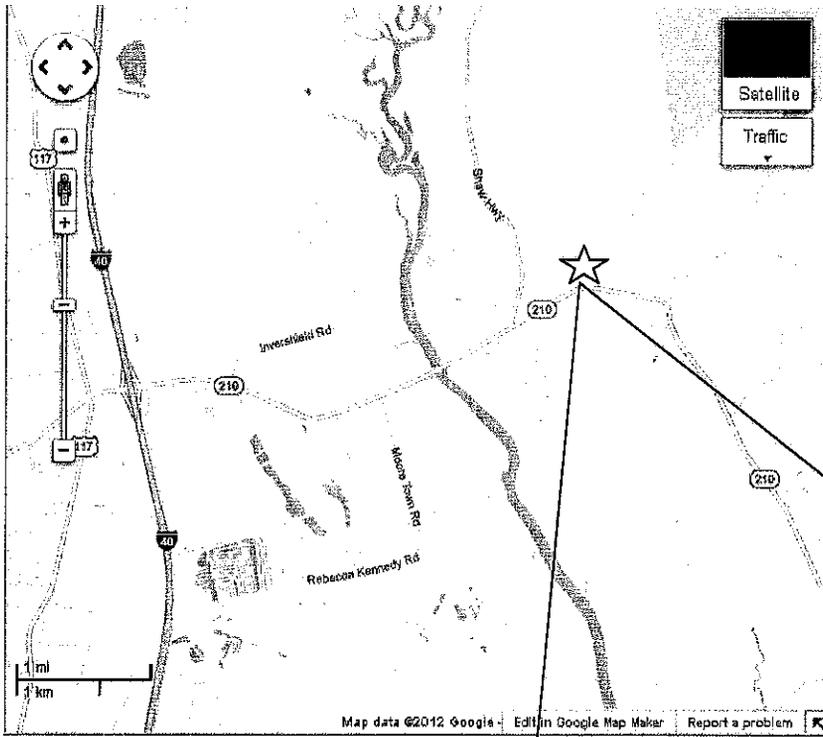


Dana A. Lutheran
Project Manager

Enclosures (3)

RECEIVED OCT 15 2013

Vicinity Map – Burton Tract, Jack Stocks (12-040.01)



NORTH CAROLINA MINING PERMIT APPLICATION

**State of North Carolina
Department of Environment
and Natural Resources
Division of Land Resources
Land Quality Section**

**1612 Mail Service Center
Raleigh, North Carolina 27699-1612
(919) 707-9220**

Attachment 1
Burton Mine

NORTH CAROLINA DEPARTMENT OF ENVIRONMENT
AND NATURAL RESOURCES

LAND QUALITY SECTION

APPLICATION FOR A MINING PERMIT

(PLEASE PRINT OR TYPE)

1. Name of Mine BURTON MINE County PENDER
River Basin NORTHEAST CAPE FEAR
Latitude (decimal degrees to four places) 34.4528 (See Appendix A)
Longitude (decimal degrees to four places) -77.8142
2. Name of Applicant* EFS PROPERTIES LLC (See appendix B)
3. Permanent address for receipt of official mail* 211 NORTH FIFTH STREET, WILMINGTON NC 28401
Telephone (910) 520-3083 Alternate No. () _____
4. Mine Office Address SAME AS ABOVE
Telephone () _____
5. Mine Manager MR. LUCIEN ELLISON

We hereby certify that all details contained in this Permit Application are true and correct to the best of our knowledge. We fully understand that any willful misrepresentation of facts will be cause for permit revocation.

***Signature Dana Lutheran for Lucien Ellison Date 1 Oct 2013
Print Name Dana Lutheran
Title SECI Project mgr.

* This will be the name that the mining permit will be issued to and the name that must be indicated on the reclamation bond (security) that corresponds to this site.

** The Land Quality Section must be notified of any changes in the permanent address or telephone number.

*** Signature of company officer required.

G.S. 74-51 provides that the Department shall grant or deny an application for a permit within 60 days of receipt of a complete application or, if a public hearing is held, within 30 days following the hearing and the filing of any supplemental information required by the Department. All questions must be addressed and all required maps provided before this application can be considered complete. Attach additional sheets as needed.

NOTE: All of the following questions must be thoroughly answered regarding your mining operation for the intended life of the mine. All responses must be clearly conveyed on a corresponding, detailed mine map.

**Attachment 1
Burton Mine**

A. GENERAL CHARACTERISTICS OF THE MINE

1. Answer all of the following that apply:

If this is an application for a **NEW** permit, indicate the total acreage at the site to be covered by the permit (this is the acreage that the "new permit" fee will be based upon): 20.82

Of this acreage, how much is owned and how much is leased? Acres owned: 20.82
Acres leased: _____ Property owner if leased: _____

If this is an application for **RENEWAL** of a mining permit, indicate the mining permit number and the total (overall) acreage covered by the existing permit: Mining Permit No.: _____
Total permitted acreage (this is the acreage that the "renewal" fee will be based upon): _____

If this is an application for a **MODIFICATION** to a mining permit, indicate the mining permit number and the total (overall) acreage covered by the existing permit.
Mining Permit No.: _____ Total permitted acreage: _____

Does the modification involve acreage within the previously approved permitted boundary?
Yes No . If yes, indicate the acreage to be covered by this modification (this is the acreage that the "major modification" fee will be based upon): _____

Does the modification involve acreage outside the previously approved permitted boundary?
Yes No . If yes, indicate the additional acreage to be covered by this modification:
(NOTE: you must complete all of Section F. of this application form entitled Notification of Adjoining Landowners).

Of this acreage to be added to the permit, will any portion of this acreage be affected (i.e.: disturbed, ground cover removed) by the mining operation? Yes No (If no, a "minor modification" fee of \$100.00 is required, despite the "undisturbed" acreage to be added). If yes, indicate the acreage to be affected within the acreage to be added to the permit (the total acreage to be added to the permit is the acreage that the "major modification" fee will be based upon): _____

If this is an application for **TRANSFER** of a mining permit, indicate the mining permit number and the total (overall) acreage covered by the existing permit.
Mining Permit No.: _____ Total permitted acreage: _____

SEE THE FEE SCHEDULE AT THE END OF THIS FORM FOR THE PROPER FEE AMOUNT TO BE PAID FOR THE REQUESTED PERMIT ACTION(S) AND CORRESPONDING ACREAGE NOTED ABOVE

2. Name of all materials mined: SAND

3. Mining method:

Hydraulic Dredge **Front-end Loader & Truck** Shovel & Truck

Dragline & Truck Self-loading Scraper

Other (explain): _____

4. a. Expected maximum depth of mine (feet) 30' NATURAL GROUND LEVEL

Depth is relative to what benchmark? (e.g., natural ground level, mean sea level, road elevation, etc.)

**Attachment 1
Burton Mine**

- b. Expected average depth of mine (feet) 15'
5. Has any area(s) at this site been mined in the past? Yes No
If yes, when and by whom was this activity conducted? _____
6. Number of years for which the permit is requested (10 years maximum): 10 YEARS

B. MAPS

1. Clearly mark and label the location of your mining operation on **six (6) copies** of a 7.5-minute quadrangle and a county highway map. These maps, in addition to **six (6) copies** of all mine maps and reclamation maps, must be submitted with each permit application.

7.5-minute quadrangles may be obtained from the N.C. Geological Survey:

Mailing Address:

1612 Mail Service Center
Raleigh, North Carolina 27699-1612
(919) 707-9220
http://portal.ncdenr.org/web/lr/geological_home

Physical Address:

512 North Salisbury Street
5th Floor
Raleigh, North Carolina 27604

County highway maps may be obtained from the N.C. Department of Transportation:
North Carolina Department of Transportation – Geographic Information Systems (GIS)

Mailing Address:

NCDOT GIS Unit
1587 Mail Service Center
Raleigh, North Carolina 27699-1587

Physical Address:

NCDOT GIS Unit
3401 Carl Sandburg Court
Raleigh, North Carolina 27610
(919) 212-6000
<http://www.ncdot.org/it/gis/>

2. Mine maps must be accurate and appropriately scaled drawings, aerial photographs or enlarged topographic maps of the entire mine site. **All aspects of the mine site must be clearly labeled on the maps along with their corresponding (approximate) acreage. As a reminder, mining permits can only be issued for up to 10 years; thus, all mine and reclamation maps must only denote those activities that are intended to be conducted during the life of the mining permit.** All maps must be of a scale sufficient (see minimum requirements listed below) to clearly illustrate the following, **at a minimum:**
- a. Property lines of the tract or tracts of land on which the proposed mining activity is to be located including easements and rights-of-way.
 - b. Existing or proposed permit boundaries.
 - c. Initial and ultimate limits of clearing and grading.
 - d. Outline and width of all buffer zones (both undisturbed and unexcavated).
 - e. Outline and acreage of all pits/excavations.
 - f. Outline and acreage of all stockpile areas.
 - g. Outline and acreage of all temporary and/or permanent overburden disposal areas.
 - h. Location and acreage of all processing plants (processing plants may be described as to location and distance from mine if sufficiently far removed).
 - i. Locations and names of all streams, rivers and lakes.
 - j. Outline and acreage of all settling and/or processing wastewater ponds.
 - k. Location and acreage of all planned and existing access roads and on-site haul roads.
 - l. Location of planned and existing on-site buildings.
 - m. Location and dimensions of all proposed sediment and erosion control measures.
 - n. Location of 100-year floodplain limits and wetland boundaries.
 - o. Names of owners of record, both public and private, of all tracts of land that are adjoining the mining

Attachment 1 Burton Mine

- permit boundary; if an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, names of owners of record of tracts adjoining these tracts, that are within 1,000 feet of the mining permit boundary, must be provided on the mine map.
- p. Names of owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary which lie directly across and are contiguous to any highway, creek, stream, river, or other watercourse, railroad track, or utility or other public right-of-way. If an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, names of owners of record of tracts adjoining these tracts, that are within 1,000 feet of the mining permit boundary, must be provided on the mine map(s). NOTE: "Highway" means a road that has four lanes of travel or less and is not designated as an Interstate Highway.
- q. Map legend:
1. Name of applicant
 2. Name of mine
 3. North arrow
 4. County
 5. Scale
 6. Symbols used and corresponding names
 7. Date prepared and revised
 8. Name and title of person preparing map

Map scales should meet the following guidelines:

<u>PERMITTED ACREAGE</u>	<u>MAP SCALE</u>
0-49 Acres	1 inch = 50 feet
50-199 Acres	1 inch = 100 feet
200+ Acres	1 inch = 200 feet

(NOTE: Smaller scaled maps may be acceptable if they clearly illustrate the above items)

A table/chart must be provided on the mine map that clearly lists the approximate acreage of tailings/sediment ponds, stockpiles, wastepiles, processing area/haul roads, mine excavation and any other major aspect of the mining operation that is proposed to be affected/disturbed during the life of the mining permit. A table/chart similar to the following will be acceptable:

CATEGORY	AFFECTED ACREAGE
Tailings/Sediment Ponds	0.86
Stockpiles	1.65
Wastepiles	0.0
Processing Area/Haul Roads	1.45
Mine Excavation	12.7
Other (Explain)	0.0
Total Disturbed Acreage	16.66

NOTE:

IN ADDITION TO THE ABOVE, THE MAPS MUST ALSO INCLUDE ANY SITE-SPECIFIC INFORMATION THAT IS PROVIDED IN THE ANSWERS TO THE FOLLOWING QUESTIONS IN THIS APPLICATION FORM (*PLEASE NOTE THE ITALICIZED QUESTIONS/STATEMENTS THROUGHOUT THE FORM*). THIS APPLICATION WILL NOT BE CONSIDERED COMPLETE WITHOUT ALL RELEVANT ITEMS BEING ADEQUATELY ADDRESSED ON THE MINE MAPS.

**Attachment 1
Burton Mine**

C. PROTECTION OF NATURAL RESOURCES

1. Describe in detail the sequence of events for the development and operation of the mine and *reference the sequence to the mine map(s)*. Attach additional sheets as needed.

It is the intention of EFS Properties, LLC, herein after referred to as the "Applicant", to excavate approximately 12.7 acres of sand off a site located within the Holly Township, in Pender County. Reclamation will consist of grading the sides of the pit, with no less than a 3:1 run over rise slope. Seed and straw will be used to stabilize the the disturbed soil.

2. Describe specific erosion control measures to be installed prior to land disturbing activities and during mining to prevent offsite sedimentation (*include specific plans for sediment and erosion control for mine excavation(s), waste piles, access/mine roads and process areas*), and give a detailed sequence of installation and schedule for maintenance of the measures. *Locate and label all sediment and erosion control measures on the mine map(s) and provide typical cross-sections/construction details of each measure.* Engineering designs and calculations are required to justify the adequacy of any proposed measures.

Silt fence will be installed around the limits of disturbance, which consists of the following: excavation area; stockpile area; sediment trap; and the access road (see Appendix C). A temporary sediment trap with outfall will be installed prior to commencement of the mining operation.

3. a. Will the operation involve washing the material mined, recycling process water, or other waste water handling? Yes No . If yes, briefly describe all such processes including any chemicals to be used.
- b. Will the operation involve discharging fresh or waste water from the mine or plant as a point discharge to the waters of the State? Yes No . *If yes, briefly describe the nature of the discharge and locate all proposed discharge points (along with their method of stabilization) on your mine map(s).*
- c. Will any part of the proposed mine excavation(s) extend below the water table? Yes No .
If yes, do you intend to dewater the excavation(s)? Yes No .
If yes, what impact, if any, will mine dewatering have on neighboring wells? Estimated withdrawal rate in gallons per day: 5,000 max. *Locate all existing wells on the mine map(s) that lie within 500 feet of the proposed excavation area.* Provide data to support any conclusions or statements made, including any monitoring well data, well construction data and current water withdrawal rates. Indicate whether the proposed mine locale is served by a public water system or private wells.

A 28 November 2012 phone call, with Mr. Bob Forand, of the Pender County Public Utilities Department, confirmed that there are no wells within 500 linear feet of the excavation area.

- d. If you answered yes to any of the above questions, provide evidence that you have applied for or obtained the appropriate water quality permit(s) (i.e., non-discharge, NPDES, Stormwater, etc.) from the Division of Water Quality, Water Quality Section. In addition, the applicant is required to register water use with the Division of Water Resources if the operation withdraws more than 10,000 gallons per day and needs a capacity use permit from the Division of Water Resources if the operation lies in a capacity use area and withdraws more than 100,000 gallons per day.

A Notice of Intent will be submitted to the Division of Water Resources concurrently with this permit application to the DLR.

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Burton Mine**

4. a. Will the operation involve crushing or any other air contaminant emissions? Yes No .
If yes, indicate evidence that you have applied for or obtained an air quality permit issued by the Division of Air Quality or local governing body.

- b. How will dust from stockpiles, haul roads, etc., be controlled?

Water trucks will spray haul roads during hours of operation.

5. a. A buffer will be required between any mining activity and any mining permit boundary or right-of-way. It may be an unexcavated buffer (no excavation, but roadways, berms and erosion & sedimentation control measures may be installed within it), an undisturbed buffer (no disturbance within the buffer whatsoever), or a combination of the two, depending upon the site conditions. Note that all buffers must be located within the mining permit boundaries.

How wide a buffer will be maintained between any mining activity and any mining permit boundary or right-of-way at this site? A minimum buffer of 25 feet is recommended, although a wider buffer may be needed depending on site conditions. *Show all buffer locations and widths on the mine map(s).*

The mine site property fronts NC Highway 210, however, the limits of disturbance, except for the access road, are far off the highway. A 100' no disturb buffer will be provided between the limits of disturbance and the public ROW and the permit boundary limits (see Appendix C).

- b. A minimum 50 foot wide undisturbed buffer will be required between any land disturbing activities within the mining permit boundaries and any natural watercourses and wetlands unless smaller undisturbed buffers can be justified. Depending on site conditions, a buffer wider than 50 feet may be needed.

How wide an undisturbed buffer will be maintained between any land disturbing activities within the mining permit boundaries and any natural watercourses and wetlands at this site? *Show all buffer locations and widths on the mine map(s).*

There are no §404 waters or natural water courses within 50 linear feet of the proposed land disturbing activities.

6. a. Describe methods to prevent landslide or slope instability adjacent to adjoining permit boundaries during mining. Minimum 2 horizontal to 1 vertical slopes or flatter for clayey material and minimum 3 horizontal to 1 vertical slopes or flatter for sandy material are generally required, unless technical justification can be provided to allow steeper slopes.

Soils located within the excavation area are sandy in nature. Slopes will not exceed the 3:1 gradient requirements.

- b. *Provide a cross-section on the mine map(s) for all fill slopes (berms, wastepiles, overburden disposal areas, etc.), clearly indicating the intended side slope gradient, installation of any benches and/or slope drains (with supporting design information) if needed, and the method of final stabilization.*

See Appendix C.

- c. In excavation(s) of unconsolidated (non-rock) materials, specify the angle of all cut slopes including

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Burton Mine**

specifications for benching and sloping. *Cross-sections for all cut slopes must be provided on the mine map(s).*

All cut slopes will be no less than 3 feet of run to 1 foot of rise. See attached site plan.

- d. In hardrock excavations, specify proposed bench widths and heights in feet. *Provide cross-sections of the mine excavation clearly noting the angles of the cut slopes, widths of all safety benches and mine benches, and the expected maximum depth of the excavation.*

NA

7. Describe other methods to be taken during mining to prevent physical hazard to any neighboring dwelling house, public road, public, commercial or industrial building from any mine excavation. *Locate all such structures on the mine map if they are within 300 feet of any proposed excavation.*

There are no neighboring dwellings, public roads, commercial or industrial buildings within 300 feet of any of the proposed mining activities (See Appendix A).

8. Describe what kind of barricade will be used to prevent inadvertent public access along any high wall area and when it will be implemented. Vegetated earthen berms, appropriate fencing and adequate boulder barriers may be acceptable high wall barricades. *A construction detail/cross-section and location of each type of barricade to be used must be indicated on the mine map(s).*

High walls are not proposed as part of this project. The mine site will have a gated entry that will be locked during non-operational hours.

9. Are acid producing minerals or soils present? Yes No .
- If yes, how will acid water pollution from the excavation, stockpiles and waste areas be controlled?
10. a. Describe specific plans (including a schedule of implementation) for screening the operation from public view such as maintaining or planting trees, bushes or other vegetation, building berms or other measures. *Show the location of all visual screening on the mine map(s) and provide cross-sections through all proposed berms or proposed spacing, sizes and species for tree plantings.*

The mining area is surrounded by a vegetated buffer and will not be visible from the adjacent public road or adjacent property owners.

- b. Could the operation have a significantly adverse effect on the purposes of a publicly owned park, forest, or recreation area? If so, how will such effects (i.e., noise, visibility, etc.) be mitigated?

There are no parks in the area of the mine site. Forested areas surrounding the site are privately owned and are not open to the public. Therefore, the operation will not have any significant adverse effects on the uses of a publicly owned park, forest or recreation area.

11. Will explosives be used? Yes No .
- If yes, specify the types of explosive(s) and describe what precaution(s) will be used to prevent physical hazard to persons or neighboring property from flying rocks or excessive air blasts or ground vibrations. Depending on the mine's location to nearby structures, more detailed technical information may be required on the blasting program (such as a third-party blasting study). *Locate the nearest offsite occupied structure(s) to the proposed excavation(s) on the mine map and indicate its approximate distance to the proposed excavation.*

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12. Will fuel tanks, solvents, or other chemical reagents be stored on-site? Yes No .
- If yes, describe these materials, how they will be stored and method of containment in case of spill. Indicate the location(s) of all storage facilities on the mine map(s).*

D. RECLAMATION PLAN

1. Describe your intended plan for the final reclamation and subsequent use of all affected lands and indicate the sequence and general methods to be used in reclaiming this land. This must include the method of reclamation of settling ponds and/or sediment control basins and the method of restoration or establishment of any permanent drainage channels to a condition minimizing erosion, siltation and other pollution. *This information must be illustrated on a reclamation map and must correspond directly with the information provided on the mine map(s). In addition, design information, including typical cross-sections, of any permanent channels to be constructed as part of the reclamation plan and the location(s) of all permanent channels must be indicated on the reclamation map.*

Once mining activities have ceased the slopes will be final graded to no

7. Is an excavated or impounded body of water to be left as a part of the reclamation? Yes No
- If yes, illustrate the location of the body(s) of water on the reclamation map and provide a scaled cross-section(s) through the proposed body(s) of water.*

The minimum water depth must be at least 4 feet, measured from the normal low water table elevation, unless information is provided to indicate that a more shallow water body will be productive and beneficial at this site.

Will the body(s) of water be stocked with fish? Yes No .

If yes, specify species. Bream and Bass

3. Describe provisions for safety to persons and to adjoining property in all completed excavations in rock including what kind of permanent barricade will be left. Acceptable permanent barricades are appropriate fencing, large boulders placed end-to-end, etc. *Construction details and locations of all permanent barricades must be shown on the reclamation map.*

All proposed excavation will take place in sandy soils. The pit is expected to fill with a combination of ground and rain water. Therefore, no safety precautions have been designed to protect adjoining properties after work has been completed.

4. Indicate the method(s) of reclamation of overburden, refuse, spoil banks or other such on-site mine waste areas, including specifications for benching and sloping. *Final cross-sections and locations for such areas must be provided on the reclamation map.*

Overburden will be used to create the 3:1 slopes of the pit.

5. a. Describe reclamation of processing facilities, stockpile areas, and on-site roadways.

- b. Will any on-site roadways be left as part of the reclamation? Yes No .

If yes, identify such roadways on the reclamation map, and provide details on permanent road and ditch line stabilization.

6. Describe the method of control of contaminants and disposal of scrap metal, junk machinery, cables, or other such waste products of mining. (Note definition of refuse in The Mining Act of 1971.)

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F. NOTIFICATION OF ADJOINING LANDOWNERS

The "Notice" form, or a facsimile thereof, attached to this application must be sent certified or registered mail, return receipt requested, to:

- (1) **the chief administrative officer of each county and municipality in which any part of the permitted area is located as indicated on the mine map(s);**
- (2) **all owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary; if an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, all owners of record of tracts adjoining these tracts must be notified (that are within 1,000 feet of the mining permit boundary) as indicated on the mine map(s); and**
- (3) **all owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary which lie directly across and are contiguous to any highway, creek, stream, river, or other watercourse, railroad track, or utility or other public right-of-way. If an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, all owners of record of tracts adjoining these tracts must be notified (that are within 1,000 feet of the mining permit boundary) as indicated on the mine map(s). "Highway" means a road that has four lanes of travel or less and is not designated as an Interstate Highway.**

The only exception to the above method of giving notice is if another means of notice is approved in advance by the Director, Division of Land Resources.

A copy of a tax map (or other alternative acceptable to the Department) must be mailed with the completed "Notice" form **(the proposed overall permit boundaries and the names and locations of all owners of record of lands adjoining said boundaries must be clearly denoted on the tax map).**

The "Affidavit of Notification" attached to this application must be completed, notarized and submitted to the Department, with the remainder of the completed application form, before the application will be considered complete.

NOTES:

THIS SECTION MUST BE COMPLETED FOR ALL APPLICATIONS FOR NEW MINING PERMITS AND ALL MODIFICATIONS OF A MINING PERMIT TO ADD LAND TO THE PERMITTED AREA, AS REQUIRED BY NCGS 74-50(b1).

SEE THE NEXT TWO PAGES FOR THE "NOTICE" FORM AND THE "AFFIDAVIT OF NOTIFICATION"

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NOTICE

Pursuant to provisions G.S. 74-50(b1) of The Mining Act of 1971, Notice is hereby given that EFS Properties, LLC has applied on 18 September 2013 to the Land Quality Section, Division of Land Resources, North Carolina Department of Environment and Natural Resources, 1612 Mail Service Center, Raleigh, North Carolina 27699-1612, for (check one):

- a new surface mining permit,
- a modification of an existing surface mining permit to add land to the permitted area; or
- a modification of an existing surface mining permit to add land to the permitted area with no disturbance in the area proposed. **Please note that future modification(s) may be submitted by the applicant to allow disturbance within this area without re-notification of adjoining landowners.**

The applicant proposes to mine Sand on 20.82 acres located 4
(Mineral, Ore) (Number) (Miles)
East of Rocky Point off/near road NC Hwy 210 in Pender County.
(Direction) (Nearest Town) (Number/Name)

SEE ATTACHED MAP FOR PROPOSED PERMIT BOUNDARIES AND CORRESPONDING ADJOINING LANDOWNER NAMES AND LOCATIONS

In accordance with G.S. 74-50(b1), the mine operator is required to make a reasonable effort, satisfactory to the Department, to notify all owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary; if an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, all owners of record of tracts adjoining these tracts must be notified (that are within 1,000 feet of the mining permit boundary). In addition, the mine operator must also notify the chief administrative officer of the county or municipality in which any part of the permitted area is located. Any person may file written comment(s) to the Department at the above address within thirty (30) days of the issuance of this Notice or the filing of the application for a permit, whichever is later. Should the Department determine that a significant public interest exists relative to G.S. 74-51, a public hearing will be held within 60 days of the end of the 30-day comment period specified above.

A copy of the permit application materials is on file and available for public review during normal business hours at the above listed address as well as at the appropriate regional office. **For information regarding the specifics of the proposed mining activity, please contact the applicant at the following telephone number: (910) 452.2711**. For information on the mining permit application review process, please contact the Mining Program staff at (919) 707-9220. **Please note that the Department will consider any relevant written comments/documentation within the provisions of the Mining Act of 1971 throughout the application review process until a final decision is made on the application.**

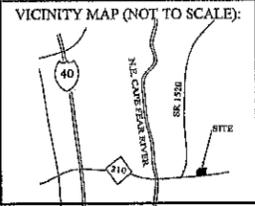
(Addressee/Owner of Record's Name and Address)

16 September 2013
(Date of Issuance of this Notice/
Mailed to Addressee/Owner of Record)

EFS Properties, LLC
Dana Lutheran (SEGi)
910.452.2711
(Name of Applicant: Include Contact Person & Company Name, if Applicable)

211 North Fifth Street
Wilmington, NC 28401
(Address of Applicant)

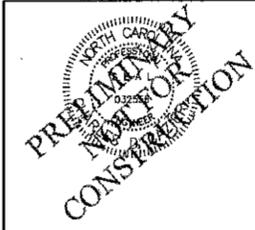
CURVE TABLE					
CURVE	DELTA	TANGENT	RADIUS	CH. BEARING	CHORD
C1	37°35'00"	383.90	1128.24	S86°57'09"W	726.88



NO.	DATE	DESCRIPTION

INTRACOASTAL ENGINEERING, PLLC
 91 Pelican Point Road
 Wilmington, North Carolina 28409
 Phone: 910.407.3567
 Email: Charlie@intracoastalengineering.com
 License Number P-0662

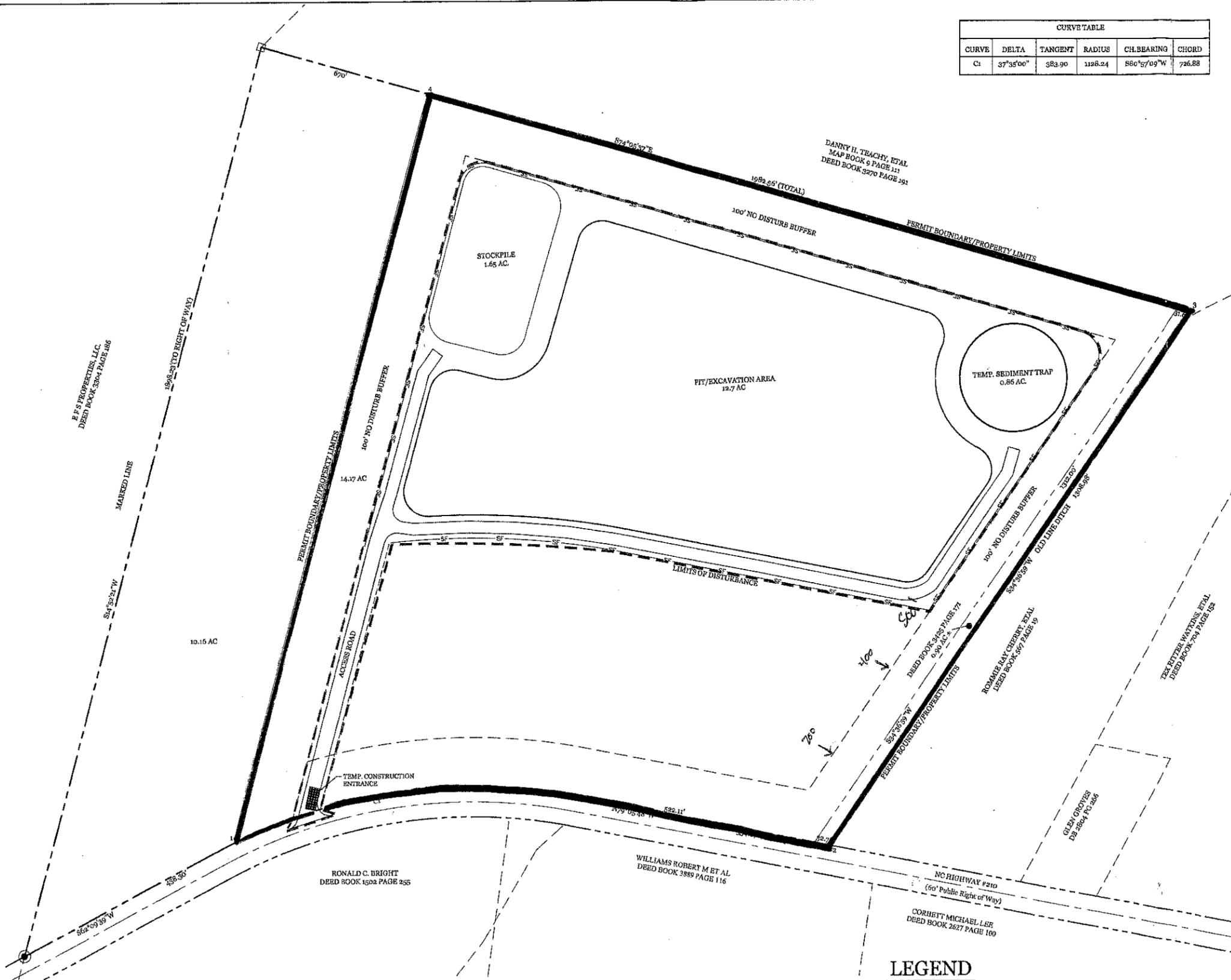
MINING SITE PLAN
 FOR
BURTON MINE
 PENDER COUNTY
 NORTH CAROLINA



CLIENT INFORMATION:
 EFS PROPERTIES, LLC
 211 NORTH FIFTH STREET
 WILMINGTON NC 28401
 JACK STOCKS
 910-520-3083

DRAWN:	NMF	SHEET SIZE:	24 x 36
CHECKED:	CDC	DATE:	8/13
APPROVED:	CDC	SCALE:	1"=100'
PROJECT NUMBER:	2013-017		

DRAWING NUMBER:
C-1
 1 OF 2



AFFECTED ACREAGE (AA)

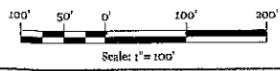
CATEGORY	(AA)
TAILINGS/SEDIMENT PONDS	0.86 AC
STOCKPILES	1.65 AC
WASTEPILES	** *
PROCESSING AREA/HAUL ROADS	1.45 AC
MINE EXCAVATION	12.7 AC
OTHER ()	** *
TOTAL	16.66 ac

SITE DATA

PHASE 1 AREA	20 ± AC.
PHASE 2 AREA	7.7 ± AC.
TOTAL TRACT AREA	55.69 AC.
EXISTING ZONING	RP-RESIDENTIAL PERFORMANCE
PROPOSED ZONING	RA-RURAL AGRICULTURAL
LIMITS OF DISTURBANCE	20.82 ± AC.

LEGEND

	PROPERTY LINE
	LIMITS OF DISTURBANCE
	TEMPORARY SILT FENCE
	BUFFER LINE
	PERMIT BOUNDARY



LATE WINTER & EARLY SPRING TEMPORARY GRASSING DETAIL

SEEDING MIXTURE
SPECIES
 Ryegrass
 Annual Ryegrass (Ryegrass)
 Perennial Ryegrass (Ryegrass)
 Tall Fescue

SEEDING DATES:
 November - February 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31
 March - May 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31

SOIL AMENDMENTS
 Apply 4000 LBS/AC STRAW ANCHOR STRIP BY TRACKING WITH ASPHALT, SETTING ON A MULCH ANCHORING TOOL. A WIRE WITH BLADES NET NEARLY SPACING CAN BE USED AS A MULCH ANCHORING TOOL.

MULCH
 Apply 4000 LBS/AC STRAW ANCHOR STRIP BY TRACKING WITH ASPHALT, SETTING ON A MULCH ANCHORING TOOL. A WIRE WITH BLADES NET NEARLY SPACING CAN BE USED AS A MULCH ANCHORING TOOL.

MAINTENANCE
 Repair and patching should occur immediately. Topdressing with 50 lbs/acre of fertilizer in March. This is necessary to allow temporary cover beyond June 15. Mowing with 1/4 inch blades (Parkers and General Tools) or similar (discuss) begins in late February or early March.

SPRING-SUMMER PERMANENT GRASSING DETAIL

SEEDING MIXTURE
SPECIES
 PANICUM BARRICUM
 BRISOLA HYSTRIX
 COENOCLOA DIGNISSIMA
 CENOCLOA DIGNISSIMA
 TALL FESCUE

SEEDING DATES:
 APRIL 1 - JUNE 15

SOIL AMENDMENTS
 APPLY LIME AND FERTILIZER ACCORDING TO SOIL TESTS OR APPLY 4000 LBS/AC STRAW ANCHOR STRIP BY TRACKING WITH ASPHALT, SETTING ON A MULCH ANCHORING TOOL. A WIRE WITH BLADES NET NEARLY SPACING CAN BE USED AS A MULCH ANCHORING TOOL.

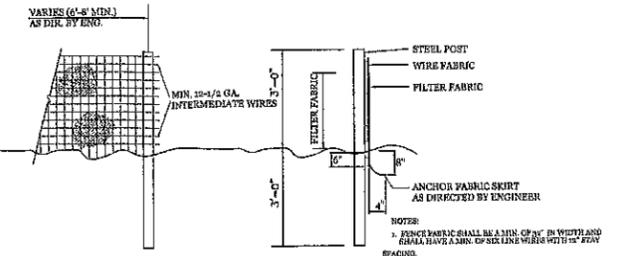
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MAINTENANCE
 REPAIR AND PATCHING SHOULD OCCUR IMMEDIATELY. TOPDRESSING WITH 50 LBS/ACRE OF FERTILIZER IN MARCH. THIS IS NECESSARY TO ALLOW TEMPORARY COVER BEYOND JUNE 15. MOWING WITH 1/4 INCH BLADES (PARKERS AND GENERAL TOOLS) OR SIMILAR (DISCUSS) BEGINS IN LATE FEBRUARY OR EARLY MARCH.

GROUND STABILIZATION CRITERIA

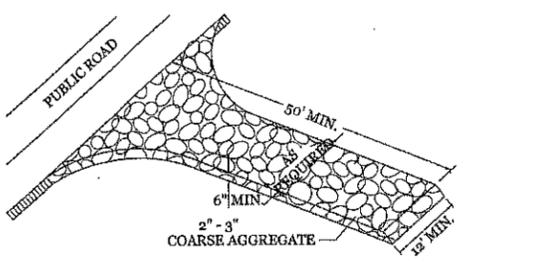
SITE AREA DESCRIPTION	STABILIZATION TIMEFRAME	STABILIZATION TIMEFRAME EXCEPTIONS
* Perimeter dikes, swales, ditches and slopes	7 Days	None
* High Quality Water (HQW) Zones	7 Days	None
* Slopes Steeper than 3:1	7 Days	If slopes are 10' or less in length and not steeper than 2:1, 14 days are allowed
* Slopes 3:1 or flatter	14 Days	7-days for slopes greater than 30 ft. in length
* All other areas with slopes flatter than 4:1	14 Days	None (except for perimeters & HQW Zones)

Note: Ground Stabilization chart may be required by NPODS permit.



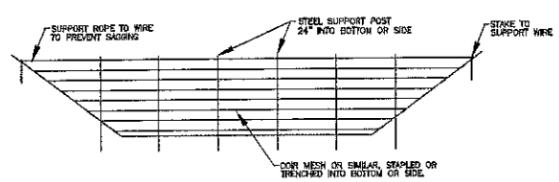
TEMPORARY SILT FENCE

NTS



TEMPORARY GRAVEL CONSTRUCTION ENTRANCE

NTS



POROUS BAFFLE CROSS SECTION

NTS

SITE WORK NOTES:

1. THE CONTRACTOR SHALL VISIT THE SITE AND BECOME FAMILIAR WITH EXISTING CONDITIONS BOTH ON AND ADJACENT TO THE SITE.
2. CLEARING: CONTRACTOR SHALL REMOVE ALL TREES AND VEGETATION WITHIN LIMITS OF CONSTRUCTION UNLESS OTHERWISE DESIGNATED TO REMAIN.
3. GRUBBING AND STRIPPING: CONTRACTOR SHALL RAKE AND REMOVE ROOTS, STUMPS, VEGETATION, DEBRIS, EXISTING STRUCTURES ABOVE AND BELOW GRADE, ORGANIC MATERIAL OR ANY OTHER UNSUITABLE MATERIAL WITHIN LIMITS OF CONSTRUCTION.
4. MUCKING: CONTRACTOR SHALL COORDINATE WITH OWNER AND THEIR GEOTECHNICAL REPRESENTATIVE TO COORDINATE REMOVAL OF ANY SOFT AREAS.
5. DISPOSAL: CLEARED, GRUBBED, STRIPPED OR OTHER WASTE MATERIAL SHALL BE REMOVED FROM SITE AND DEPOSITED IN A PROPERLY PERMITTED FACILITY.
6. FILL AND COMPACTION: CONTRACTOR SHALL COORDINATE WITH OWNER AND THEIR GEOTECHNICAL REPRESENTATIVE TO COORDINATE REMOVAL OF ANY SOFT AREAS.
7. THE CONTRACTOR SHALL NOTE THAT THE GRADING PLAN MAY NOT REPRESENT A BALANCED EARTHWORK CONDITION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CUT AND FILL QUANTITIES AND COMPLETE INSTALLATION TO SPECIFIED GRADES.
8. THE CONTRACTOR SHALL FURNISH SUITABLE BORROW MATERIAL FROM AN OFF-SITE PROPERLY PERMITTED FACILITY AS REQUIRED.
9. INFORMATION CONCERNING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXACT ELEVATIONS AND LOCATIONS OF ALL EXISTING UTILITIES AT ALL CROSSINGS PRIOR TO COMMENCING TRENCH EXCAVATION. IF ACTUAL CLEARANCES ARE LESS THAN INDICATED ON PLAN, THE CONTRACTOR SHALL CONTACT THE DESIGN ENGINEER BEFORE PROCEEDING WITH CONSTRUCTION. ANY CONDITION DISCOVERED OR EXISTING THAT WOULD NECESSITATE A MODIFICATION OF THESE PLANS SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGN ENGINEER BEFORE PROCEEDING WITH CONSTRUCTION.
10. NO CONSTRUCTION IS TO BEGIN BEFORE LOCATION OF EXISTING UTILITIES HAS BEEN DETERMINED. CALL "NO ONE-CALL" AT LEAST 48 HOURS BEFORE COMMENCING CONSTRUCTION.
11. THE CONTRACTOR IS RESPONSIBLE FOR THE LOCATION AND PROTECTION OF ALL EXISTING UTILITIES DURING CONSTRUCTION. BEFORE COMMENCING ANY EXCAVATIONS IN OR ALONG ROADWAYS OR RIGHT-OF-WAYS, PUBLIC AREAS OR IN PRIVATE EASEMENTS, THE CONTRACTOR SHALL NOTIFY ALL APPROPRIATE PERSONNEL OF THEIR INTENT TO EXCAVATE, IN WRITING, NOT LESS THAN 10 DAYS PRIOR TO EXCAVATING.
12. THE CONTRACTOR SHALL BE RESPONSIBLE TO COORDINATE DISCONNECTION/ RECONNECTION AND/OR THE RELOCATION OF ALL EXISTING UTILITIES WITH APPROPRIATE PERSONNEL.
13. CONTRACTOR SHALL ADJUST ALL MANHOLES, VALVE & CURB BOXES TO FINAL GRADE UPON COMPLETION OF ALL CONSTRUCTION. ANY BOXES DAMAGED OR OTHERWISE DISTURBED BY THE CONTRACTOR SHALL BE REPAIRED AT THE EXPENSES OF THE CONTRACTOR.
14. EXISTING SURVEYING PERFORMED BY MARK A. STOCKS, P.L.L.C. PHONE: 910-263-8144.
15. THE CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS AT THE SITE. FURTHERMORE THE CONTRACTOR SHALL REPORT ALL DISCREPANCIES OR QUESTIONS TO THE ENGINEER PRIOR TO INSTALLATION.
16. THE CONTRACTOR SHALL PROVIDE ANY AND ALL LAYOUT REQUIRED TO CONSTRUCT HIS WORK UNLESS OTHERWISE DIRECTED BY OWNER.
17. ALL SERVICE CONNECTIONS SHALL BE INSTALLED TO MEET ALL LOCAL, STATE, AND FEDERAL CODES, METERS, TAPS, MATERIALS, WORKMANSHIP AND ALL FEES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND SHALL COMPLY WITH ALL REQUIREMENTS.
18. ALL BACKFILL FROM UTILITY INSTALLATION MUST BE COMPACTED OR AMENDED TO PROVIDE TRAFFIC BEARING CAPACITY. GEOTECHNICAL ENGINEERING IS TO BE CONSIDERED AT CONTRACTOR'S RISK NECESSARY.
19. ALL AREAS SHALL BE GRADED FOR POSITIVE DRAINAGE. CONTRACTOR SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO INSTALLATION. ALL AREAS SHALL BE SLOPED TO DRAIN AWAY FROM BUILDINGS AT ALL TIMES.
20. CONCRETE FOR WALKS, CURBS AND DRIVES SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI @ 28 DAYS - AIR ENTRAINMENT.
21. FIELD TESTING SHALL BE DONE BY AN INDEPENDENT TESTING LABORATORY PAID FOR BY THE OWNER. FURTHER TESTING REQUIRED DUE TO A FAILED TEST WILL BE PAID FOR BY THE CONTRACTOR.
22. ALL SIDEWALKS SHALL BE FREE OF CRACKS, BREAKS, OR ANY OTHER DEFECT PRIOR TO RECEIVING A CERTIFICATE OF OCCUPANCY.

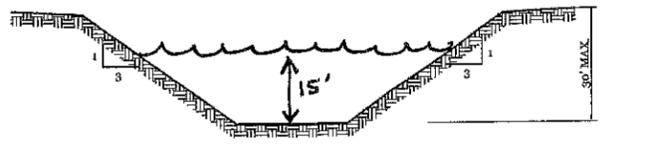
CONSTRUCTION SEQUENCE:

CONSTRUCTION OF SITE TO START WITH INSTALLATION OF CONSTRUCTION ENTRANCE AND SILT FENCE ALONG ALL LOCATIONS PER PLANS. UPON INSTALLATION OF SILT FENCE, TREES SHOULD BE REMOVED IN LOCATIONS AS NECESSARY. ALL SLOPED AREAS SHOULD BE SEDED IN ACCORDANCE TO SPECIFICATIONS. SLOPE STABILIZATION IS WITHIN 21 CALENDAR DAYS OF ANY PHASE OF CONSTRUCTION. ALL OTHER AREAS MUST BE STABILIZED WITHIN 15 WORKING DAYS.

1. GENERAL CLEARING AND GRADING OF THIS SITE WILL NOT BE DONE UNTIL THE TEMPORARY SILT FENCE AND CONSTRUCTION ENTRANCES HAVE BEEN INSTALLED.
2. NO CUT SLOPE OR FILL SLOPE SHALL EXCEED A RISE OR FALL OF ONE FOOT FOR EVERY RUN OF 3 FEET (A VERTICAL TO 3 HORIZONTAL).
3. NO SEDIMENT WILL BE ALLOWED TO EXIT THE SITE. ALL EROSION SHALL BE CONTROLLED INCLUDING SIDE SLOPES DURING AND AFTER CONSTRUCTION.
4. INSTALL PRIMARY EROSION CONTROL MEASURES BEFORE BEGINNING CONSTRUCTION INCLUDING BUT NOT LIMITED TO GRAVELLED CONSTRUCTION ENTRANCE & SILT FENCE. INSTALL ALL SECONDARY EROSION CONTROL MEASURES AS SOON AS POSSIBLE AFTER BEGINNING CONSTRUCTION.
5. ALL EROSION CONTROL MEASURES TO BE INSPECTED AFTER EACH RAIN. SILT FENCE TO BE CLEANED WHEN HALF FULL.
6. A 4" LAYER OF TOPSOIL SHALL BE APPLIED TO ALL NEW AREAS TO BE GRASSSED.
7. ALL DISTURBED AREAS SHALL BE SEDED IN ACCORDANCE WITH SEEDING SCHEDULE.
8. MAINTAIN ALL EROSION CONTROL MEASURES UNTIL PROJECT IS COMPLETE.
9. MORE STRINGENT MEASURES MAY BE REQUIRED TO HALT EROSION IF THOSE ON THIS PLAN PROVE TO BE LESS EFFECTIVE.
10. REMOVE ALL TEMPORARY EROSION CONTROL MEASURES UPON COMPLETION OF CONSTRUCTION. ALL PERMANENT MEASURES SHALL BE WELL ESTABLISHED PRIOR TO PROJECT COMPLETION.

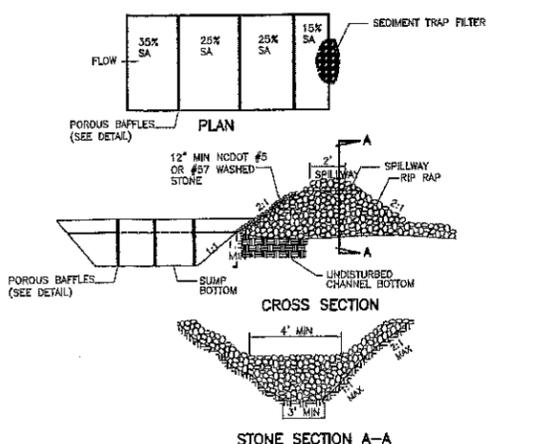
MAINTENANCE PLAN

1. ALL EROSION AND SEDIMENT CONTROL PRACTICES WILL BE CHECKED FOR STABILITY AND OPERATION FOLLOWING EVERY RUNOFF-PRODUCING RAINFALL, BUT IN NO CASE, LESS THAN ONCE EVERY WEEK AND WITHIN 24 HOURS OF EVERY HALF INCH RAINFALL.
2. ALL POINTS OF EGRESS WILL HAVE CONSTRUCTION ENTRANCES THAT WILL BE PERIODICALLY TOP-DRESSED WITH AN ADDITIONAL 2 INCHES OF 3/8" INCH STONE TO MAINTAIN PROPER DEPTH. THEY WILL BE MAINTAINED IN A CONDITION TO PREVENT MUD OR SEDIMENT FROM LEAVING THE SITE. IMMEDIATELY REMOVE OBJECTIONABLE MATERIAL SPILLED, WASHED OR TRACKED ONTO THE CONSTRUCTION ENTRANCE OR ROADWAYS.
3. SEDIMENT WILL BE REMOVED FROM BEHIND THE SEDIMENT FENCE WHEN IT BECOMES HALF FILLED. THE SEDIMENT FENCE WILL BE REPAIRED AS NECESSARY TO MAINTAIN A BARRIER. STAKES MUST BE STEEL. STAKE SPACING WILL BE 6 FEET MAX. WITH THE USE OF EXTRA STRENGTH FABRIC. WITHOUT WIRE BACKING, STAKE SPACING WILL BE 9 FEET MAX. WITH STANDARD STRENGTH FABRIC. AND WIRE BACKING WIRE USED, IF ROCK FILTERS ARE DESIGNED AT LOW POINTS IN THE IN THE SEDIMENT FENCE THE ROCK WILL BE REPAIRED OR REPLACED IF IT BECOMES HALF FULL OF SEDIMENT, NO LONGER DRAINS AS DESIGNED OR IS DAMAGED.



PIT/EXCAVATION AREA SECTION DETAIL

NTS



NO.	DESIGN	REQ'D PROVIDED	L	W	D
BASIN #2	0.88	1.07	1.7335	1.7/A/N/A/12.25	

SEE PLAN SHEET FOR LOCATION

1. SEDIMENT TRAP WILL BE CONSTRUCTED FIRST, SOON AFTER.
2. SPILLWAY FLOOR TO BOTTOM OF SPILLWAY SHALL BE NO LESS THAN TWO FEET.
3. SPILLWAY DEPTH SHALL BE ONE FOOT.
4. STONE FACE SHALL BE NO LESS THAN 8 INCHES OF THE LARGE STONE.
5. STONE SPACING SHALL ALLOW FOR A MINIMUM OF 1/2" BETWEEN STONES.
6. TOP OF SEDIMENT TRAP SHALL BE CAPPED WITH 2" RIGID AND CAPPED AS NECESSARY OVER 2" RIGID.
7. REMOVAL OF SEDIMENT TRAP WILL BE DONE IN SUCH A WAY AS TO NOT DISTURB.

TEMPORARY SEDIMENT TRAP DETAIL

NTS

VICINITY MAP (NOT TO SCALE):



REVISIONS

NO.	DATE	DESCRIPTION

INTRACOASTAL ENGINEERING, PLLC
 91 Pelham Pointe Road
 Wilmington, North Carolina 28409
 Phone: 910-263-8144
 Email: charlie@intracoastalengineering.com
 License Number: P-0662

DETAIL SHEET FOR BURTON MINE
 PENDER COUNTY NORTH CAROLINA

PREPARED BY NOT FOR CONSTRUCTION

CLIENT INFORMATION:
 EFS PROPERTIES, LLC
 211 NORTH FIFTH STREET
 WILMINGTON NC 28401
 JACK STOCKS
 910-520-3083

DRAWN: NMS **SHEET SIZE:** 24 x 36
CHECKED: CDC **DATE:** 5/7/19
APPROVED: CDC **SCALE:** NTS
PROJECT NUMBER: 2013-017

DRAWING NUMBER: C-2 **3 OF 2**