COMMONWEALTH OF VIRGINIA
BEFORE THE DEPARTMENT OF MINES, MINERALS AND ENERGY

SECOND AGREED MODIFICATION – AMENDMENT 2
of the COMPLIANCE AGREEMENT

Purpose:

As provided by Paragraph M of the Compliance Agreement executed on January 13, 2014, this amends the Second Agreed Modification to the Compliance AGREEMENT as finalized on September 5, 2018.

This second amendment revises the Reclamation Schedule under Paragraph C and allows the adjustment to the reclamation schedule in the event any permit or permits listed therein are transferred or re-permitted by DMME to a third party.

AGREEMENT

DMME and the Southern Coal by their signatures agree to amend the Second Agreed Modification as follows –

A. Paragraph C of the Second Agreed Modification is amended to revise the “Complete by”
dates for Permit Nos. 1101953, 1102059, 1102058 and 1102052 as noted herein -

<table>
<thead>
<tr>
<th>Permit No.</th>
<th>Job</th>
<th>Begin</th>
<th>Complete by</th>
</tr>
</thead>
<tbody>
<tr>
<td>1101953</td>
<td>Baden Reclamation</td>
<td>August 1, 2018</td>
<td>December 31, 2019</td>
</tr>
<tr>
<td>1102059</td>
<td>Lambert</td>
<td>August 16, 2018</td>
<td>December 31, 2019</td>
</tr>
<tr>
<td>1102058</td>
<td>2</td>
<td>December 1, 2018</td>
<td>October 1, 2019</td>
</tr>
<tr>
<td>1102052</td>
<td>14 – Kelly Branch</td>
<td>April 1, 2019</td>
<td>November 30, 2019</td>
</tr>
<tr>
<td>1101905 and 1101824</td>
<td>23 – Looney Ridge</td>
<td>September 1, 2019</td>
<td>February 28, 2020</td>
</tr>
<tr>
<td>1101914</td>
<td>2</td>
<td>March 1, 2020</td>
<td>August 31, 2020</td>
</tr>
<tr>
<td>1101975</td>
<td>20</td>
<td>September 1, 2020</td>
<td>November 30, 2020</td>
</tr>
<tr>
<td>1602074</td>
<td>Taggart Marker</td>
<td>December 1, 2020</td>
<td>April 30, 2021</td>
</tr>
<tr>
<td>1101800 and 1101918</td>
<td>21</td>
<td>May 1, 2021</td>
<td>October 31, 2021</td>
</tr>
<tr>
<td>1502057</td>
<td>Straight Fork</td>
<td>November 1, 2021</td>
<td>August 31, 2022</td>
</tr>
<tr>
<td>1602068</td>
<td>Western Surface</td>
<td>September 1, 2022</td>
<td>December 31, 2022</td>
</tr>
</tbody>
</table>
1. Reclamation of all areas of Permit No. 1101953 to be completed by December 31, 2019, with trees and shrubs planted by March 31, 2020.

2. Stream channel mitigation to be completed and all applicable areas of Permit No. 1102059 vegetated by December 31, 2019, with trees and shrubs planted by March 31, 2020.


B. In the event that a permit listed in the above Reclamation Schedule is transferred or re-permitted by DMME to another company not affiliated with Southern Coal, the schedule will be adjusted accordingly to move forward the reclamation schedule for the remaining Southern Coal permits.
Signatory Page

By signature below, Southern Coal Corporation voluntarily accepts this second amendment to the Second Agreed Modification to the Compliance AGREEMENT.

By:  
Print  
Name: James C. Justice, III

Title: Executive Vice President
For: Southern Coal Corporation, Inc.

By signature below, the Director for the Division of Mined Land Reclamation acknowledges receipt of the signed second amendment to the Second Agreed Modification from Southern Coal.

By:  
Print: Randy Casey
Title: Director, 
For: Division of Mined Land Reclamation

By signature below, I hereby approve and accept this second amendment to the Second Agreed Modification, effective this date.

By:  
Print: Bradley C. Lambert
Title: Deputy Director
For: Department of Mines, Minerals and Energy