

Design Certification – CCR Location Restrictions

Brickhaven No.2 Mine Tract “A” Structural Fill

This demonstration is based on the following documents and referenced permits. This document provides a demonstration that the design of the Brickhaven No.2 Mine Tract “A” Structural Fill meets the design requirements of 40 CFR part 257 for a new CCR landfill with respect to the location restrictions.

- Brickhaven No.2 Mine Tract “A” Structural Fill Permit Application, approved June 5, 2015
- Permit 1910 StructFill PTC-PTO DIN23655, issued June 5, 2015
- Brickhaven No.2 Mine Tract “A” Mine Permit Application, approved June 5, 2015
- Permit 19-25 Mining Permit, issued June 5, 2015
- Brickhaven No.2 Mine Tract “A” Structural Fill CCR Compliance Supplement, dated July 2015 – includes the Location Restrictions Documentation
- Permit 1910 Technical Specification Updates DIN24794, approved July 27, 2015
- Permit 1910 GW and Basegrade Updates approved DIN24779, approved July 27, 2015
- NCDENR 401 Permit No.4026, issued July 31, 2105
- Permit 19-25 Rail Spur Modification, Brickhaven, approved September 1, 2015
- USACE 404 Permit No.SAW-2014-02254, issued September 3, 2015
- NCDEQ Pump and Haul Permit, Brickhaven, approved September 22, 2015
- Permit 1910 Brickhaven Water Quality Monitoring Plan, updated October 2015
- Permit 1910, Brickhaven Operations Plan, revised October 2015

This demonstration documents the following:

- The new CCR landfill unit is designed with a base that is located no less than 1.52 meters (five feet) above the upper limit of the uppermost aquifer due to normal fluctuations in groundwater elevations (including the seasonal high water table) per § 257.60 Placement above the uppermost aquifer.
- The new CCR landfill unit meets the requirements of paragraphs (a)(1) through (a)(5) of § 257.61 Wetlands even though the new CCR landfill is to be located over wetlands, as defined in 40 CFR § 232.2.
- The new CCR landfill unit is not located within 60 meters (200 feet) of the outermost damage zone of a fault that has had displacement in Holocene time
- The new CCR landfill unit is not located in a seismic impact zone
- The new CCR landfill unit is not located in an unstable area

I have prepared or supervised the preparation of the referenced documentation; it has been prepared in general accordance with industry standards and practices; and the information contained herein is truthful and accurate to the best of my knowledge.

I certify that the demonstration meets the requirements of the location restrictions section of 40 CFR part 257.

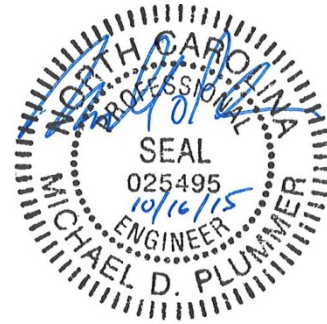
Exceptions:

1. Notification of this certification is not being sent to the relevant State Director at this time.
2. This certification has not been posted to an operator-maintained publicly accessible internet site.



Michael D. Plummer, PE
Project Manager

HDR Engineering, Inc. of the Carolinas
440 South Church St, Suite 1000
Charlotte, NC 28202-2075
704.338.6700
NC License F0116



Construction Certification - CCR Location Restrictions

Brickhaven No.2 Mine Tract "A" Structural Fill – Cell 1, Subcell 1A

This demonstration is based on HDR's observations during construction, as-built documents, Construction Certification Report for Brickhaven No.2 Mine Tract "A" Structural Fill – Cell 1, Subcell 1A, revised October 6, 2015, Brickhaven No.2 Mine Tract "A" Structural Fill CCR Compliance Supplement, dated July 2015, and other relevant certifications. This document provides a demonstration that construction of the Brickhaven No.2 Mine Tract "A" Structural Fill – Cell 1, Subcell 1A meets the requirements of 40 CFR part 257 for a new CCR landfill with respect to the location restrictions.

This demonstration documents the following:

- The new CCR landfill unit (Cell 1, Subcell 1A) is designed and constructed with a base that is located no less than 1.52 meters (five feet) above the upper limit of the uppermost aquifer due to normal fluctuations in groundwater elevations (including the seasonal high water table) per § 257.60 Placement above the uppermost aquifer.
- The new CCR landfill unit (Cell 1, Subcell 1A) meets the requirements of paragraphs (a)(1) through (a)(5) of § 257.61 Wetlands even though the new CCR landfill is to be located over wetlands, as defined in 40 CFR § 232.2.
- The new CCR landfill unit (Cell 1, Subcell 1A) is not located within 60 meters (200 feet) of the outermost damage zone of a fault that has had displacement in Holocene time
- The new CCR landfill unit (Cell 1, Subcell 1A) is not located in a seismic impact zone
- The new CCR landfill unit (Cell 1, Subcell 1A) is not located in an unstable area

I have prepared or supervised the preparation of the referenced documentation, that it has been prepared in general accordance with industry standards and practices, and that the information contained herein is truthful and accurate to the best of my knowledge.

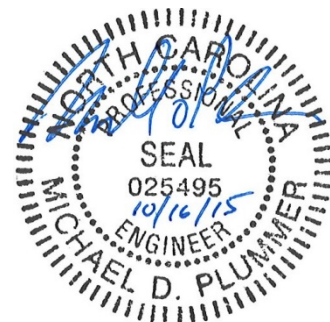
I certify that the demonstration meets the requirements of the location restrictions section of 40 CFR part 257 for Cell 1, Subcell 1A.

Exceptions:

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