

IN WITNESS WHEREOF, the parties hereto acknowledge that they have received this report and it is deemed complete for the purpose for which it was prepared, as of the date specified.

The Ohio Valley Coal Company

By: Robert E. Murray 09/10/2009  
Signature Date

Its: Director  
Title

The Ohio Department of Natural Resources

By: Richard N. McIlwain 9/11/09  
Signature Date

Its: Assistant Director (For)  
Title

The Ohio Environmental Protection Agency

By: Chi Rhee 09/11/2009  
Signature Date

Its: Director  
Title