EXHIBITS Q-1 – Q-9

O'Donnell No. 3 Mine Exhibits

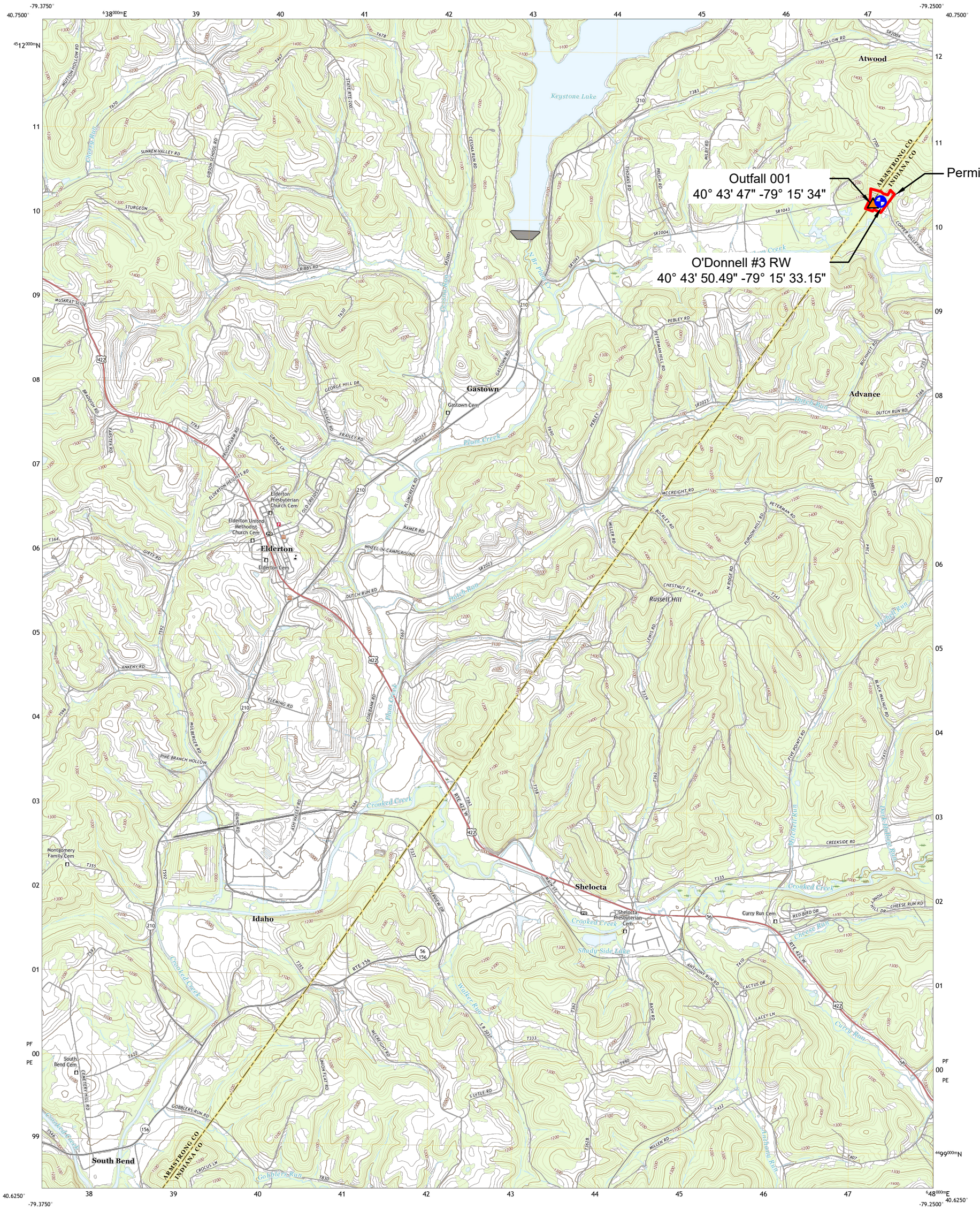
EXHIBIT Q-1

Topographic Map

U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY

The National Map US Topo

ELDERTON QUADRANGLE
PENNSYLVANIA
7.5-MINUTE SERIES



Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84). Projection and
1 000-meter grid:Universal Transverse Mercator, Zone 17T

This map is not a legal document. Boundaries may be generalized for this map scale. Private lands within government reservations may not be shown. Obtain permission before entering private lands.

Imagery.....NAIP, May 2017 - December 2017
Roads.....U.S. Census Bureau, 2016
Names.....GNIS, 1979 - 2019
Hydrography.....National Hydrography Dataset, 1899 - 2019
Contours.....National Elevation Dataset, 2010
Boundaries.....Multiple sources; see metadata file 2017 - 2018

Wetlands.....FWS National Wetlands Inventory 1977

MN
GN
9°49'
175 MILS
1°6'
20 MILS
UTM GRID AND 2019 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

U.S. National Grid
100,000 - m Square ID
PF
PE
Grid Zone Designation
17T

CONTOUR INTERVAL 20 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988

This map was produced to conform with the
National Geospatial Program US Topo Product Standard, 2011.
A metadata file associated with this product is draft version 0.6.18

PENNSYLVANIA
QUADRANGLE LOCATION

1 Mosgrove
2 Rural Valley
3 Plumville
4 Whitesburg
5 Ernest
6 Avonmore
7 McIntyre
8 Indiana
ADJOINING QUADRANGLES

ROAD CLASSIFICATION
Expressway
Secondary Hwy
Ramp
Local Connector
Local Road
4WD
Interstate Route
US Route
State Route

ELDERTON, PA
2019

NSN 7643016391377
NGA REF NO. USGSX24K13862

CONSOL ENERGY
FUEL THE WORLD FOR A BETTER TOMORROW

CONSOL Mining Company LLC

O'Donnell #3 Location Map

Permit No. 32841321

Permit Boundary
NPDES Outfall
Raw Water Sampling Point

SCALE: NO SCALE

DATE: October 17, 2022

EXHIBIT Q-2

Raw Water Quality Data

Exhibit C - O'Donnell #3 Raw Water Data

Permit No. 32841321

Raw Water collected as part of a CONSOL internal voluntary program

Date*	Acidity (as CaCO3) - mg/L	Alkalinity, Total (as CaCO3) - mg/L	Aluminum, Total - mg/L	Flow Rate - GPM	Iron, Total - mg/L	Manganese, Total - mg/L	pH - SU	Sulfate - mg/L	Temperature - °C
4-Aug-2017	57.70	142.00	-	N/A	3.76	0.59	N/A	-	4.50
17-Jan-2019	34.00	272.00	-	5.00	2.59	0.62	6.90	127.00	11.00
18-Feb-2019	53.30	279.00	-	4.00	2.46	0.81	6.60	141.00	5.10
13-Mar-2019	38.90	273.00	-	1.00	3.30	0.74	5.80	140.00	12.40
31-May-2019	34.30	275.00	-	1.00	1.94	0.80	7.00	150.00	13.80
17-Jun-2019	22.00	102.00	-	2.00	1.38	0.68	7.20	136.00	27.30
26-Sep-2019	-	179.00	-	10.00	1.54	0.89	7.80	138.00	19.90
18-Oct-2019	-	143.00	-	15.00	0.83	0.67	7.50	117.00	13.10
20-Dec-2019	-	136.00	-	10.00	0.28	0.31	7.90	117.00	9.20
27-Dec-2019	-	117.00	-	10.00	0.29	0.42	7.20	103.00	8.20
24-Jan-2020	-	160.00	-	8.00	0.21	0.30	7.50	140.00	9.40
24-Feb-2020	-	94.20	-	8.00	0.12	0.37	7.70	101.00	10.40
12-Mar-2020	-	152.00	0.19	10.00	0.27	0.33	7.80	121.00	10.10
6-Apr-2020	-	155.00	-	10.00	0.13	0.36	7.50	130.00	N/A
Average	**17.16**	**177.09**	**0.01**	**7.23**	**1.36**	**0.56**	**7.26**	**118.64**	**11.88**

All 0's for Acidity were less than 20 mg/L

All 0's for Aluminum were less than 0.16 mg/L

All 0's for Sulfate were less than 50 mg/L

*Note: Dates are provided as a reference. Different analytes may have been analyzed within one or two dates of the date shown

EXHIBIT Q-3

NPDES Permit

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF DISTRICT MINING OPERATIONS

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
INDIVIDUAL PERMIT

NPDES PERMIT NO.:	PA0006874	PERMITTEE NAME:	CONSOL Mining Company LLC
MINING PERMIT NO.:	32841321	OPERATION NAME:	O'Donnell No. 3 Mine
MUNICIPALITY:	Washington, Plumcreek	COUNTY:	Indiana, Armstrong

In compliance with the provisions of the Clean Water Act, 33 U.S.C. Section 1251 et seq. (the "Act") and Pennsylvania's Clean Streams Law, as amended, 35 P.S. Section 691.1 et seq., the Department of Environmental Protection (Department) hereby approves the discharge to the following surface water(s):

001- Unnamed Tributary to South Branch Plum Creek

subject to all effluent limitations, monitoring and reporting requirements and other terms, conditions, criteria, and special requirements for the discharge as defined in this permit, to surface waters of the Commonwealth. This permit is issued pursuant to the authority in 25 Pa. Code Chapter 92a and is subject to the requirements of 25 Pa. Code Chapter 92a.

The authority granted by this permit is subject to the following further qualifications:

1. If there is a conflict between the application, its supporting documents and/or amendments and the terms and conditions of this permit, the terms and conditions shall apply.

2. Failure to comply with the terms, conditions, or effluent limitations of this permit is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. 40 CFR 122.41(a)

3. A complete application for renewal or reissuance of this permit, or notice of intent to cease discharging by the expiration date, must be submitted to DEP at least 180 days prior to the above expiration date (unless permission has been granted by DEP for submission at a later date), using the appropriate NPDES permit application form. 40 CFR 122.41(b) 122.41(d). In the event that a timely and complete application for renewal or reissuance has been submitted and DEP is unable, through no fault of the permittee, to reissue the permit before the above expiration date, the terms and conditions of this permit, including submission of the Discharge Monitoring Reports (DMRs), will be automatically continued and will remain fully effective and enforceable against the discharger until DEP takes final action on the pending permit application. 25 Pa. Code 92a.7.

4. The permit may be terminated prior to the expiration date upon notice to and approval by the Department.

5. No condition of this permit shall release the operator from any responsibility or requirement under Pennsylvania, or Federal environmental statutes, and regulations or local ordinances.

6. This permit is subject to the requirements of the mining permit referenced above.

PERMIT ISSSUANCE DATE:	APR 16 2019	**PERMIT EFFECTIVE DATE:**	MAY 01 2019
PERMIT AMENDMENT ISSUANCE DATE:		**PERMIT AMENDMENT EFFECTIVE DATE:**	
PERMIT EXPIRATION DATE:	8/10/2021	**ORIGINAL PERMIT ISSUANCE DATE:**	8/11/1986

AUTHORIZED BY:

Troy A. Williams, P.E., Acting District Mining Manager
California District Mining Office

PART A
EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

CMAP # 32841321 NPDES # PA0006874

1. MINE DRAINAGE TREATMENT FACILITIES

a. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS FOR OUTFALL 001
DISCHARGE TO: Unnamed Tributary to South Branch of Plum Creek
FROM: Sediment Pond No. 5 (TP-2)
LAT: 40 ° 43 ' 47 " LONG: -79° 15 ' 34 "

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall from **PERMIT EFFECTIVE DATE** to **PERMIT EXPIRATION DATE**:

Discharge Parameter		DISCHARGE LIMITATIONS [b.c.]				MONITORING REQUIREMENTS	
		Minimum	Average Monthly	Maximum Daily	Instant Maximum	Measurement Frequency	Sample Type
Flow	(mgd)	-	0.043	-	-	2/month	measured
Iron	(mg/l)	-	1.51	3.02	3.8	2/month	grab
Suspended Solids	(mg/l)	-	35	70	90	2/month	grab
Manganese	(mg/l)	-	1.03	2.06	2.58	2/month	grab
Aluminum	(mg/l)	-	0.75	0.75	0.75	2/month	grab
Sulfate	(mg/l)	-	-	-	Report	2/month	grab
Total Dissolved Solids	(mg/l)	-	-	-	Report	2/month	grab
pH	(mg/l)	6.0	-	-	9.0	2/month	grab
Alkalinity, Total as CaCO3	(mg/l)	-	-	-	Report	2/month	grab
Acidity, Total as CaCO3	(mg/l)	-	-	-	Report	2/month	grab
Alkalinity, Net	(mg/l)	0.0	-	-	-	2/month	calculated
Osmotic Pressure	(mOs/kg)	-	-	-	Report	2/month	grab

☐ This permit establishes effluent limitations in the form of implemented BMPs identified in the associated E&S Plan, Reclamation Plan and NPDES application for this permit. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters of the Commonwealth. The following BMPs apply:

☐ Oversized sediment basin (8600 ft3/ac or greater) ☐ Sediment basin ratio of 4:1 or greater (flow length:basin width)
☐ Sediment basin with 4-7 day detention ☐ Alternate/additional sediment controls during basin construction
☐ Flocculants ☐ Manual dewatering device ☐ Vegetated Riparian buffers ☐ Street sweeping
☐ Channels, collectors and diversions lined with permanent vegetation, rock, geotextile or other non-erosive materials
☐Water reuse ☐ Sediment traps with infiltration trench ☐ Diversions ☐ Constructed wetlands ☐ Vegetated swales
☐ Manufactured devices ☐ Bio-retention ☐ Mulch immediately after top-soiling ☐ Land Preservation or non-use.

b. Parameters subject to 24-hour, non-compliance reporting for limitations under B.2.(I)(6) of this permit are specified above.

c. Samples taken in compliance with the monitoring requirements specified above shall be taken at the end of the discharge pipe when discharging.

Additional Requirements for Part A

(applicable to all outfalls, under all precipitation conditions)

1. pH must be between 6.0 and 9.0 at all times.

2. Alkalinity must be greater than acidity at all times.

3. Samples collected to comply with the monitoring requirements shall be taken while the facility is discharging at the outfall points listed above. The monitoring requirement frequencies apply to both continuous and non-continuous discharges; therefore, sampling is required in every month during which a discharge occurs. A monitoring report of "no discharge" should only be used to indicate that there was no discharge during the entire reporting period.

4. The discharger may not discharge floating materials, scum, sheen, or substances that result in deposits in the receiving water. Except as provided in the permit, the discharger may not discharge foam, oil, grease, or substances that produce an observable change in the color, taste, odor, or turbidity of the receiving water. [25 Pa. Code § 92a.41(c)]

5. The permittee shall not discharge oil and grease in such quantities "as may be harmful" pursuant to Section 311(b)(4) of the CWA and further defined in 40CFR 110.3(a)(b) to not violate applicable water quality standards; or cause a film or sheen upon or discoloration of the surface of the water or adjoining shoreline or cause a sludge or emulsion to be deposited beneath the surface of the water or adjoining shorelines.

6. The permittee may not discharge substances in concentration or amounts sufficient to be inimical or harmful to the water uses to be protected or to human, animal, plan or aquatic life. [25 Pa. Code § 93.6(a)]

7. The measurement frequency specified is the minimum number of sampling events required. Permittees are encouraged, and it may be advantageous in demonstrating compliance, to perform more than the minimum number of sampling events.

8. The permittee shall provide analysis of samples collected from any new outfall no later than two years after the initial discharge of each facility in compliance with 40 CFR 122.21(k)(5)(vi). Specifically, sampling results are required for the pollutants listed in 40 CFR 122, Appendix D, Table III (Report All), and for Appendix D, Tables II and IV those that are expected to be present. This quantitative data requirement is subject to the small business exemption at 40 CFR 122.21(g)(8) for Tables II and IV.

9. The permittee shall provide an updated analysis of samples collected from all outfalls for the parameters listed in 40 CFR 122, Appendix D, Tables III and IV in compliance with 40 CFR 122.21 (G)(7) with the application for renewal. An analysis of all samples should be submitted of all parameters in Appendix D, Tables II and IV that are expected to be present. This quantitative data requirement is subject to the small business exemption at 40 CFR 122.21(g)(8) for Tables II and IV.

Mandated Standard Conditions for NPDES Permits

1. Definitions

The following definitions apply within this permit. Reference citations are given from sections of 40 CFR as noted which have been adopted by reference in 25 Pa. Code Chapter 92a.

(a) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. [122.41(m)(1)(i)]

(b) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. [122.41(m)(1)(ii)]

(c) "Average monthly" discharge limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. [122.2]

(d). "Maximum daily" discharge limitation means the highest allowable "daily discharge." [122.2]

(e) "Daily discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "Daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day. [122.2]

(f) "Average" refers to the use of an arithmetic mean, unless otherwise specified in this permit. [122.41(l)(4)(iii)]

(g) "Instantaneous Maximum" means the highest allowable discharge of a concentration or mass at any one time as measured by a grab sample. [92a.2]

(h) "Composite Sample" means a combination of individual samples obtained at regular intervals over a time period. Either the volume of each individual sample is proportional to discharge flow rates, or the sampling interval (for constant volume samples) is proportional to the flows rates, over the time period used to produce the composite.

The maximum time period between individual samples shall not exceed two hours, except that for wastes of a uniform nature the samples may be collected on a frequency of at least twice per working shift and shall be equally spaced over a 24-hour period (or over the operating day if flows are of a shorter duration).

(i) "Grab Sample" means an individual sample collected at a randomly-selected time over a period not to exceed 15 minutes.

(j) "Measured Flow" means any method of liquid volume measurement, the accuracy of which has been previously demonstrated in engineering practice, or for which a relationship to absolute volume has been obtained.

(k) "At Outfall XXX" means a sampling location in outfall line XXX below the last point at which wastes are added to outfall line XXX, or where otherwise specified.

(l) "Estimate" means to be based on a technical evaluation of the sources contributing to the discharge including, but not limited to pump capabilities, water meters and batch discharge volumes.

(m) "Toxic Pollutant" means any pollutant listed as toxic under Section 307(a)(1) of the Clean Water Act. [122.2]

(n) "Hazardous Substance" means any substance designated under 40 CFR Part 116 pursuant to Section 311 of the Clean Water Act. [122.2]

(o) "Best Management Practices" ("BMPs") are activities, facilities, measures, or procedures used to protect and maintain the quality of waters, and existing and designated uses within this Commonwealth. BMPs include E&S Plans,

Reclamation Plans, Storm Water Management Act Plans, and other treatment requirements, operating procedures, and practices to control project site runoff, spillage or leaks, and other drainage from the mining activity.

(p) "Erosion and Sediment Control Plan" ("E&S Plan") is a site-specific plan included with the mining permit or authorization application identifying BMPs to minimize accelerated erosion and sedimentation and which meets the requirements of 25 Pa. Code Chapter 102.

(q) "Point Source" means a discernible, confined and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, CAAP, CAFO, landfill leachate collection system, or vessel or other floating craft from which pollutants are or may be discharged. [25 Pa. Code 92a.2]

(r) "Operator" means a person or entity conducting mining activity that is covered by this permit. The operator name must match the "Permittee" in relation to their mining permit or exploration activity approval and also that of "Operator" in the associated mine operator's license.

(s) "Reclamation Plan" means approved documentation made part of a permit or exploration notice that describes how the permittee will restore the land surface as required by the appropriate regulations to meet an approved post-mining land use. This plan includes activities such backfilling, regrading, soil stabilization, and revegetation. Once the permittee completes the reclamation plan, reclamation bond(s) may be released for a permitted mine site.

(t) "Stormwater" means surface runoff and drainage resulting from precipitation events, including ice and snowmelt runoff. [122.26(b)(13)]

(u) "Dry weather flow" means the base flow or surface discharge from an area or treatment facility which occurs immediately prior to a precipitation event and which resumes 24 hours after the precipitation event ends. [25 Pa. Code §§ 87.1, 88.1, 89.1, and 90.1]

(v) "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. [122.41(n)(1)]

2. <u>Standard Federal Conditions</u>

40 CFR Sections 122.41 and 122.42 require that the following conditions are applied to all permits.

(a) *Duty to comply*. [92a.41(a)(1) and 122.41(a)] The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

(1) The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.

(2) The Clean Water Act provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed $25,000 per day for each violation. Section 309(d) of the CWA, 33 U.S.C. § 1319(d), provides that any person who violates Section 301 of the CWA, 33 U.S.C. § 1311, or violates any permit condition or limitation in a permit issued pursuant to Section 402 of the CWA, 33 U.S.C. § 1342, shall be subject to a civil penalty payable to the United States of up to $25,000 per day for each violation, which, pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by the Debt Collection Improvement Act of 1996, and the subsequent Civil Monetary Penalty Inflation Adjustment Rule, 40 C.F.R. Part 19, was increased to $32,500 per day for each violation occurring on or after March 15, 2004, and $37,500 per day for each violation occurring on or after January 12, 2009. The Clean Water Act provides that any person who *negligently* violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in

a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of $2,500 to $25,000 per day of violation, or imprisonment of not more than 1 year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than $50,000 per day of violation, or by imprisonment of not more than 2 years, or both. Any person who *knowingly* violates such sections, or such conditions or limitations is subject to criminal penalties of $5,000 to $50,000 per day of violation, or imprisonment for not more than 3 years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than $100,000 per day of violation, or imprisonment of not more than 6 years, or both. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than $250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than $500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in

section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than $1,000,000 and can be fined up to $2,000,000 for second or subsequent convictions.

(3) Any person may be assessed an administrative penalty by the Administrator for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed $10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed $25,000. Penalties for Class II violations are not to exceed $10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $125,000.

(b) *Duty to reapply.* [92a.41(a)(2) and 122.41(b)] If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit.

(c) *Need to halt or reduce activity not a defense.* [92a.41(a)(3) and 122.41(c)] It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(d) *Duty to mitigate.* [92a.41(a)(4) and 122.41(d)] The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

(e) *Proper operation and maintenance.* [92a.41(a)(5) and 122.41(e)] The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

(f) *Permit actions.* [92a.41(a)(6) and 122.41(f)] This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

(g) *Property rights.* [92a.41(a)(7) and 122.41(g)] This permit does not convey any property rights of any sort, or any exclusive privilege.

(h) *Duty to provide information.* [92a.41(a)(8) and 122.41(h)] The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.

(i) *Inspection and entry.* [92a.41(a)(9) and 122.41(i)] The permittee shall allow the Department, or an authorized representative (including an authorized contractor acting as a representative of the Department or EPA), upon presentation of credentials and other documents as may be required by law, to:

(1) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

(2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

(3) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

(4) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

(j) *Monitoring and records.* [92a.41(a)(10) and 122.41(j)]

(1) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

(2) Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR part 503), the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period may be extended by request of the Department at any time.

(3) Records of monitoring information shall include:

(i) The date, exact place, and time of sampling or measurements;
(ii) The individual(s) who performed the sampling or measurements;
(iii) The date(s) analyses were performed;
(iv) The individual(s) who performed the analyses;
(v) The analytical techniques or methods used, including detection limits; and
(vi) The results of such analyses.

(4) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136 unless another method is required under 40 CFR subchapters N or O.

(5) The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than 4 years, or both.

(k) *Signatory requirement.* [92a.41(a)(11) and 122.41(k)]

(1) All applications, reports, or information submitted to the Department shall be signed and certified. (See § 122.22)

(2) The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

(l) *Reporting requirements* [92a.41(a)(12) and 122.41(l)]

(1) *Planned changes.* The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

(i) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in § 122.29(b); or

(ii) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under § 122.42(a)(1).

(iii) The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

(2) *Anticipated noncompliance.* The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

(3) *Transfers.* This permit is not transferable to any person except after notice to the Department. The Department may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Clean Water Act. (See § 122.61; in some cases, modification or revocation and reissuance is mandatory.)

(4) *Monitoring reports.* Monitoring results shall be reported at the intervals specified elsewhere in this permit.

(i) Monitoring results must be reported on a DMR or forms provided or specified by the Department for reporting results of monitoring of sludge use or disposal practices.

(ii) If the permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136, or another method required for an industry-specific waste stream under 40 CFR subchapters N or O, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Department.

(iii) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Department in the permit.

(iv) Monitoring results obtained each month shall be summarized for that month and reported on a DMR.

(v) The DMR shall be submitted quarterly within 28 days after the end of the quarter to the appropriate District Mining Office.

(5) *Compliance schedules.* Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

(6) *Twenty-four hour reporting.*

(i) The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

(ii) The following shall be included as information which must be reported within 24 hours under this paragraph.

(A) Any unanticipated bypass which exceeds any effluent limitation in the permit. (See § 122.44(g)).

(B) Any upset which exceeds any effluent limitation in the permit.

(C) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Department in the permit to be reported within 24 hours. (See § 122.44(g).)

(iii) The Department may waive the written report on a case-by-case basis for reports under paragraph (l)(6)(ii) of this section if the oral report has been received within 24 hours.

(7) *Other noncompliance.* The permittee shall report all instances of noncompliance not reported under paragraphs (l) (4), (5), and (6) of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (l)(6) of this section.

(8) *Other information.* Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or information.

(m) *Bypass* [92a.41(m) and 122.41(a)(13)]

(1) *Bypass not exceeding limitations.* The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs (m)(2) and (m)(3) of this section.

(2) *Notice —*

(i) *Anticipated bypass.* If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

(ii) *Unanticipated bypass.* The permittee shall submit notice of an unanticipated bypass as required in paragraph (l)(6) of this section (24-hour notice).

(3) *Prohibition of bypass.*

(i) Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless:

(A) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(B) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(C) The permittee submitted notices as required under paragraph (m)(2) of this section.

(ii) The Department may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the three conditions listed above in paragraph (m)(3)(i) of this section.

(n) *Existing manufacturing, commercial, mining, and silvicultural dischargers.* [92a.42 and 122.42(a)]

In addition to the reporting requirements above, all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Department as soon as they know or have reason to believe:

(1) That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

(i) One hundred micrograms per liter (100 µg/l);

(ii) Two hundred micrograms per liter (200 µg/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
(iii) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with § 122.21(g)(7); or
(iv) The level established by the Department in accordance with § 122.44(f).

(2) That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

(i) Five hundred micrograms per liter (500 µg/l);
(ii) One milligram per liter (1 mg/l) for antimony;
(iii) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with § 122.21(g)(7).
(iv) The level established by the Department in accordance with § 122.44(f).

3. Standard State Conditions

(a) All discharges authorized by the NPDES permit shall be consistent with the terms and conditions of the permit; that facility expansions, production increases or process modifications which result in new or increased discharges of pollutants shall be reported by submission of a new application or, if the discharge does not violate effluent limitations specified in the NPDES permit, by submission to the Department of notice of the new or increased discharges of pollutants, that the discharge of any pollutant more frequently than or at a level in excess of that identified and authorized by the permit shall constitute a violation of the terms and conditions of the permit.

(b) The permittee must comply with applicable water quality standards, including the narrative standards found at 25 Pa. Code § 93.6.

(c) The permittee shall comply with the immediate oral notification requirements of 25 Pa. Code § 91.33 (relating to incidents causing or threatening pollution). Oral notification is required as soon as possible, but no later than 4 hours after the permittee becomes aware of the incident causing or threatening pollution. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the incident causing or threatening pollution. The written submission must conform to the requirements of 40 CFR 122.41(l)(6). [92a.41(b)]

4. Preparedness, Prevention and Contingency (PPC) Plans

(a) Persons subject to this permit shall maintain a Preparedness, Prevention and Contingency (PPC) plan.

(b) The permittee shall periodically review, update and amend the PPC Plan at least once a year and whenever the information submitted in the plan is no longer accurate.

(c) The permit does not authorize the discharge of any polluting substances resulting from an on-site spill. Such spills shall be controlled through proper implementation of a PPC Plan.

(d) This permit does not authorize any discharge (stormwater or non-stormwater), which contains any pollutant that may cause or contribute to an impact on aquatic life or pose a substantial hazard to human health or the environment due to its quantity or concentration.

(e) Operator personnel shall conduct site compliance evaluations using the Annual Inspection Form at least once a year. All areas shall be visually inspected for evidence of, or the potential for pollutants entering the drainage system. Measures to reduce pollutant loading shall be evaluated to determine whether they are adequate and property implemented in accordance with the terms of this permit or whether additional control measures are needed. Stormwater management measures, E&S plan measures and other structural pollution prevention measures shall be observed to ensure that they are operating correctly. The PPC Plan shall be revised as needed within 15 days of such inspection with implementation of any changes occurring not more than 90 days after the inspection.

NPDES INDIVIDUAL PERMIT CONDITIONS

1. Operation and Maintenance of Erosion and Sedimentation Plan

   a. The permittee shall implement the erosion and sedimentation plan contained in Module 11 and approved under Coal Mining Activity Permit Number 32841321.

   b. The permittee shall be responsible for the inspection, maintenance, and repair of the erosion and sedimentation control BMPs to ensure that the proposed system continues to function as designed until final bond release occurs for the mine site.

   c. All BMPs shall be inspected by the responsible entity on a regularly scheduled basis and, at minimum, once a quarter and after all major storm events (greater than 0.5 inch in 24 hours). A qualified representative of the operator must perform inspections of the facilities. The inspections shall determine the operational condition, safety, and the effectiveness of the BMP. Based on the inspection results, an inspection report shall generate a listing of maintenance needs or repairs required. The permittee shall keep a listing of the repairs needed and a schedule for corrective action. Corrective actions shall be performed within the schedule. Written records shall be kept of all inspections and maintenance work performed related to the discharge management facilities.

2. The permittee is responsible to renew this NPDES permit until such time that the area is stabilized and no further earth disturbance will occur.

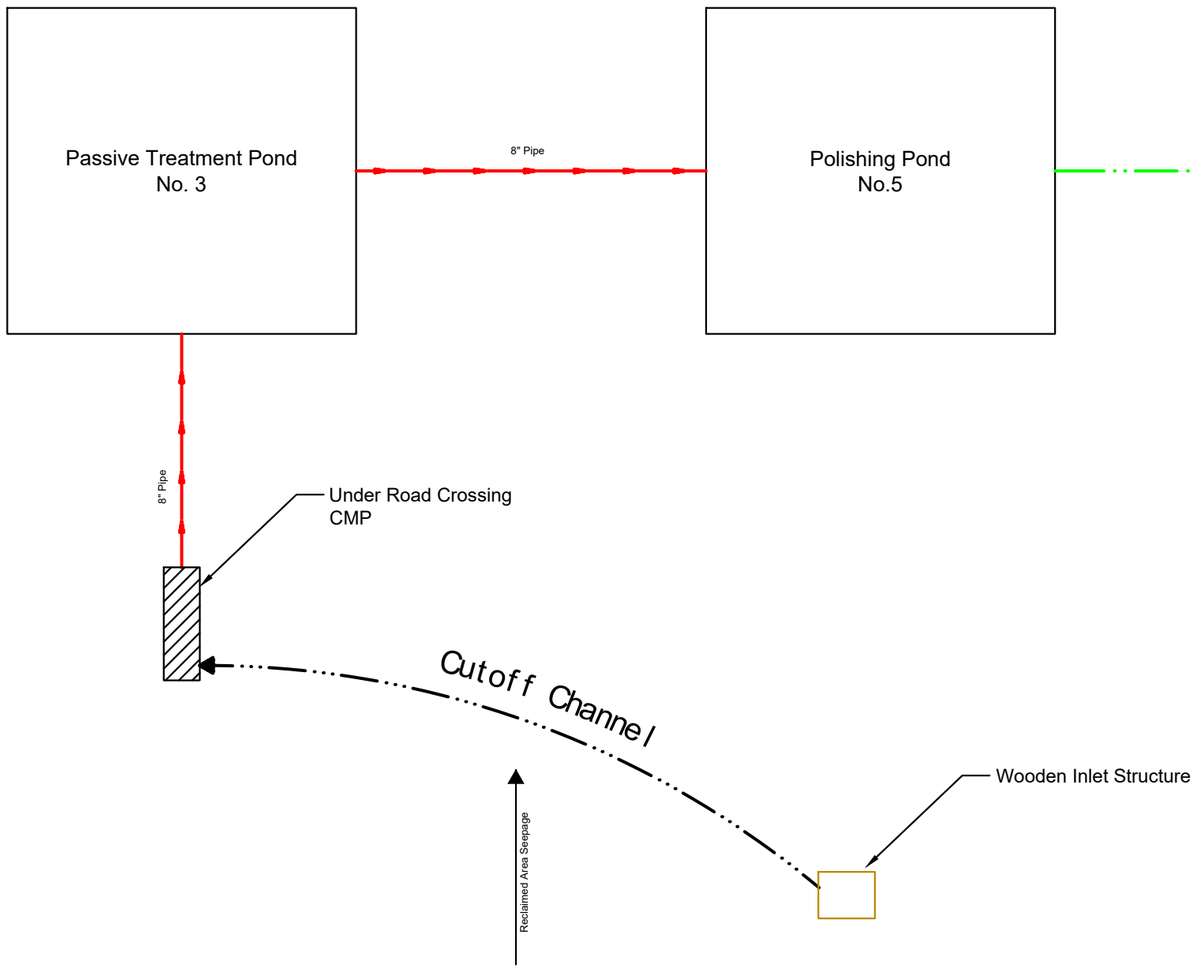
3. The Department reserves the right to reopen and modify this permit if, at any time, information becomes available that demonstrates that the established controls do not attain or maintain water quality criterion.

EXHIBIT Q-4

Treatment Flow Diagram

Legend

- PVC Line
- Rock Lined Ditch
- Grass Lined Ditch



CONSOL ENERGY
FUEL THE WORLD FOR A BETTER TOMORROW

CONSOL Mining Company LLC

1000 Consol Energy Drive
Suite 100
Canonsburg, PA 15317

O'Donnell #3 Flow Diagram
Permit No: 32841321

Scale: NO SCALE

Date: December 16, 2021

Drawing No: EXHIBIT A - Plant Flow Diagrams

EXHIBIT Q-5

Rights of Entry

Table of Contents for the Consent to Right of Entry
O'Donnell No. 3 Treatment Facility

Parcel Number (Part or Whole)	Current Owner (As of Effective Date)	Description	Consent to Right of Entry Obtained?
39-007-107	R&PCC LLC	3rd Party	✓
38-172.00-01-24	ALTMIRE GERALD D	3rd Party	

5600-FM-BMP0470 12/2013

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

ORIGINAL

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF MINING PROGRAM

CMAP/CRDP Permit: 32841321
Permit No.

CONSENT TO RIGHT OF ENTRY FOR OPERATION AND MAINTENANCE OF A MINE DRAINAGE TREATMENT FACILITY COVERED BY A BOND OR A POST-MINING DISCHARGE TREATMENT TRUST AGREEMENT

Property Owner(s): List everyone with an ownership interest in the property which is the subject of this Agreement.

Name: R&PCC LLC Name: _____

Address: 275 Technology Drive Suite 101 Canonsburg, PA 15317
Address: _____

WHEREAS, the Property Owner(s) own surface property containing 125 acres located in Washington Township, Indiana County, Pennsylvania, and described in Deed Book Volume 850, Page 834, in the Indiana County Recorder's Office (the Property);

WHEREAS, the Commonwealth of Pennsylvania, Department of Environmental Protection (DEP) is authorized to administer and enforce the Surface Mining Conservation and Reclamation Act, 52 P.S. §§ 1396.1-1396.19a, the Clean Streams Law, 35 P.S. §§ 691.1-691.1001, and their implementing regulations, including requiring the construction, operation and maintenance of facilities designed to remediate the effects of mine drainage;

WHEREAS, CONSOL Mining Company LLC ("*Operator*") conducted surface mining activities on *or adjacent to* the Property pursuant to Surface Mining Permit No. 32841321;

WHEREAS, DEP has determined that mine drainage caused by *Operator's* mining activities is discharging from or passing through the Property, and the mine drainage on the Property is causing pollution, or a danger of pollution, to waters of the Commonwealth;

WHEREAS, *Operator* is required, under the mining law and its surface mining permit, to construct, operate and maintain mine drainage treatment facilities on a portion of the Property (the Treatment Facility Property), for purposes of treating the pollutional discharge(s);

WHEREAS, a map showing the boundaries of the Treatment Facility Property is attached as Exhibit A;

WHEREAS, *Operator* has posted a bond with the Department, or has established a trust with a financial institution as an alternative financial assurance mechanism, in order to provide sufficient funds to guarantee *Operator's* legal obligation to operate and maintain the mine drainage treatment facilities on the Property and the *Operator's* obligation for long-term treatment, or abatement, of the post-mining pollutional discharge(s) on the Property;

WHEREAS, to assure compliance with its legal obligations, *Operator* and DEP [*and the Trustee*] must have access to the Treatment Facility Property to conduct and/or oversee the mine drainage treatment activities required by law and the mining permit;

WHEREAS, *Operator and DEP* have requested and the Property Owner(s) is willing to grant *Operator* and DEP [*and Trustee*] a right of entry into, under, over and upon the Treatment Facility Property to construct, operate and maintain mine drainage treatment facilities;

WHEREAS, the Property Owner(s) acknowledge that treatment of the mine drainage on the Property will provide benefits to the Property Owner and to the Commonwealth through abatement of a nuisance, restoration of land affected by mining operations, and prevention of pollution to waters of the Commonwealth;

NOW THEREFORE, in consideration of the benefits which the Property Owner(s) and the general public will receive, and with the intention of being legally bound, it is agreed as follows:

1. Right of Entry. The Property Owner(s) hereby grants and conveys to *Operator* and DEP [*and Trustee*], its employees, agents, servants, contractors and subcontractors, a right of entry into, under, over and upon the Treatment Facility Property. This right of entry includes all necessary rights of ingress, egress and regress with all personnel, materials, and equipment needed to perform the discharge treatment activities.

2. Duration of Right of Entry. The term of this Right of Entry shall extend for the length of time necessary to complete the discharge treatment activities in accordance with applicable law. It is specifically understood and agreed that the term of this Right of Entry extends for the length of time necessary to operate and maintain all mine drainage treatment facilities on the Treatment Facility Property, and shall only terminate when such treatment facilities are no longer necessary to remediate or prevent pollution to waters of the Commonwealth.

3. Insurance. DEP will require *Operator* to obtain and keep in force insurance coverage in accordance with the requirements of 25 Pa. Code § 86.168.

4. Property Use. During the term of this Right of Entry, the Property Owner(s) will not, without the written consent of DEP, make any use of the Property which will interfere with the construction, operation or maintenance of the mine drainage treatment facilities installed on the Treatment Facility Property.

5. Notification. This Consent to Right of Entry shall be recorded by *Operator* in the Indiana County Recorder's Office within thirty days of its execution. In the event that the Property Owner(s) intends to sell, lease, or otherwise transfer any interest in the Property prior to the termination of this Right of Entry, the Property Owners shall advise the prospective owner or lessee of the terms and conditions of this Right of Entry. The Property Owner(s) shall advise DEP, by notifying the Department representative whose signature appears below or his successor, of the intent to sell the Property prior to any sale.

6. Representation of Interests. The Property Owners represent that they are the only persons authorized to grant access to the Treatment Facility Property.

7. Binding on Successors. All the covenants, representations, consents, waivers and agreements contained herein shall be binding upon and inure to the benefit of the parties and their heirs, successors and assigns.

For [*Operator*]

Name: Anthony M. Drezewski
Title: Vice President

Witness

For the Department of Environmental Protection:

Name: Sam Faith
Title: District Mining Mgr

Witness

IN WITNESS WHEREOF, each of the parties set its respective hand and seal, for itself, its heirs, executors, administrators, successors and assigns, intending to be legally bound, this 6 day of May, 2024.

The Property Owner(s)
(*Each owner sign and print their name under the signature.*)

Name: Anthony M. Drezewski, Vice President

ACKNOWLEDGEMENT

STATE OF PENNSYLVANIA :
: ss
COUNTY OF WASHINGTON :

On this, the 6 day of May, 2024, before me, the undersigned Notary, personally appeared

Anthony M. Drezewski, Vice President of R&PCC LLC,
(Name (s))

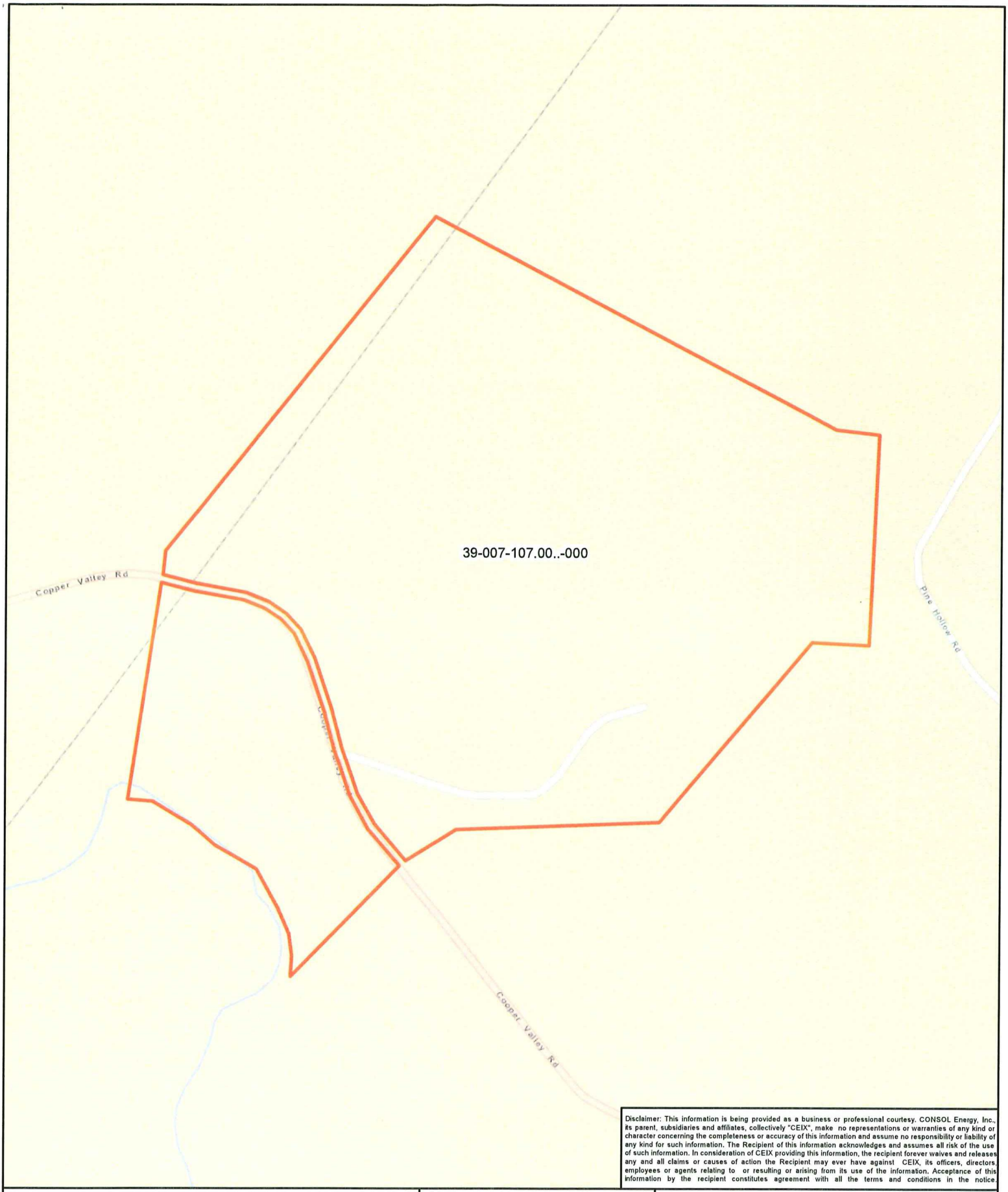
known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to this instrument, and who acknowledged that (he, she or they) have executed the same and desire it to be recorded.

IN WITNESS WHEREOF, I have hereunder set my hand and official seal.

(SEAL) Scott Whipkey
Notary Public

My Commission Expires: 9/23/2026

Commonwealth of Pennsylvania - Notary Seal
Scott Whipkey, Notary Public
Greene County
My commission expires September 23, 2026
Commission number 1285876
Member, Pennsylvania Association of Notaries



Parcel

N

CONSOL ENERGY

1 inch = 500 feet

Exhibit A
Permit 32841321

Date: 5/6/2024	Prepared By: GIS
Revisions: 0	Approved By:

\\ceixgis\gis\business_unit_support\coal_operations\co79\projects\GlobalWaterTrust\globalWaterExhibits20240424\GlobalTrust_exhibitA_32841321_odonnell3.mxd

Indiana County
825 Philadelphia Street
Indiana, PA 15701
Phone: (724) 465-3860

0856945-0036$

RECORDING COVER PAGE Page 6 of 6

Instrument Type: Consent
Instrument Date: 05/20/2024 12:32:59 PM
Instrument Number: 2024-345032

Transaction #: 901869
Instrument Page Count: 5

RETURN TO: (Mail)
NICK TYSIAK
LEGAL AND FILING ACCOUNT
TWO GATEWAY CENTER 8TH FLOOR
PITTSBURGH, PA 15222

SUBMITTED BY:
NICK TYSIAK
LEGAL AND FILING ACCOUNT
TWO GATEWAY CENTER 8TH FLOOR
PITTSBURGH, PA 15222

INSTRUMENT REFERENCE NAME: R&PCC LLC/ DEP

FEES / TAXES:

Recording Fee:Consent	$30.50
Additional Pages Fee	$2.00
Mail Fee	$1.00
Total:	$33.50

Instrument #: 2024-345032
Recorded Date: 05/20/2024 12:32:59 PM

I hereby CERTIFY that this document is recorded in the Recorder's Office of Indiana County, Pennsylvania

RECORDER OF DEEDS INDIANA COUNTY, PA

Maria Jack
Recorder of Deeds

** DO NOT REMOVE – THIS PAGE IS PART OF THE RECORDED DOCUMENT **

NOTE: If document data differs from cover sheet, document data always supersedes.
***COVER PAGE MAY NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT FOR ANY ADDITIONAL INFORMATION.**

O’Donnell No. 3 Treatment Facility

Supplemental C for 38-172.00-01-24 (712/158)

ER-MR-10: Rev. 2/84
"Supplemental C"

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES

APPL. NO. (Department Use Only)

CONTRACTUAL CONSENT OF LANDOWNER

(I) (We), the undersigned, being the owner(s) of 150 acres of land located in Plumcreek & Washington (Township, Borough, City), Armstrong & Indiana County, as described in the deed(s) recorded in the Recorder of Deeds Office Book(s) and page(s) 538DB216 and shown by crosshatched lines on the map attached hereto which is signed in the original by the landowner upon which O'Donnell Coal Company (Name of Mining Operator) proposes to engage in surface mining activities for which application for permit will be made to the Department of Environmental Resources and of which application this consent will be made a part, ***DO HEREBY ACKNOWLEDGE THAT THE MINING OPERATOR HAS THE RIGHT TO ENTER UPON AND USE THE LAND FOR THE PURPOSES OF CONDUCTING SURFACE MINING ACTIVITIES.*** Furthermore, (I) (We), the undersigned, do hereby irrevocably grant to the Mining Operator and the Commonwealth of Pennsylvania, the right to enter upon the aforesaid land before beginning the mining activity(ies), during the mining activity(ies) and for a period of five (5) years after the completion or abandonment of the mining activity(ies) for the purposes of inspecting, studying, backfilling, planting and reclaiming the land and abating pollution in accordance with the provisions of the Surface Mining Conservation and Reclamation Act, The Clean Streams Law, and The Coal Refuse Disposal Act, as amended, rules and regulations promulgated thereunder, and the provisions of permit(s) issued to the Mining Operator. (I) (We) do hereby grant in addition to the Commonwealth, for the aforesaid period of time, a right of entry across any adjoining or contiguous lands owned by (us) (me) in order to have access to the land described herein. It is specifically agreed and understood that this contractual consent gives the Commonwealth the right to enter, inspect, study, backfill, plant and reclaim the land and abate pollution therefrom as a matter within the police power but does not obligate the Commonwealth to do so, and does not constitute any ownership interest by the Commonwealth in the aforesaid land.

This Consent shall not be construed to impair any contractual agreement between the Mine Operator and the landowner.

(INSERT ADDITIONAL PROVISIONS OR CROSS OUT)

In witness whereof and intending to legally bind (myself) (ourselves), (my) (our) heirs, successors and assigns, (I) (we) have hereunto set (my) (our) hand(s) and seal this 22nd day of January, 19 84.

Edri Contracting Co., Inc.
LANDOWNER (Print Name)

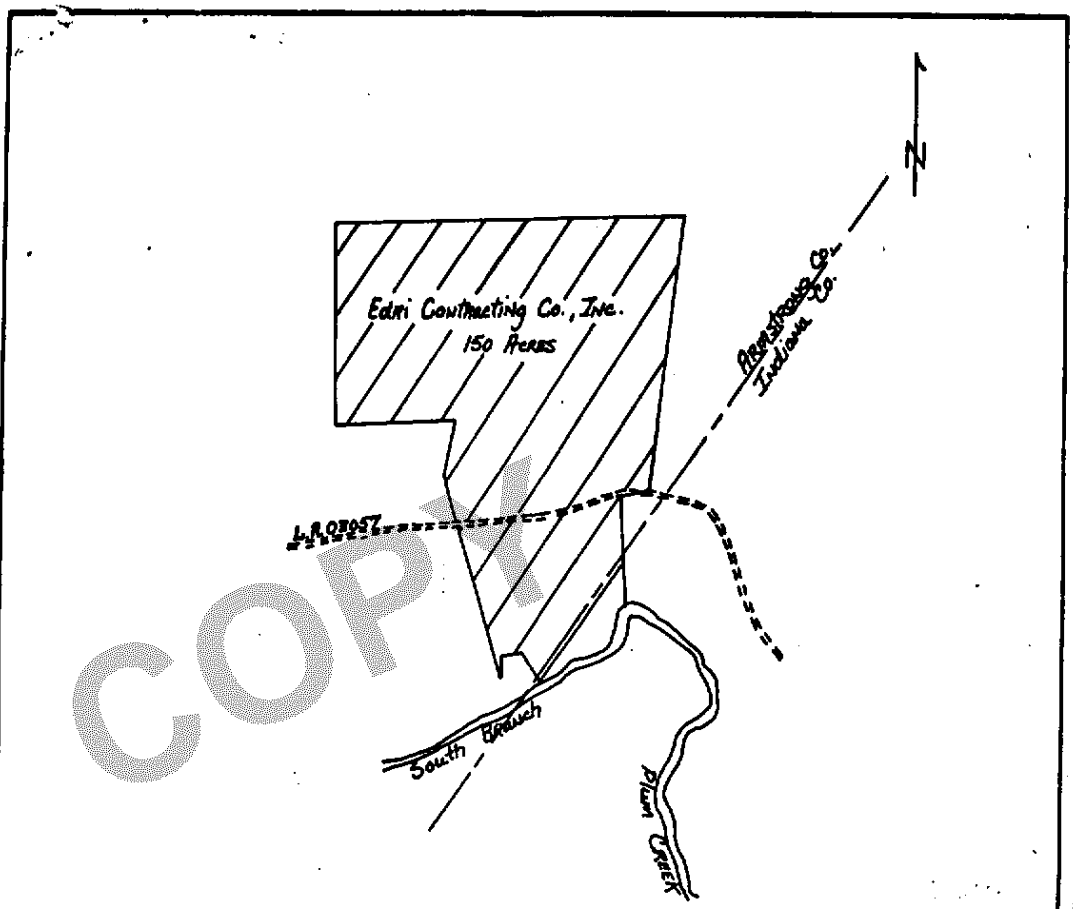
By: Harold Altmire - President
(Signature) (Seal)

(Print Name)

By: (Signature)

(Print Name)

BOOK 0712 PAGE 0158



COMMONWEALTH OF PENNSYLVANIA)
Armstrong &
COUNTY OF Indiana } SS:

On this the 22nd day of January, 1986, before me, a Notary Public, personally appeared HAROLD ALTMIRE known to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

James W Altmire

JAMES W. ALTMIRE, Notary Public
Apollo, Armstrong, Co., PA.
My Commission Expires May 8, 1989

0712

EXHIBIT TO "SUPPLEMENTAL C"
DEPARTMENT OF ENVIRONMENTAL RESOURCES

Landowner: EDRI CONTRACTING CO., INC.

Township: PLUMCREEK & WASHINGTON County: ARMSTRONG & INDIANA

Signature(s): Harold Altmire-Pres.

Date: January 22, 1986

PAGE
0158

ACKNOWLEDGEMENT OF INDIVIDUALS OR PARTNERS

LANDOWNER

STATE OF :
: ss
COUNTY OF :

On ____________________, before me, the undersigned Notary, personally appeared
____
(Name(s))

known to me (or satisfactorily proven) to be the person whose name is subscribed to this instrument, and who acknowledged that ____________________ (he, she or they) executed the same and desires it to be recorded.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

(SEAL) ____________________ My Commission Expires: ____________________
Notary Public (date)

ACKNOWLEDGEMENT OF CORPORATIONS

LANDOWNER

ENT... D FOR RECORD
...RONG CO. PA.
VE... ___ PAGE ___
JAN 24 2 33 PM '86
H... LIVENGOOD
RECORDER OF DEEDS

#0401

9d 75 59

STATE OF PENNSYLVANIA :
: ss
COUNTY OF Armstrong :

On January 22, 1986, before me, the undersigned Notary, personally appeared
HAROLD ALTMIRE,
who acknowledged (herself) (himself) to be the President of
(Title of Person)
Edri Contracting Co., Inc., a
(Name of Corporation)
corporation, and the (s)he, as such officer, being authorized to do so, executed the foregoing instrument on behalf of the said corporation and desires that this instrument be recorded.

IN WITNESS WHEREOF, I have hereunder set my hand and official seal.

(SEAL) James W Altmire My Commission Expires: JAMES W. ALTMIRE, Notary Public
Notary Public Apollo, Armstrong Co., PA
(date) My Commission Expires May 8, 1989

JAMES W. ALTMIRE
NOTARY PUBLIC
PENNSYLVANIA

This instrument has been recorded in Armstrong County, Pennsylvania, this 24th day of January, RECORDED 86, at Book Record Book Vol 712, Page (s) 158.

'86 JAN 24 PM 2 33
HENRY L. LIVENGOOD

(Signed) * (Print Name) Henry L. Livengood RECORDER

(Sealed)

BOOK 0712 PAGE 0160

EXHIBIT Q-6

AMDTreat Cost Worksheets

Printed on 03/20/2023

Company Name CONSOL Mining Conpany LLC

Project Global Trust

Site Name O'Donnell #3_REV4

AMD TREAT

AMD TREAT MAIN COST FORM

Costs

Passive Treatment	A	S	
Vertical Flow Pond			$0
Anoxic Limestone Drain			$0
Anaerobic Wetlands			$0
Aerobic Wetlands			$0
Manganese Removal Bed			$0
Oxic Limestone Channel			$0
Limestone Bed			$0
BIO Reactor			$0
Passive Subtotal:			**$0**
Active Treatment			
Caustic Soda			$0
Hydrated Lime			$0
Pebble Quick Lime			$0
Ammonia			$0
Oxidants			$0
Soda Ash			$0
Active Subtotal:			**$0**
Ancillary Cost			
Ponds			$0
Roads			$0
Land Access			$0
Ditching			$0
Engineering Cost			$0
Ancillary Subtotal:			**$0**
Other Cost (Capital Cost)			$0
Total Capital Cost:			**$0**
Annual Costs			
Sampling	1	0	$5,092
Labor	1	0	$3,185
Maintenance	1	0	$2,055
Pumping			$0
Chemical Cost			$0
Oxidant Chem Cost			$0
Sludge Removal			$0
Other Cost (Annual Cost)			$1,085
Land Access (Annual Cost)			$0
Total Annual Cost:			**$11,417**
Other Cost	1	0	

Water Quality

Design Flow	7.23	gpm
Typical Flow	7.23	gpm
Total Iron	1.36	mg/L
Ferrous Iron	1.36	mg/L
Aluminum	0.01	mg/L
Manganese	0.56	mg/L
pH	7.26	su
Alkalinity	177.09	mg/L
TIC	49.05	mg/L

○ Calculate Net Acidity

◉ Enter Hot Acidity manually

Acidity 17.16 mg/L

Sulfate	118.64	mg/L
Chloride	0.00	mg/L
Calcium	73.14	mg/L
Magnesium	17.36	mg/L
Sodium	0.00	mg/L
Water Temperature	11.88	C
Specific Conductivity	0.00	uS/cm
Total Dissolved Solids	0.00	mg/L
Dissolved Oxygen	0.01	mg/L
Typical Acid Loading	0.2	tons/yr

Total Annual Cost: per 1000 Gal of H2O Treated **$3.002**

Company Name CONSOL Mining Conpany LLC

Project Global Trust

Site Name O'Donnell #3_REV3

Printed on 02/27/2023

AMD TREAT

SAMPLING

Sampling Name O'Donnell #3 Sampling Costs

Estimate Sampling Cost

1. Unit Labor Cost	35.00	$/hr
2. Collection Time per Sample	0.33	hours/sample
3. Travel Time	1.50	hr
4. Sample Frequency	0.67	samples/mo
5. Lab Cost Per Sample	71.43	$/sample
6. Number of Sample Points	7	points

Enter Established Annual Sampling Cost

7. Actual Annual Sampling Cost		$

Sampling Sub-Totals

8. Yearly Sample Analysis Cost	4,020	$
9. Yearly Travel Cost	422	$
10. Yearly Collection Cost	650	$

11. Sampling Cost	5,092	$

Record Number 1 of 1

Company Name CONSOL Mining Conpany LLC

Project Global Trust

Site Name O'Donnell #3_REV3

Printed on 02/27/2023

AMD TREAT

LABOR

Labor Name O'Donnell #3 Labor Costs

Estimate Labor Cost

1. Site Visits per Week	1.00	
2. Site Labor Time per Visit	0.25	hours
3. Travel Time per Visit	1.50	hours
4. Unit Labor Cost	35.00	$/hour

Enter Established Annual Labor Cost

5. Actual Annual Labor Cost		$

6. Total Cost	3,185	$

Record Number 1 of 1

Printed on 03/20/2023

Company Name CONSOL Mining Conpany LLC

Project Global Trust

Site Name O'Donnell #3_REV4

AMD TREAT

MAINTANENCE

○ **Estimate Maintenance Cost**

1. Percent of Active Cost		%
2. Percent of Passive Cost		%
3. Percent of Ancillary Cost *		%
4. Percent of Other Capital Cost		%

◉ **Enter Established Annual Maintenance Cost**

5. Annual Maintenance Cost	2,055	$

Maintenance Sub-Totals

6 Total Maintenance Active Cost	0	$
7. Total Maintenance Passive Cost	0	$
8. Total Maintenance Ancillary Cost	0	$
9. Total Maintenance Other Capital Cost	0	$
10. Total Maintenance Cost	2,055	$

* Ancillary Cost does int include Cost for Land Access and Engineering Cost

Printed on 03/20/2023

Company Name CONSOL Mining Conpany LLC

Project Global Trust

Site Name O'Donnell #3_REV4

AMD TREAT

OTHER COST

Oher Cost Name Other Costs

	A. Description of Item	B. Unit Cost Per Item	C. Quantity	D. Total Item Cost	E. Capital Cost / Annual Cost
1.	Maintenance based off 2% of Total Capital Cost from Recapitalization Cost Sheet	1,085.00	1	1,085	○ Capital Cost ◉ Annual Cost
2.		0.00	0	0	◉ Capital Cost ○ Annual Cost
3.		0.00	0	0	◉ Capital Cost ○ Annual Cost
4.		0.00	0	0	◉ Capital Cost ○ Annual Cost
5.		0.00	0	0	◉ Capital Cost ○ Annual Cost
6.		0.00	0	0	◉ Capital Cost ○ Annual Cost
7.		0.00	0	0	◉ Capital Cost ○ Annual Cost
8.		0.00	0	0	◉ Capital Cost ○ Annual Cost
9.		0.00	0	0	◉ Capital Cost ○ Annual Cost
10.		0.00	0	0	◉ Capital Cost ○ Annual Cost
11.		0.00	0	0	◉ Capital Cost ○ Annual Cost
12.		0.00	0	0	◉ Capital Cost ○ Annual Cost
13.		0.00	0	0	◉ Capital Cost ○ Annual Cost
14.		0.00	0	0	◉ Capital Cost ○ Annual Cost
15.		0.00	0	0	◉ Capital Cost ○ Annual Cost

Record Number
1 of 1

Curent Capital Cost 0 $
Current Annual Cost 1,085 $

Total Capital Cost 0 $
Total Annual Cost 1,085 $

EXHIBIT Q-7

AMDTreat Recapitalization Worksheet

Printed on 07/13/2022

Company Name CONSOL Mining Conpany LLC

Project Global Trust

Site Name O'Donnell #3_REV1

AMD TREAT
RECAPITIZALITION COST

Calculation Period 75 yrs Inflation Rate 3.10 % Net Return Rate 8.43 %

Recapitizalition Name Exhibit E - O'Donnell #3 Recapitalization Cost

A.	B	C	D	E	F	G
Description of Item	**Unit Cost Per Item**	**Quantity**	**Total Item Cost**	**Life Cycle**	**Number of Periods**	**Total PV**
1. Passive Treatment Pond No.3	4,693	1	4,693	75	1	107
2. Passive Treatment Pond No.4	6,551	1	6,551	75	1	149
3. Cutoff Channel	14,027	1	14,027	10	7	20,773
4. Discharge Channel	917	1	917	10	7	1,358
5. Main Access Road	5,748	1	5,748	25	3	2,224
6. Road Culvert	6,800	1	6,800	75	1	155
7. 8" PVC Pipe	3,508	1	3,508	10	7	5,195
8. Pond Cleaning	12,000	1	12,000	20	3	6,560
9.	0	0	0	0	0	0
10.	0	0	0	0	0	0
11.	0	0	0	0	0	0
12.	0	0	0	0	0	0
13.	0	0	0	0	0	0
14.	0	0	0	0	0	0
15.	0	0	0	0	0	0
16.	0	0	0	0	0	0
17.	0	0	0	0	0	0
18.	0	0	0	0	0	0
19.	0	0	0	0	0	0
20.	0	0	0	0	0	0

Total Capital Cost 54,244 $ PV Grand Total 36,522 $

Global Trust

Addendum to Exhibit E - Facility Details and Measurements

O'Donnell #3 - 32841321

0. Unit Costs

Item	Unit Cost	Unit	Discount	ReCap Unit Cost	Description
Pond Construction	$ 3.29	yd^3	0%	$ 3.29	The unit cost is based off an average of the high and low cost for soil movement by bidders on a large reclamation project currently being undertaken by CONSOL at another site. The ReCap unit cost was discounted by 90% since CONSOL's maintenance program, the costs of which will be captured in the M&R section on an annual basis, will make the likelihood of a full pond recapitalization negligible.
Ditch Construction	$ 107.90	ft.	0%	$ 107.90	The unit cost is based off an average of the high and low cost for soil movement by bidders on a large reclamation project currently being undertaken by CONSOL at another site. The ReCap unit cost was discounted by 90% since CONSOL's maintenance program, the costs of which will be captured in the M&R section on an annual basis, will make the likelihood of a full pond recapitalization negligible.
Concrete Vault Construction	$ 1,385.47	yd^3	0%	$ 1,385.47	Cost based on concrete vault construction price obtained in 2021. The discount is based on the an assumed degradation of 25% of the vault in the lifetime.
Turbidity Boom	$ 21.00	ft.	0%	$ 21.00	
Access Road Reconstruction Cost	$ 24.29	yd^3	0%	$ 24.29	Cost based on the combination of earthmoving costs ($3.29/yd) and the cost of road stone ($15/ton @ 1.4 tons/cy).

1. Ponds

Pond ID	Bank Length (ft.)	Bank Width (ft.)	Depth (ft.)	Estimated Bank Slope (X:1)	Slope %	Subtractable	Bottom Length	Bottom Width	Middle Pond Area (ft^3)	Middle Pond Volume (yd^3)	Slope Area (ft^2)	Slope Area (ft^3)	Slope Area (yd^3)	Total Pond Area (yd^3)	ReCap Cost	Lifetime (Years)
Passive Treatment Pond No.3	135.00	50.00	8.00	2.00	50%	16.00	103.00	18.00	14,832.00	549.33	64.00	23,680.00	877.04	1,426.37	$ 4,693	75.00
Passive Treatment Pond No.4	112.00	78.00	8.00	2.00	50%	16.00	80.00	46.00	29,440.00	1,090.37	64.00	24,320.00	900.74	1,991.11	$ 6,551	75.00

2. Ditches

Ditch ID	Base Width (ft.)	Bank Width (ft.)	Depth (ft.)	Ditch Area (ft^2)	Ditch Construction	Length (ft.)	Ditch Volume (ft^3)	Ditch Volume (yd^3)	Total Costs	ReCap Cost	Lifetime (Years)
Cutoff Channel	8.00	9.00	4.00	34.00	Rock Lined Ditch	260.00	8,840.00	327.41	$ 28,054	$ 14,027	10.00
Discharge Channel	8.00	9.00	4.00	34.00	Grass Lined Ditch	17.00	578.00	21.41	$ 1,834	$ 917	10.00

3. Concrete Vaults

Vault ID	Type	Diameter (in.) for circular vaults only	Length (ft.) for rectangular vaults only	Width (ft.) for rectangular vaults only	Depth (ft.)	Wall Thickness (in.)	Concrete Volume (ft^3)	Concrete Volume (yd^3)	ReCap Cost	Lifetime (Years)
	Rectangular						-	-	$ -	

4. Turbidity Boom

Boom ID	Length (ft.)	ReCap Cost	Lifetime (Years)
		$ -	

s

5. Access Roads

Road ID	Type	Width (ft.)	Length (ft.)	Depth (in.)	Road Volume ($ft.^3$)	Road Volume (yd^3)	Total Costs	ReCap Cost	Lifetime (Years)
Main Access Road	Gravel Road	30.00	639.00	8.00	12,780.00	473.33	$ 11,497	$ 5,749	75.00

6. Pipe and Culverts

Pipe Name	Pipe Material	Diameter (in.)	Length (ft.)	Cost per Unit Length (Material)	Cost per Unit Length (Labor)	Total Cost per Unit Length	ReCap Cost	Lifetime	
Road Culvert	CMP	24.00	30.00	$ 18.00	$ 42.00	$ 60.00	$ 6,800	75	Additional money added for road cut
8" PVC Line	PVC	8.00	200.00	$ 19.08	$ 16.00	$ 35.08	$ 3,508	10	

Company Name CONSOL Mining Conpany LLC

Project Global Trust

Site Name O'Donnell #3_REV4

Printed on **08/17/2023**

Life of Trust Fund	75	yrs
Inflation Rate	3.10	%
Return Rate	8.43	%

AMD TREAT
RECAPITIZALITION COST

AMDTREAT

Year	Trust Fund Growth Fund Before Payout	Trust Fund Growth Fund After Payout	Payout Schedule	Year	Trust Fund Growth Fund Before Payout	Trust Fund Growth Fund After Payout	Payout Schedule
	36,522	36,522	Initial Fund Amount				
1	39,600	39,600	0	51	159,056	159,056	0
2	42,939	42,939	0	52	172,465	172,465	0
3	46,558	46,558	0	53	187,004	187,004	0
4	50,483	50,483	0	54	202,768	202,768	0
5	54,739	54,739	0	55	219,861	219,861	0
6	59,353	59,353	0	56	238,396	238,396	0
7	64,357	64,357	0	57	258,493	258,493	0
8	69,782	69,782	0	58	280,284	280,284	0
9	75,665	75,665	0	59	303,912	303,912	0
10	82,044	57,004	25,039	60	329,531	139,364	190,167
11	61,809	61,809	0	61	151,113	151,113	0
12	67,020	67,020	0	62	163,851	163,851	0
13	72,670	72,670	0	63	177,664	177,664	0
14	78,796	78,796	0	64	192,641	192,641	0
15	85,438	85,438	0	65	208,881	208,881	0
16	92,641	92,641	0	66	226,490	226,490	0
17	100,451	100,451	0	67	245,583	245,583	0
18	108,919	108,919	0	68	266,285	266,285	0
19	118,100	118,100	0	69	288,733	288,733	0
20	128,056	71,979	56,077	70	313,074	156,705	156,368
21	78,047	78,047	0	71	169,915	169,915	0
22	84,626	84,626	0	72	184,239	184,239	0
23	91,760	91,760	0	73	199,770	199,770	0
24	99,495	99,495	0	74	216,611	216,611	0
25	107,883	95,552	12,330	75	234,871	-0	234,871
26	103,608	103,608	0	76	0	0	0
27	112,342	112,342	0	77	0	0	0
28	121,812	121,812	0	78	0	0	0
29	132,081	132,081	0	79	0	0	0
30	143,215	97,105	46,110	80	0	0	0
31	105,290	105,290	0	81	0	0	0
32	114,167	114,167	0	82	0	0	0
33	123,791	123,791	0	83	0	0	0
34	134,226	134,226	0	84	0	0	0
35	145,542	145,542	0	85	0	0	0
36	157,811	157,811	0	86	0	0	0
37	171,114	171,114	0	87	0	0	0
38	185,539	185,539	0	88	0	0	0
39	201,180	201,180	0	89	0	0	0
40	218,140	114,873	103,267	90	0	0	0
41	124,557	124,557	0	91	0	0	0
42	135,057	135,057	0	92	0	0	0
43	146,442	146,442	0	93	0	0	0
44	158,787	158,787	0	94	0	0	0
45	172,173	172,173	0	95	0	0	0
46	186,687	186,687	0	96	0	0	0
47	202,425	202,425	0	97	0	0	0
48	219,489	219,489	0	98	0	0	0
49	237,992	237,992	0	99	0	0	0
50	258,055	146,690	111,364	100	0	0	0

EXHIBIT Q-8

Treatment Bond/Trust Calculator

TREATMENT BOND/TRUST CALCULATOR

Prepared For: CONSOL Energy Post-Mining Dischage Treatment Trust
Treatment System(s) ID: O'Donnell No. 3 Mine
Date (mm/dd/yy): July 19, 2024

Inflation Rate:		3.1%
Yrs to Treat start:		0
Annual Treatment Cost:		$11,416.88
Trust Fees:		1.50%
Bond (not needed for rec):		$0.00
Investment Ratios:		
	stock:	80%
	bond:	20%
Effective Rate of Return:		8.43%
Volatility Index:		1.16
Rec Bond Rate of Return:		6.00%
Remaining Time on Permit:	5	years

Options	O&M only	Total with Recap	Total with Recap & Insurance	
option #1				
conventional bond:	$471,908.87	$471,908.87	$494,631.69	bond in year
bond adjustment:	$471,908.87	$471,908.87	$494,631.69	6
option #2				
fully funded trust:	$261,716.02	$298,238.02	$305,074.71	trust in year 1

PV of Recap (todays $$) @ 8.43% Eff RoR & 3.1% Inf: $36,522.00 for trust in year 1

PV of Recap (todays $$) @ 6.00% Eff RoR & 3.1% Inf: for bond in year 1 $0.00 for bond in year 6

Liability Insurance Factor @ $1.00 per year, per $1000 in the total PV of the Trust: $298.24 per year PV Insurance: $6,836.69

Liability Insurance Factor @ $1.00 per year, per $1000 in total Bond: $471.91 per year PV Insurance: $19,506.03

Fields in RED can be updated
Fields in BLUE are fixed or calculated
Fields in GREEN are partial amounts
Highlighted Fields in GREEN are final amounts

EXHIBIT Q-9

Bill of Sale

BILL OF SALE AND LICENSE AGREEMENT

This Bill of Sale and License Agreement is entered into this 2nd day of October, 2024, by and between CONSOL Mining Company LLC ("CMC" or "Transferor") with its principal place of business at 275 Technology Drive, Suite 101, Canonsburg, PA 15317 and Somerset Trust Company with a business address of 131 North Center Avenue, P.O. Box 1330, Somerset, PA 15501, as Trustee of the CMC/Laurel Run/Helvetia Post-Mining Discharge Treatment Trust ("CMC/Laurel Run/Helvetia Treatment Trust").

Whereas, CMC has entered into a Post-Mining Discharge Treatment Trust Consent Order and Agreement ("Trust COA") dated October 2, 2024 with the Commonwealth of Pennsylvania, Department of Environmental Protection (the "Department");

Whereas, CMC has entered into a Post-Mining Discharge Treatment Trust Agreement dated October 2, 2024 with Somerset Trust Company which established the CMC/Laurel Run/Helvetia Treatment Trust; and

Whereas, the Department requires Transferor to continue to treat the post-mining discharges covered by the Trust COA, but also to immediately transfer the water treatment equipment, appurtenances, and facilities to the Trust to facilitate continued treatment of water and protection of the environment in the event CMC or its successors should cease treating the post-mining discharges.

KNOW ALL MEN BY THESE PRESENTS that Transferor in consideration of One Dollar ($1.00) and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, and intending to be legally bound, does hereby bargain, sell, transfer and convey to Somerset Trust Company, as Trustee of the CMC/Laurel Run/Helvetia Treatment Trust, all of its right, title and interest to the equipment, appurtenances, facilities, and other personal property (the "Personal Property") comprising the O'Donnell No. 3 Mine - O'Donnell No. 3 Treatment Facility, including, but not limited to, the equipment and other property described on Exhibit 1, attached hereto and made a part hereof, such transfer to be effective as of the date hereof (the "Effective Date").

Transferor represents and warrants that the Personal Property is transferred to the Trust hereby free and clear of all liens and encumbrances.

PROVIDED, HOWEVER, that CMC and its successors shall have a license to use, operate, maintain, construct or reconstruct the Personal Property to treat the post-mining discharges so long as CMC, or its successor, is conducting the necessary water treatment operations. Pursuant to the exercise of the rights granted under this License, CMC shall at its sole cost and expense be responsible for maintaining and replacing/upgrading, as appropriate, the Personal Property.

As a condition of the License hereby granted, CMC agrees that any and all parts, additional equipment, replacements, and upgrades to the Personal Property and O'Donnell No. 3 Mine - O'Donnell No. 3 Treatment Facility and systems shall immediately and automatically

become the property of the CMC/Laurel Run/Helvetia Treatment Trust. As long as this Bill of Sale and License Agreement is in effect and not terminated or revoked, CMC, or its successor, shall bear all risk of loss of the Personal Property.

This Bill of Sale and License Agreement shall be governed by and construed and enforced in accordance with the laws of the Commonwealth of Pennsylvania, without regard to the conflict of laws provisions thereof.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands effective the day and year first above written.

TRANSFEROR:
CONSOL Mining Company LLC

Witness:

Steven F. Aspinall

James A Brock
(signature)

By: James A. Brock

Title: President, Chairman, and Chief Executive Officer

TRUSTEE:
Somerset Trust Company

(signature)

Witness:

By: Lisa M. Bittner

Title: VP & Sr. Trust Officer

Exhibit 1 - Inventory of Personal Property for O'Donnell No. 3 Mine

8/23/2024

Installed Equipment Listing:

Index	Item	Notes
I1	Road Culvert	
I2	8" PVC Pipe	

Spare Equipment Listing:

Index	Item	Storage Location
No Spare Equpment For This Location		