

EXHIBIT LIST

Exhibit Number	Description
1	June 11, 2009 Memorandum to the Field on Enhanced Coordination Procedures for Pending Permits (“EC Memo”)
2	June 11, 2009 EPA Letter to the Department of the Army Regard Key Factual Consideration for Surface Coal Mining Permit Review (“MCIR Assessment Memo”)
3	April 1, 2010 Memorandum: Improving EPA Review of Appalachian Surface Coal Mining Operations Under the Clean Water Act, National Environmental Policy Act, and the Environmental Justice Executive Order (“Guidance”)
4	Declaration of Randy Johnson, Best Coal, Inc. (Sept. 15, 2010)
5	Letter from Jeffrey Lapp, EPA Region 3, to Ginger Mullins, Corps Huntington District (Jan. 20, 2009)
6	Letter from John Pomponio, EPA Region 3, to Dana Hurst, Corps Huntington District (Mar. 23, 2009)
7	Letter from John Pomponio, EPA Region 3, to Dana Hurst, Corps Huntington District (Apr. 3, 2009)
8	Declaration of Thomas Cook, Massey Coal Services (Sept. 16, 2010)
9	Declaration of William Wells, Jr., United Coal Company LLC (Sept. 1, 2010)
10	Declaration of Dr. Randall Johnson, Alabama Surface Mining Commission (Sept. 15, 2010)
11	Declaration of Jeffrey D. Jarrett (Sept. 14, 2010)
12	Declaration of Margaret H. Dunn, Stream Restoration, Inc. (Sept. 16, 2010)
13	Letter from John Pomponio, U.S. EPA to Ginger Mullins, Corps Huntington District (Sept. 14, 2010)
14	EC Memo Transmittal Letter (June 11, 2009)
15	Letter from John Pomponio, U.S. EPA Region 3 to CONSOL Energy Corp. (Aug. 7, 2009)
16	U.S. EPA Briefing on the Mining Analysis for EPA Regions 3, 4, and 5 (July 13, 2009)
17	April 1, 2010 Memorandum Questions & Answers
18	Letter from James Giattina, U.S. EPA Region 4, to Col. Steven Roemhildt, U.S. Army Corps of Engineers, Mobile District (Jul. 26, 2010)
19	Email from Tom Welborn, EPA Region 4, to James Townsend, <i>et al.</i> (June 23, 2010)
20	Brief for the Federal Appellee, <i>City of Albuquerque v. Browner</i> , 97 F.3d 415 (10th Cir. 1996) (No. 93-2315) (excerpted)
21	National Mining Association, Conductivity Study Comments and Attachments (Sept. 3, 2010)
22	Declaration of John T. Gray, Association of American Railroads (Sept. 15, 2010)
23	Declaration of Paul B. Horn, Jr., Booth Energy (Sept. 17, 2010)