DEPARTMENT OF THE ARMY PERMIT

Permittee: RAM Terminals, LLC

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NOV 07 2014

Permit No. MVN-2012-0123-EPP

Issuing Office: New Orleans District

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: Clear, grade, excavate and deposit fill for a coal export facility including: coal storage, settling ponds, terminal, barge fleeting, and rail access.

Project Location: Located on the right descending bank of the Mississippi River, at about 61 miles above Head of Passes, at 16111 Highway 23, in Myrtle Grove, Louisiana, in Plaquemines Parish.

Permit Conditions:

General Conditions:

- 1. The time limit for completing the work authorized ends on **November 30, 2017**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least 1 month before the above date is reached.
- 2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
- 3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

- 4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
- 5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
- 6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions: Pages 4, 5 and 6

Further Information:

- 1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
 - (X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
 - (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
 - () Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
- 2. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal project.
- 3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
 - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or construction deficiencies associated with the permitted work.

- e. Damage claims associated with any future modification, suspension, or revocation of this permit.
- 4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
- 5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
 - a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

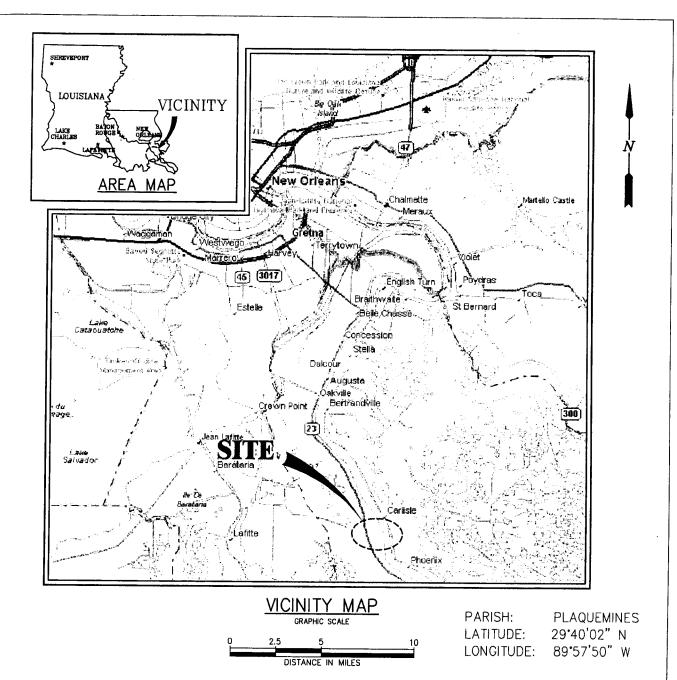
Your signature below, as permittee, indicates that you accept and	agree to comply with the terms and conditions of this permit.
X(PERMITTEE)	X
This permit becomes effective when the Federal official, designate	ed to act for the Secretary of the Army, has signed below.
Mina Barabee	November 7,2014
Michael V. Farabee, Chief Eastern Evaluation Section	
for Richard L. Hansen, District Commander	
When the structures or work authorized by this permit are still in conditions of this permit will continue to be binding on the new owner associated liabilities associated with compliance with its terms and	er(s) of the property. To validate the transfer of this perfilt and the
	(DATE)
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MVN 2012-0123- EPP

- 7. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
- 8. The use of the permitted activity must not interfere with the public's right to free navigation on all navigable waters of the United States.
- 9. Permittee must install and maintain, at permittee's expense, any safety lights, signs and signals prescribed by the US Coast Guard, through regulations or otherwise, on the authorized facilities.
- 10. If the authorized project, or future maintenance work, involves the use of floating construction equipment (barge mounted cranes, barge mounted pile driving equipment, floating dredge equipment, dredge discharge pipelines, etc.,) in the waterway, you are advised to notify the Eighth Coast Guard District, so that a Notice to Mariners, if required, may be prepared. Notification, with a copy of your permit approval and drawings, should be mailed to the Commander (dpw) Eighth Coast Guard District, Hale Boggs Federal Building, 500 Poydras Street, Room 1230, New Orleans, Louisiana 70130, about 1 month before you plan to start work. Telephone inquiries can be directed to the Eighth Coast Guard District, Waterways Management at (504) 671-2107.
- 11. All construction work over the levee and within 10 feet of the levee toes and in the batture shall be performed and completed while the stage of the Mississippi River is below elevation +11.0 feet on the Carrollton gage, New Orleans, Louisiana.
- 12. The levee section must be filled to design grade of elevation +16.7 feet, with a 1 horizontal to 4 vertical protected side slope, 1 horizontal to 3 vertical river side slope with levee grade material that meets the following criteria. The fill must have an organic content of no greater than 9%, as determined by ASTM D2974, Method C. The Plasticity Index of the new fill must be 10 or more by Atterberg Limits by ASTM D4318, and that the material is classified as either as CH or CL by ASTM D2487, with less than 35% sand retained on the No. 200 sieve by ASTM D1140.
- 13. The levee fill material must be added in 6-inch lifts and compacted to the density of the surrounding material.
- 14. The levee fill must have a salinity content less than 3000 parts-per-million.

- 15. All pile driving work on the protected side and in the batture shall be performed and completed while the stage of the Mississippi River is below elevation +11.0 feet on the Carrollton gage, New Orleans, Louisiana.
- 16. All pile driving work from a barge shall be performed and completed while the stage of the Mississippi River is below +15.0 feet on the Carrollton gage, New Orleans, Louisiana.
- 17. The wick drains must be installed and have the sand fill in place while the stage of the Mississippi River is below +13.0 feet on the Carrollton gage, New Orleans, Louisiana.
- 18. All excavation work within 1,500 feet of the Mississippi River levee shall be performed and backfilled while the stage of the Mississippi River is below elevation +11.0 feet on the Carrollton gage, New Orleans, Louisiana. Excavations beyond 1,500 feet from the levee shall be performed and backfilled while the stage of the Mississippi River is below elevation +15.0 feet on the Carrollton gage, New Orleans, Louisiana.
- 19. The excavation work for the settling ponds shall be performed and backfilled while the stage of the Mississippi River is below elevation +11.0 feet on the Carrollton gage, New Orleans, Louisiana.
- 20. Construction is not allowed when a hurricane is within 5 days of affecting the Louisiana coast and the site must be secured ensuring the flood protection for such an event.
- 21. Any damage to the levee, batture, bank and/or revetment resulting from the permittee's activities shall be repaired at the permittee's expense.
- 22. The fill material placed over the pipeline on the landside and riverside levee slopes shall be fertilized and seeded to promote new grass growth.
- 23. The Chitimacha Tribe of Louisiana has stated that the project area is part of the aboriginal Chitimacha homelands. If during the course of work at the site, prehistoric and/or historic aboriginal cultural materials are discovered, the permittee shall contact the Chitimacha Tribe of Louisiana at P.O. Box 661, Charenton, LA 70523, and the Army Corps of Engineers, New Orleans District (CEMVN), Regulatory Branch. CEMVN, Regulatory Branch will initiate the required federal, state, and tribal coordination to determine the significance of the cultural materials and the need, if applicable, for additional cultural resource investigations.
- 24. The Corps of Engineers, Regulatory Branch has been provided with written notification from Enterprise Mitigation Bank that the permittee has contracted for 6 acres of bottomland hardwoods at Enterprise Woodlands Mitigation Bank. Enterprise Mitigation Bank has assumed responsibility for completing the mitigation in accordance with the Enterprise Woodlands Mitigation Banking Instrument and has recorded the allocation of the mitigation required by this permit in the Regulatory In-Lieu Fee and Bank Information Tracking System (RIBITS).

- 25. Permitted activities shall not cause more than minimal and temporal water quality degradation of any adjacent wetland, stream, or water body. Appropriate erosion and siltation controls must be utilized during construction to prevent sediment runoff into adjacent wetlands and waterways. Sediment control techniques could include but are not limited to the use of secured hay bales, sediment fencing, wooden or vinyl barriers, and/or seeding of disturbed areas. These techniques should be maintained in effective operating condition until a point that sediment runoff from construction activities is controlled.
- 26. If the proposed project requires any additional work not expressly permitted herein, or impacts wetlands other than the areas indicated on the attached drawings, the permittee must apply for an amendment to this authorization.



NOTES:

1. AS-BUILT DRAWINGS WILL BE SUBMITTED WITHIN 30 DAYS OF COMPLETION OF THIS PROJECT TO THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES, OFFICE OF CONSERVATION, PIPELINE DIVISION, P. O. BOX 94275 BATON ROUGE, LA 70804, AND TO THE LOUISIANA DEPARTMENT OF NATURAL RESOURCES, COASTAL MANAGEMENT DIVISION, P. O. BOX 44487, BATON ROUGE, LA 70804-4487

2. ALL STRUCTURES, FACILITIES, WELL AND PIPELINES/FLOWLINES OCCURRING IN OPEN WATER AREAS OR IN OILFIELD CANALS OR SLIPS SHALL BE REMOVED WITHIN 120 DAYS OF ABANDONMENT FOR THE FACILITIES FOR THE HEREIN PERMITTED USE UNLESS PRIOR WRITTEN APPROVAL TO LEAVE SUCH STRUCTURES IN PLACE IS RECEIVED FROM THE COASTAL MANAGEMENT DIVISION. THIS CONDITION DOES NOT PRECLUDE THE NECESSITY FOR REVISING THE CURRENT PERMIT OR OBTAINING A SEPARATE COASTAL USE PERMIT, SHOULD ONE BE REQUIRED.

3. STRUCTURES MUST ALSO BE MARKED/LIGHTED IN ACCORDANCE WITH U. S. COAST GUARD REGULATIONS.

4. IN ORDER TO ENSURE THE SAFETY OF ALL PARTIES, THE PERMITTEE SHALL CONTACT THE LOUISIANA ONE CALL SYSTEM (1-800-272-3020) A MINIMUM OF 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY EXCAVATION (DIGGING, DREDGING, JETTING, ETC.) OR DEMOLITION ACTIVITY

8733-P01



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CONSULTING ENGINEERS
INCORPORATED

NEW ORLEANS, LA · BEAUMONT, TX

MYRTLE CROVE RAM TERMINALS, LLC

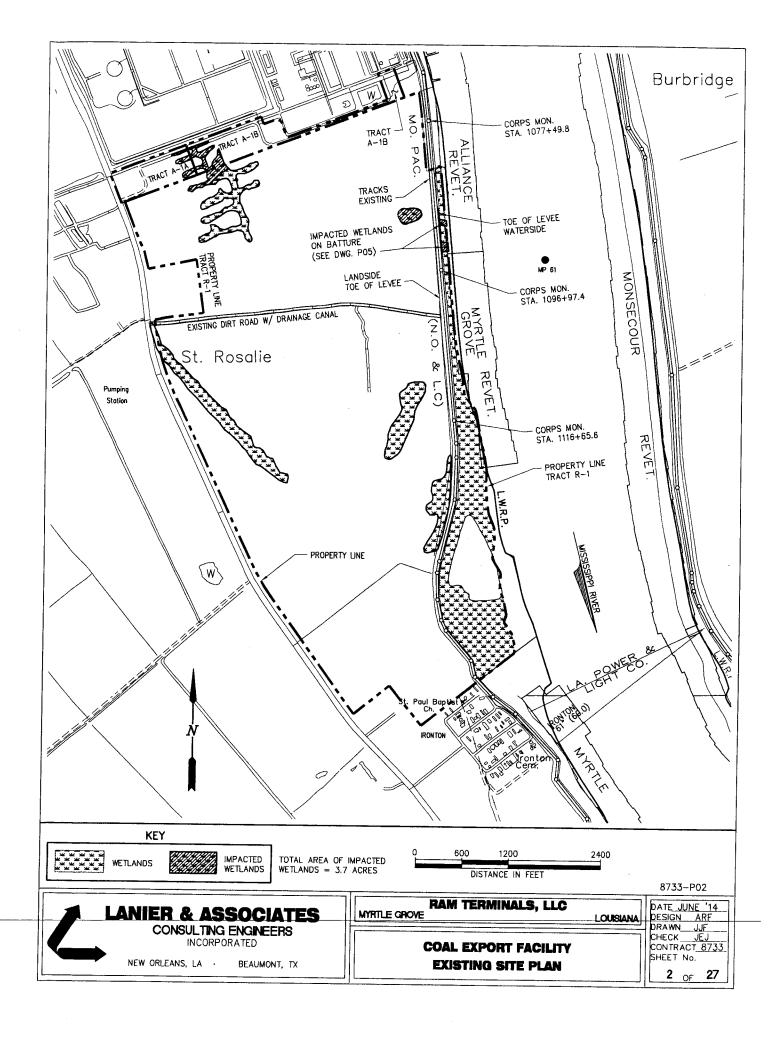
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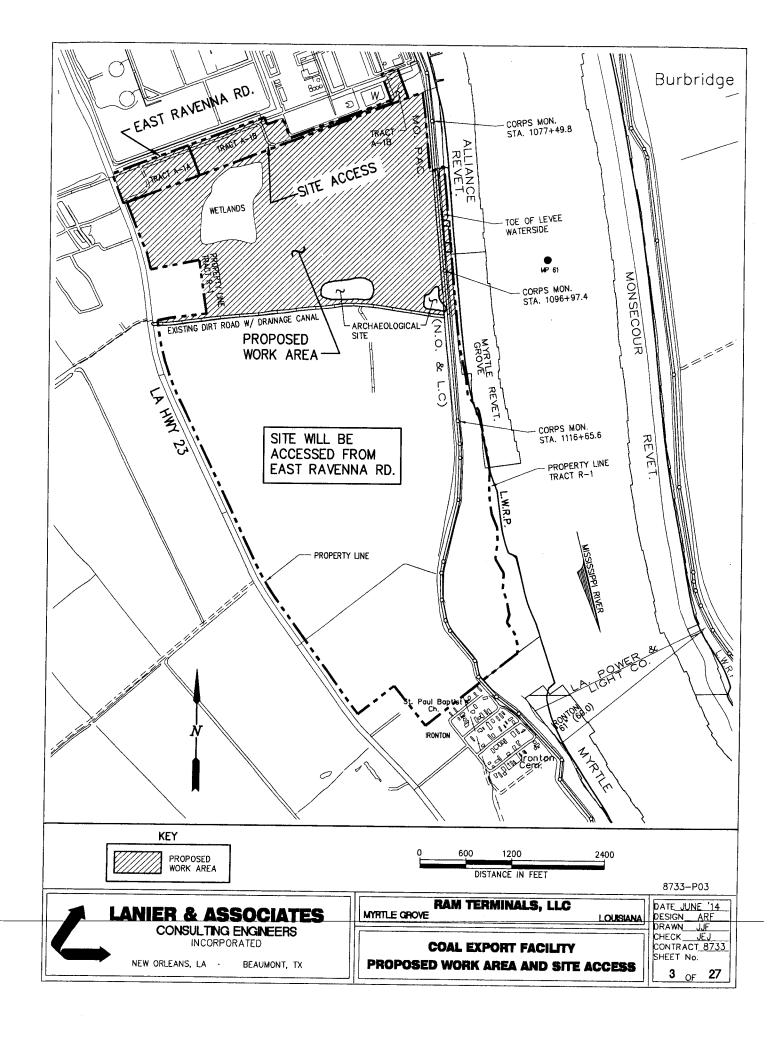
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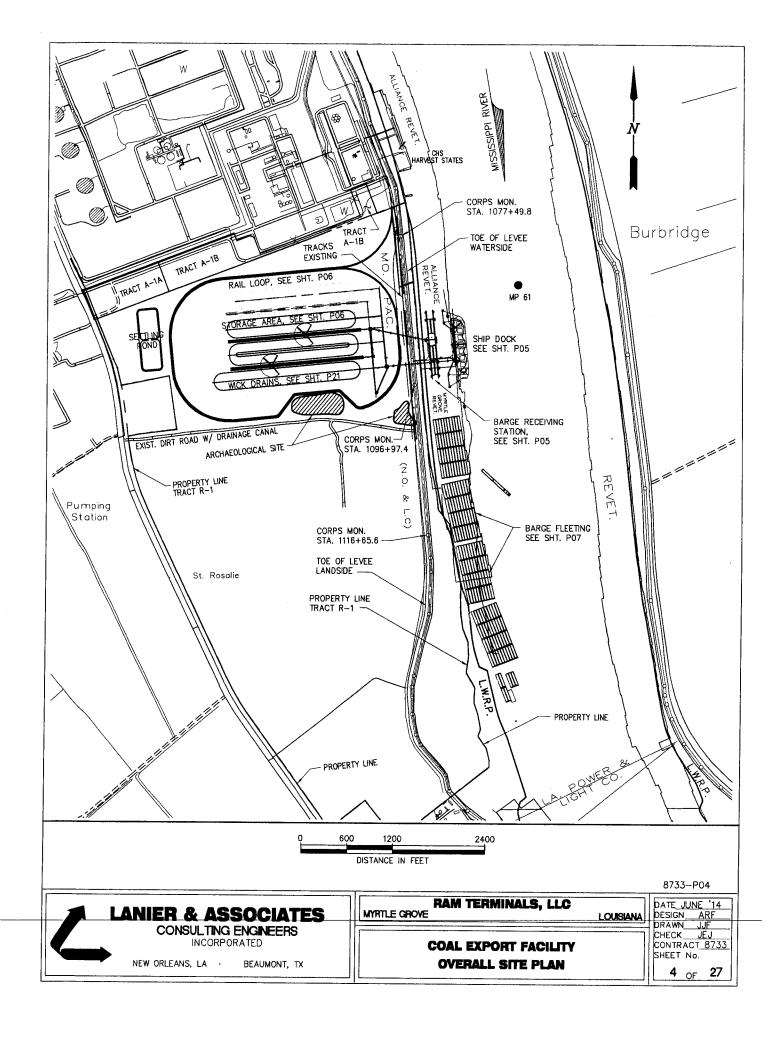
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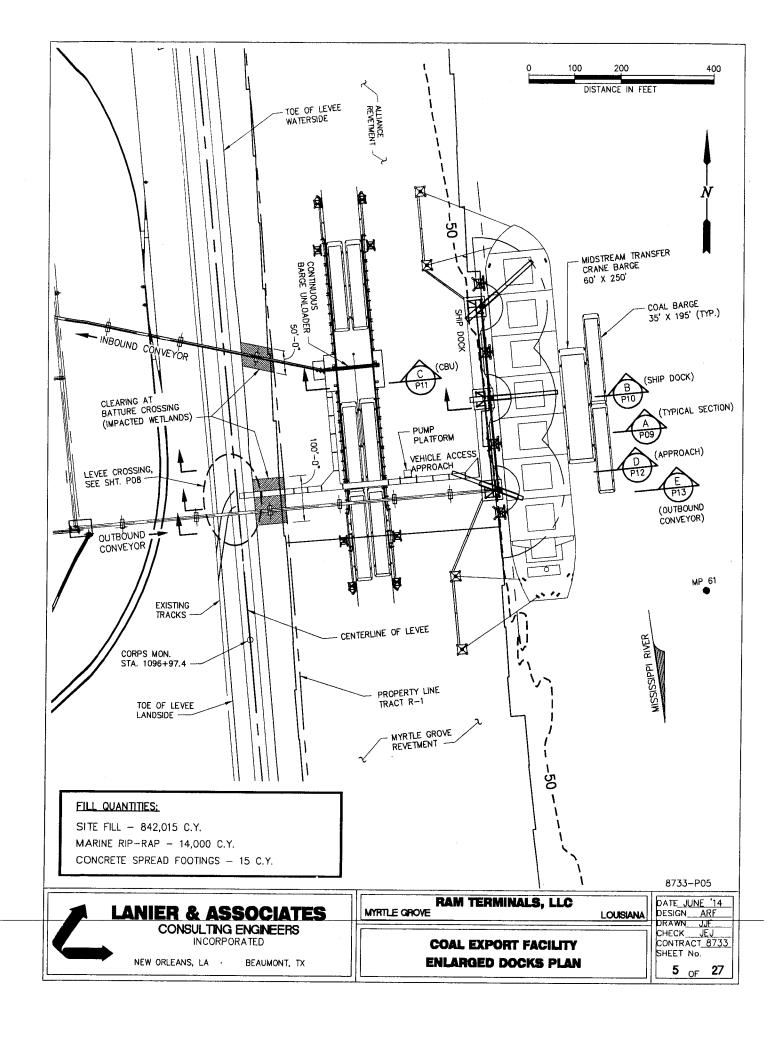
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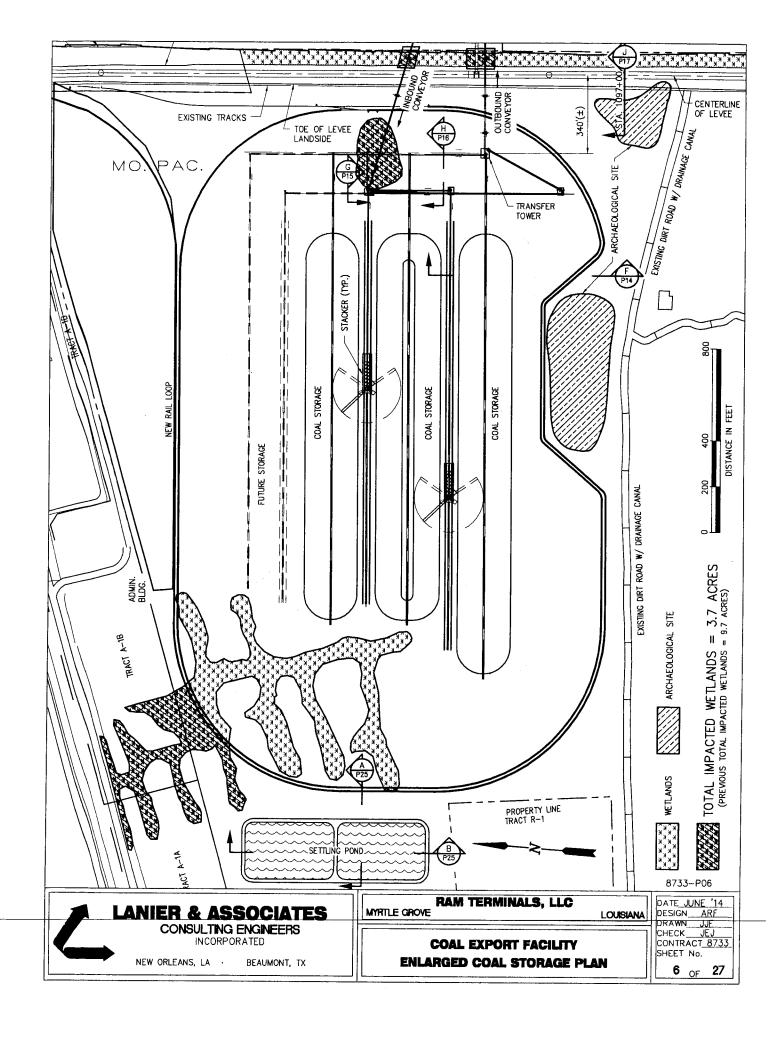
COAL EXPORT FACILITY
SITE VICINITY MAP

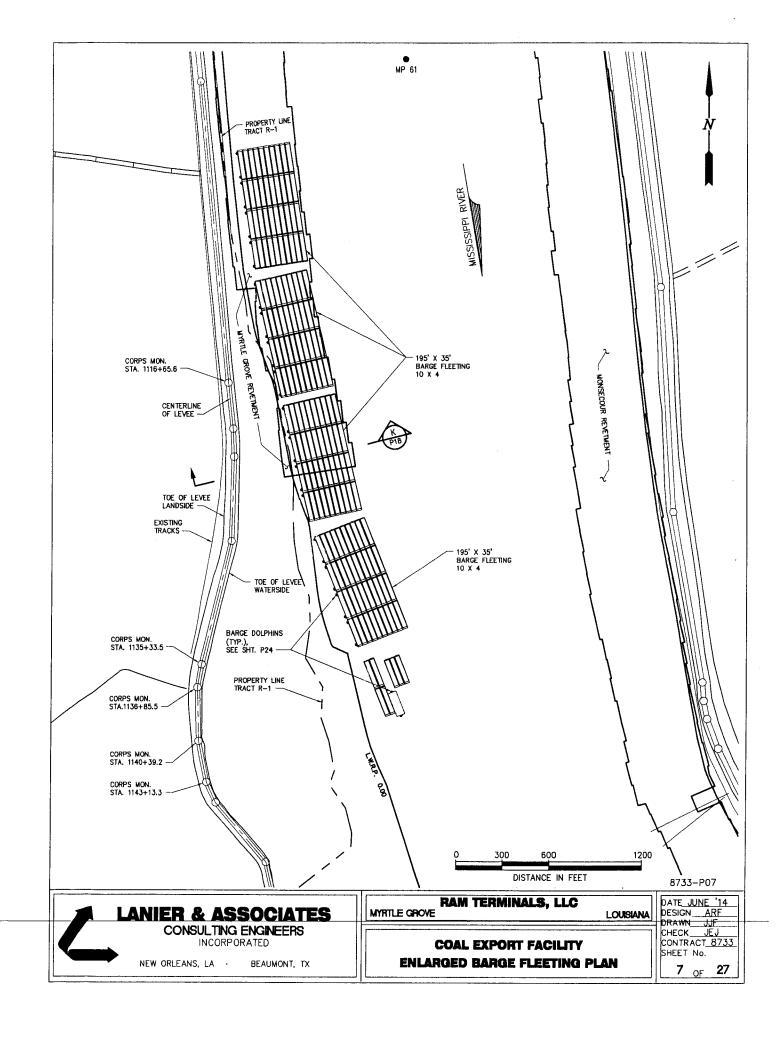


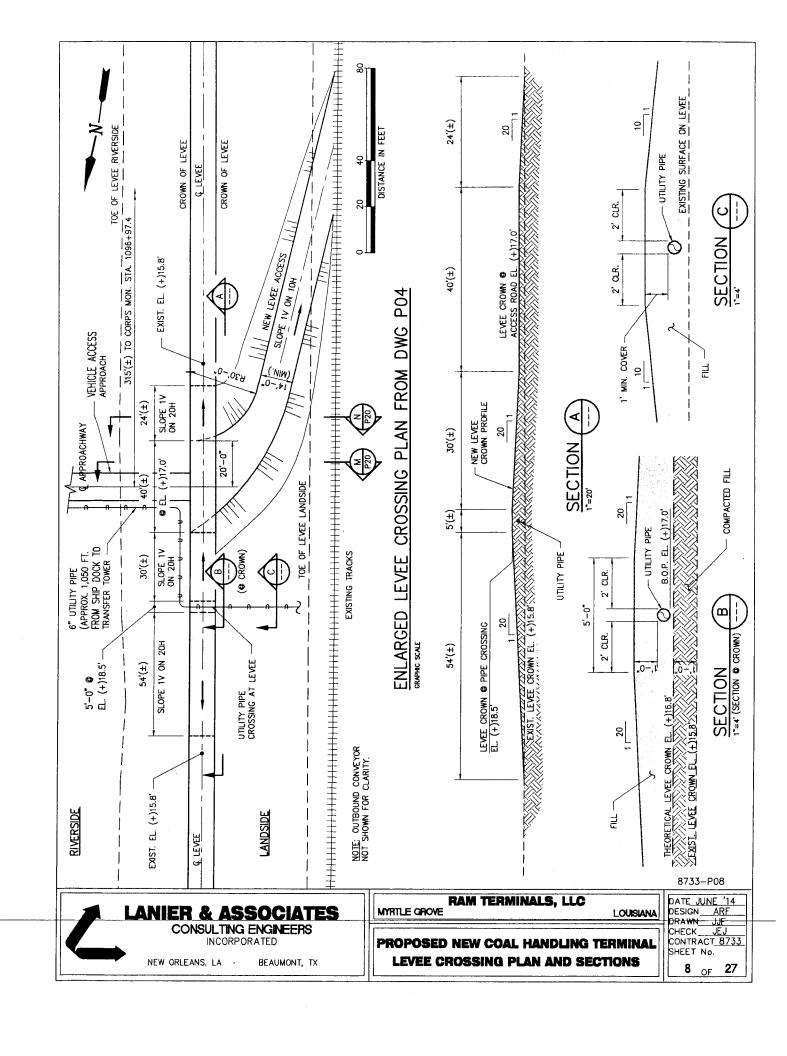


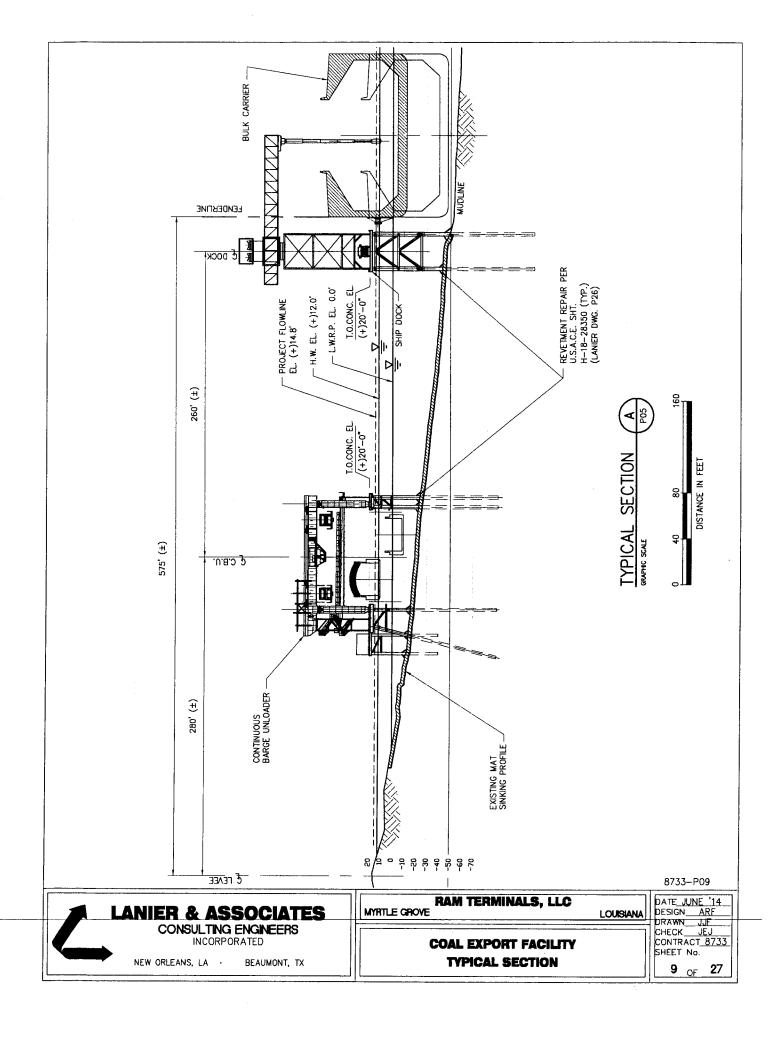


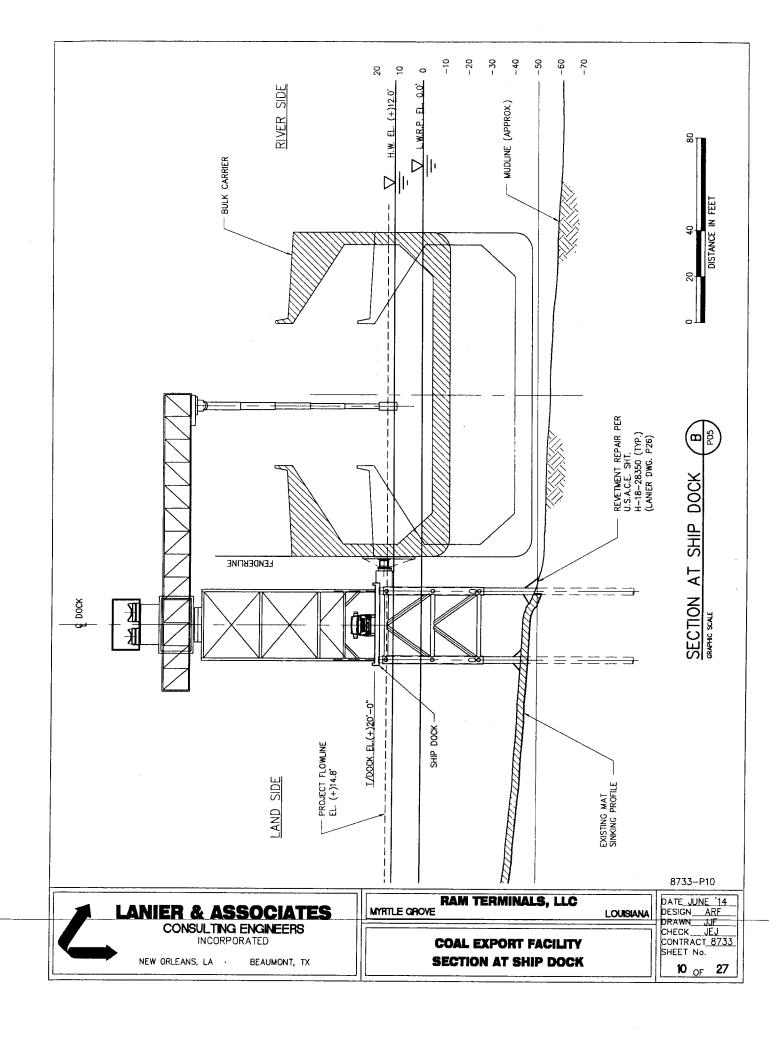


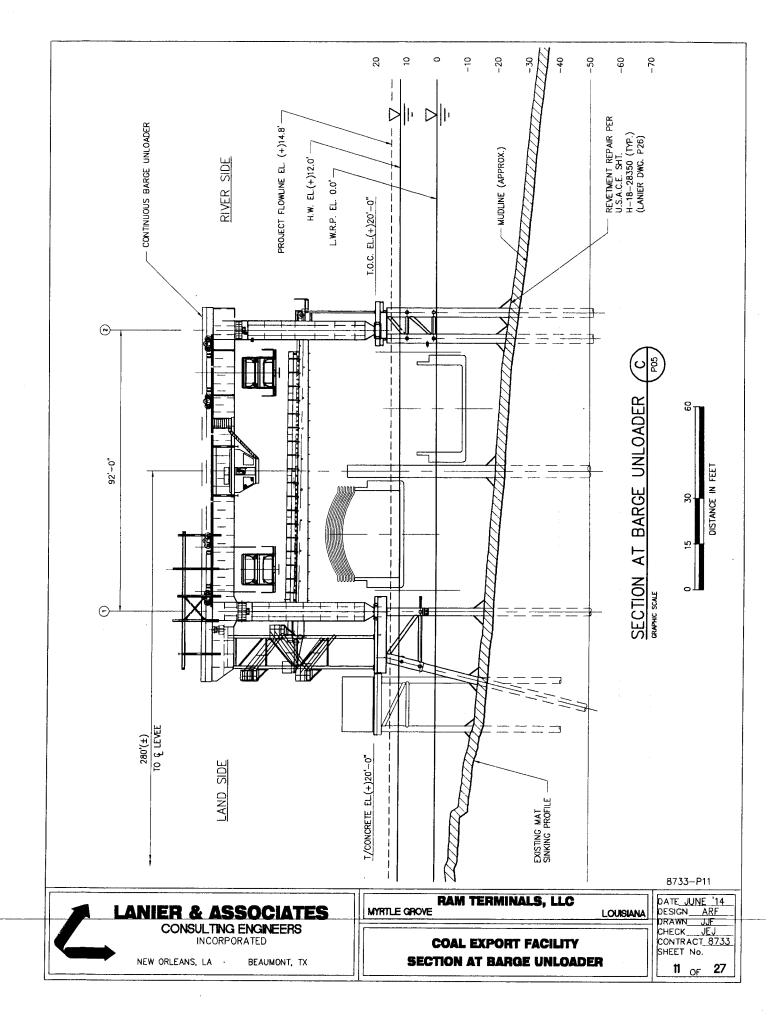


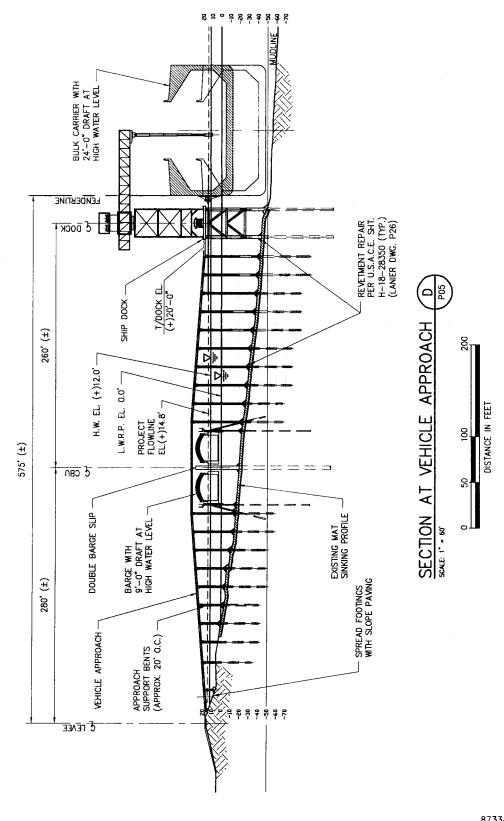












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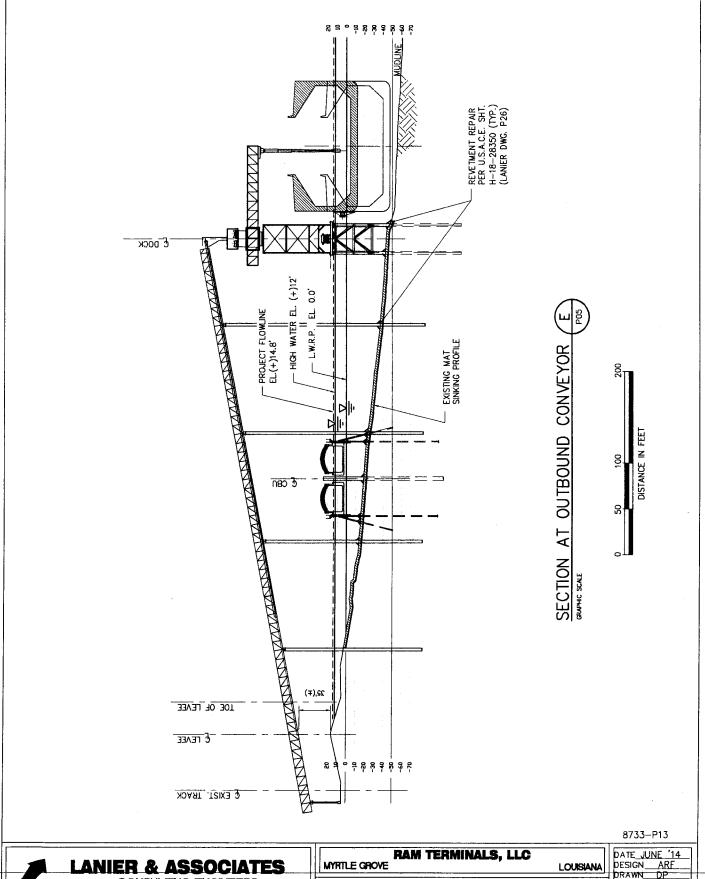
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RAM TERMINALS, LLC MYRTLE CHOVE

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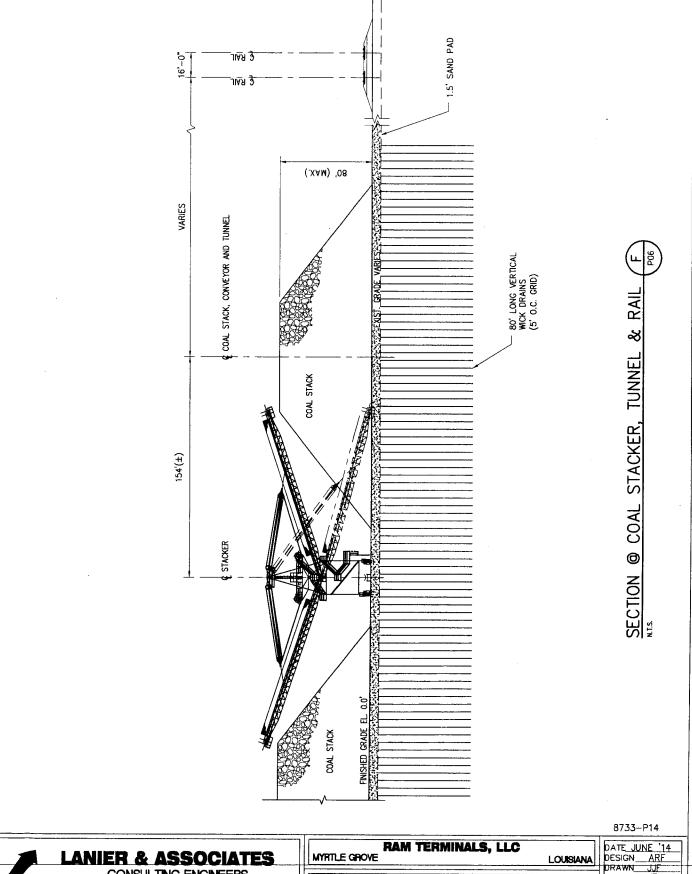
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COAL EXPORT FACILITY
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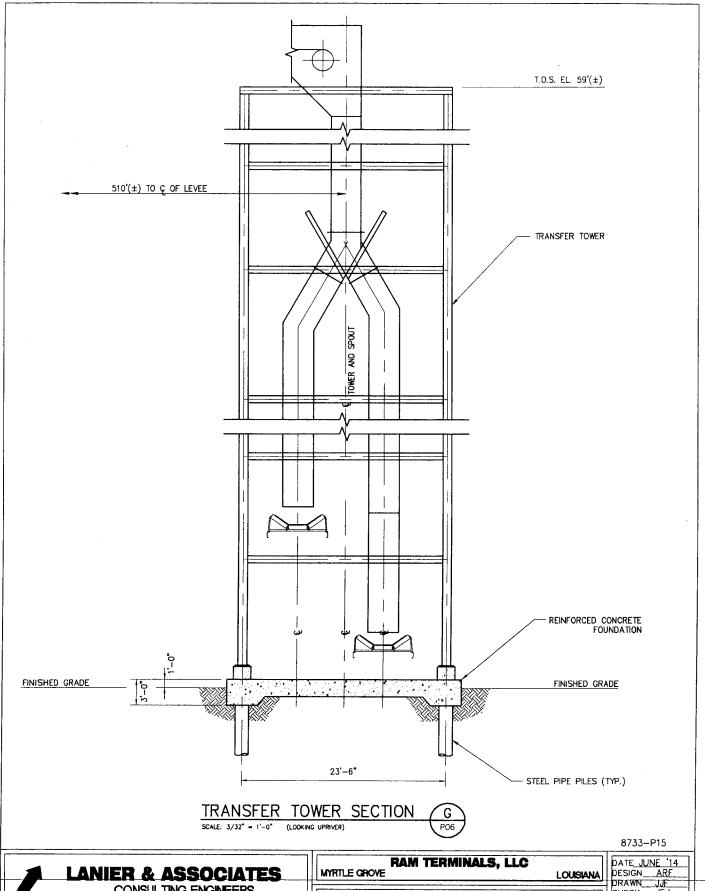
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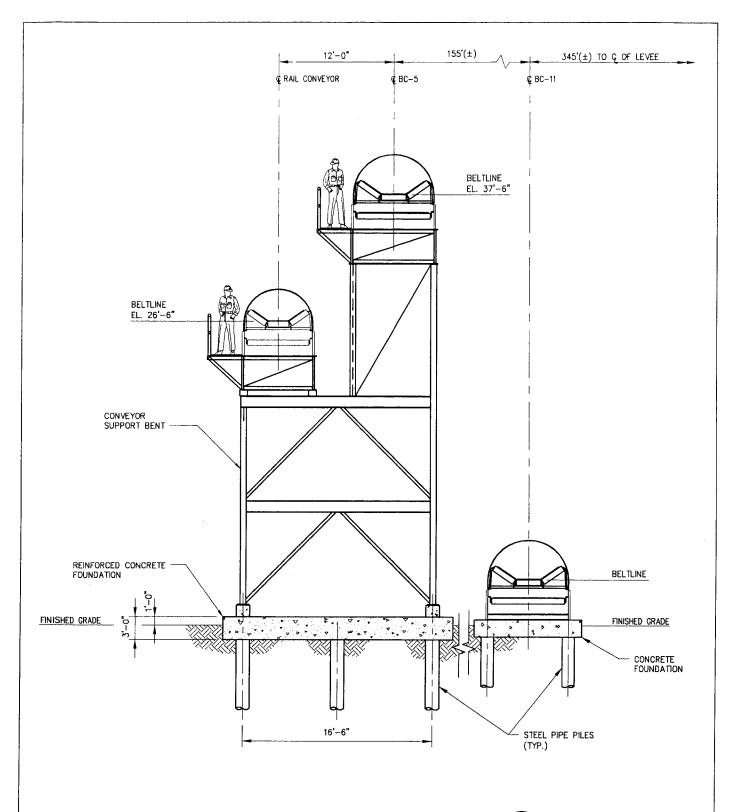
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COAL EXPORT FACILITY TRANSFER TOWER SECTION DATE JUNE '14
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CONVEYOR, SUPPORT AND FOUNDATIONS SCALE: 1/8" = 1'-0" (LOOKING UPRIVER)



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RAM TERMINALS, LLC

MYRTLE GROVE

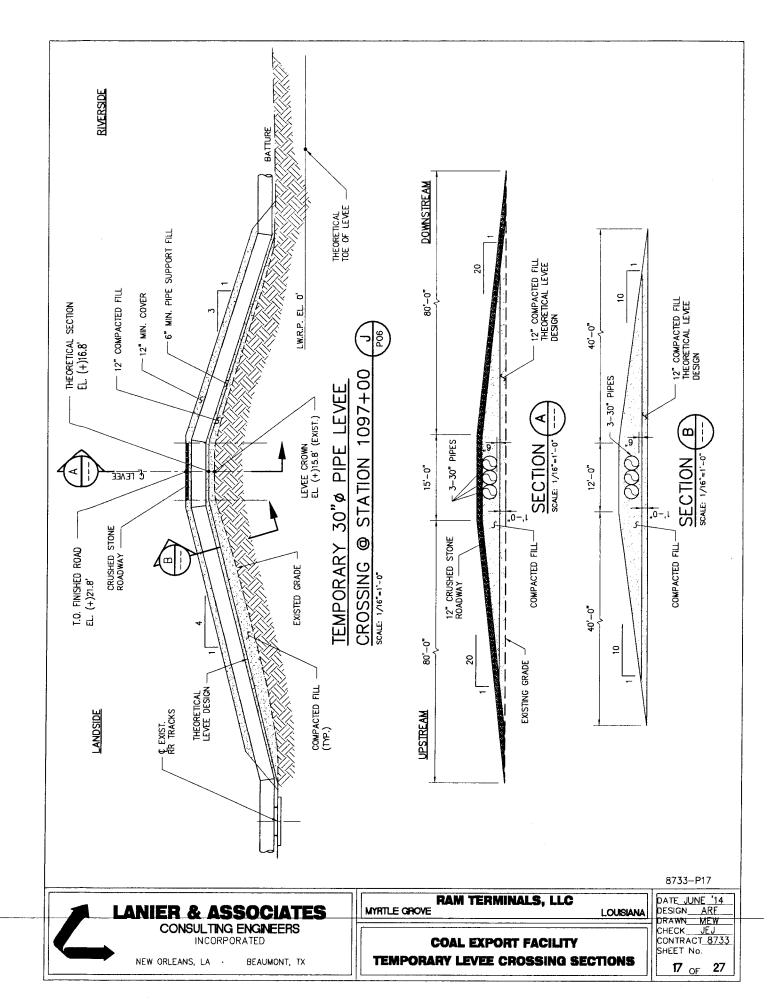
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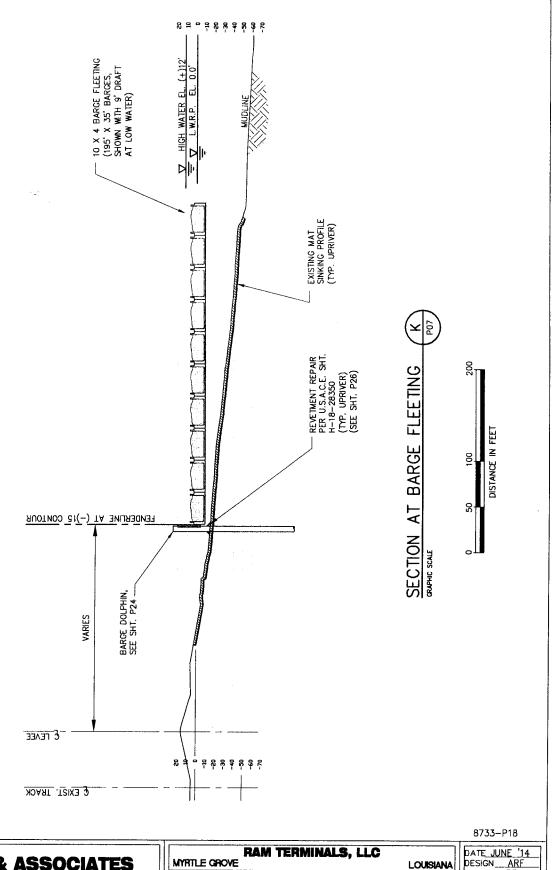
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COAL EXPORT FACILITY CONVEYOR, SUPPORT AND FOUNDATIONS





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NEW ADIENNA III

NEW ORLEANS, LA · BEAUMONT, TX

COAL EXPORT FACILITY
SECTION AT BARGE FLEETING

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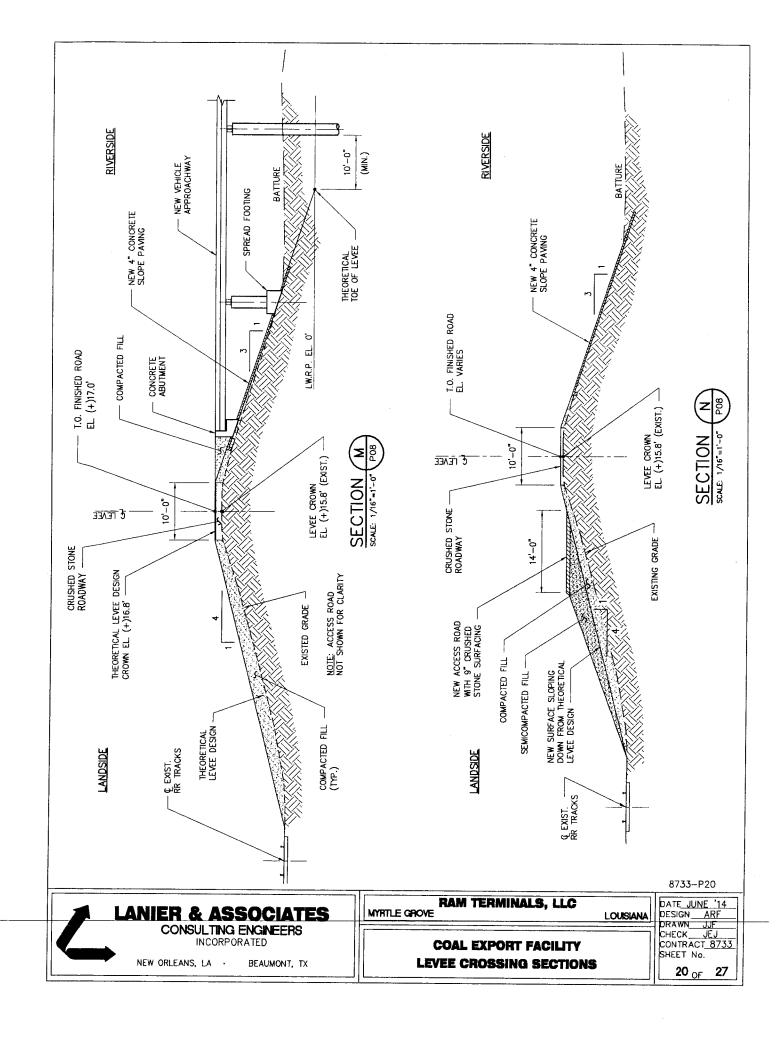
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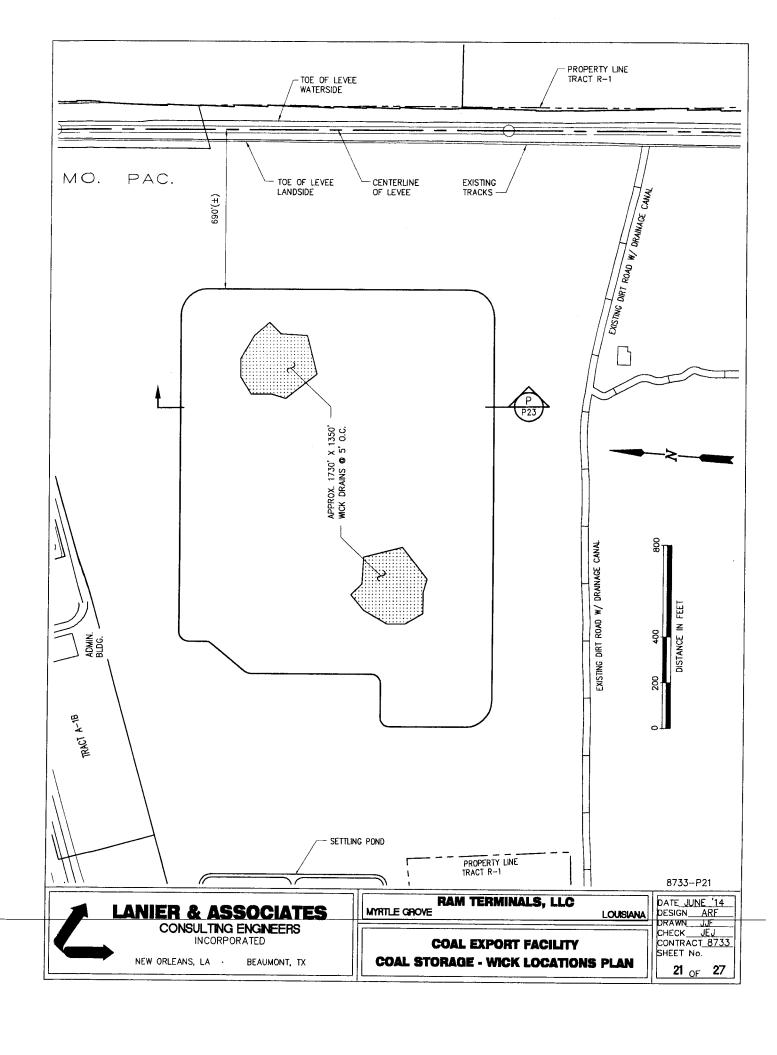
RAM TERMINALS, LLC
MYRTLE GROVE

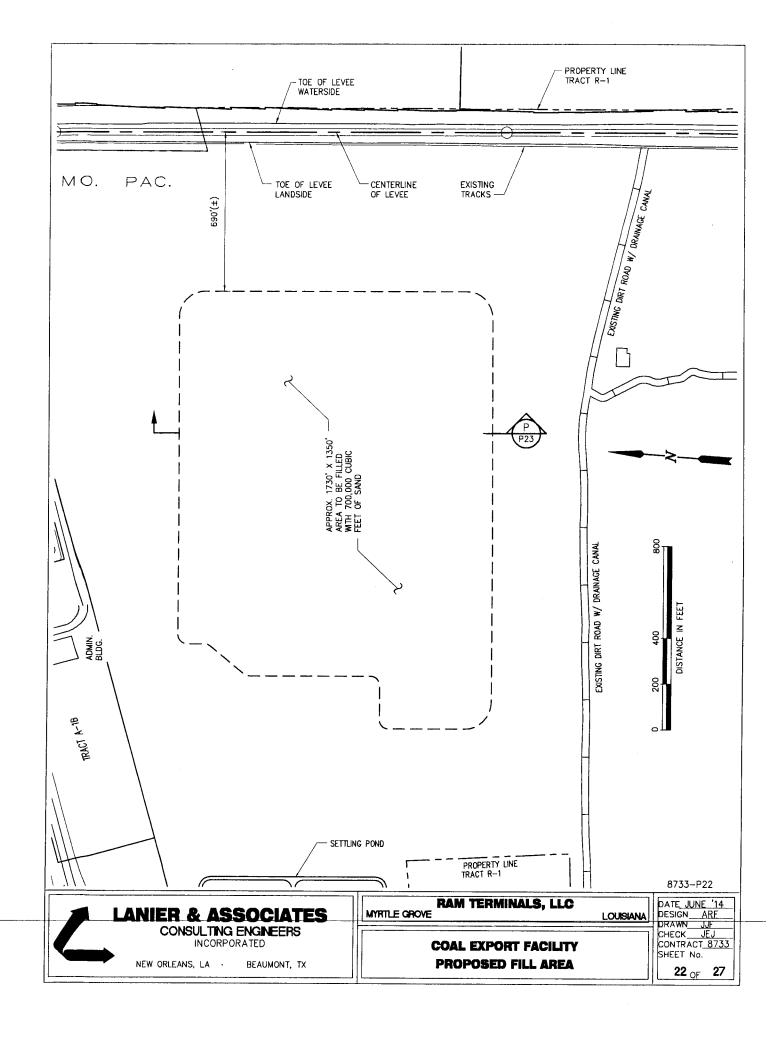
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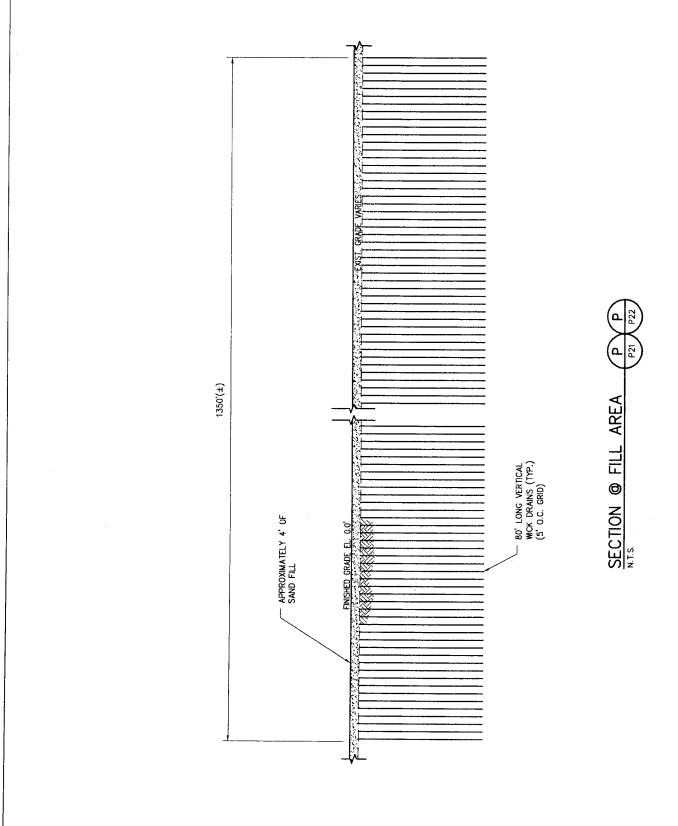
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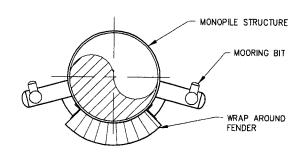
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MYRTLE GROVE RAM TERMINALS, LLC

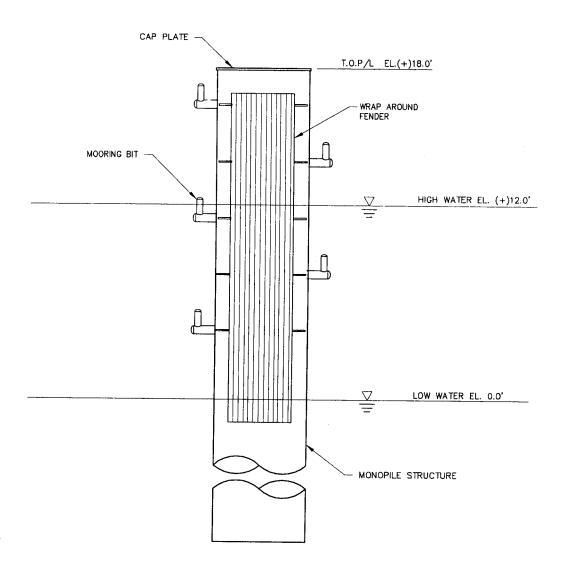
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COAL EXPORT FACILITY SECTION @ COAL STACKER & RAIL

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BARGE DOLPHIN PLAN



BARGE DOLPHIN ELEVATION N.T.S. (34 REQ'D)

8733-P24



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RAM TERMINALS, LLC MYRTLE GROVE

COAL EXPORT FACILITY

COAL EXPORT FACILITY
BARGE FLEETING DOLPHIN

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