



TELEX NO: 3772134 MNB INTL DET
FAX NO: 313 222 9324
SWIFT: MNB DUS33
F. ALLEN BARNES, DIRECTOR

COMERICA BANK
INTERNATIONAL TRADE SERVICES
411 W. LAFAYETTE, MC 3341
DETROIT, MI 48226

F. ALLEN BARNES, DIRECTOR
ENVIRONMENTAL PROTECTION DIVISION
GEORGIA DEPARTMENT OF NATURAL RESOURCES
4244 INTERNATIONAL PARKWAY, SUITE 104
ATLANTA, GEORGIA 30354

COPY

DEAR DIRECTOR:

WE HEREBY ESTABLISH OUR IRREVOCABLE STANDBY LETTER OF CREDIT NO. 650076-04, IN YOUR FAVOR, AT THE REQUEST OF AND FOR THE ACCOUNT OF EQ AUGUSTA, INC., 3920 GOSHEN INDUSTRIAL BLVD., AUGUSTA, GEORGIA 30906 REGARDING PERMIT NUMBER 121-019P UP TO THE AGGREGATE AMOUNT OF (THREE HUNDRED EIGHTY ONE THOUSAND FOUR HUNDRED SEVENTY THREE AND 40/100 U.S. DOLLARS) U.S. DOLLARS \$381,473.40, AVAILABLE UPON PRESENTATION OF:

- (1) YOUR SIGHT DRAFT, OR DEMAND FOR PAYMENT, BEARING REFERENCE TO THIS LETTER OF CREDIT NO. 650076-04
- (2) YOUR SIGNED STATEMENT READING AS FOLLOWS: "I CERTIFY THAT THE AMOUNT OF THE DRAFT IS PAYABLE PURSUANT TO REGULATIONS ISSUED UNDER AUTHORITY OF THE GEORGIA COMPREHENSIVE SOLID WASTE MANAGEMENT ACT, O.C.G.A. 12-8-20, ET SEQ, AND REGULATION ISSUED PURSUANT THERE TO."

THIS LETTER OF CREDIT IS EFFECTIVE AS OF JANUARY 24, 2011, AND SHALL EXPIRE ON JANUARY 21, 2012, BUT SUCH EXPIRATION DATE SHALL BE AUTOMATICALLY EXTENDED FOR A PERIOD OF ONE YEAR ON JANUARY 21, 2012 AND ON EACH SUCCESSIVE EXPIRATION DATE, UNLESS, AT LEAST 120 DAYS BEFORE THE CURRENT EXPIRATION DATE, WE NOTIFY BOTH YOU AND EQ AUGUSTA, INC. BY CERTIFIED MAIL THAT WE HAVE DECIDED NOT TO EXTEND THIS LETTER OF CREDIT BEYOND THE CURRENT EXPIRATION DATE. IN THE EVENT YOU ARE SO NOTIFIED, THE CREDIT ESTABLISHED BY THIS LETTER SHALL BE AVAILABLE UPON PRESENTATION OF YOUR SIGHT DRAFT OR DEMAND FOR PAYMENT FOR 120 DAYS AFTER THE DATE OF RECEIPT OF SUCH NOTICE BY BOTH YOU AND EQ AUGUSTA, INC., AS SHOWN ON THE SIGNED RETURN RECEIPT.

THE CREDIT ESTABLISHED BY THIS LETTER AND OUR OBLIGATION TO PAY SAME SHALL NOT BE AFFECTED BY THE RECEIVERSHIP, BANKRUPTCY OR INSOLVENCY OF DEBTOR OR THE ATTACHMENT BETWEEN EQ AUGUSTA, INC. AND OUR BANK.

WHENEVER THIS LETTER OF CREDIT IS DRAWN ON UNDER AND IN COMPLIANCE WITH THE TERMS OF THIS CREDIT, WE SHALL DULY HONOR SUCH DRAFT UPON PRESENTATION TO US, AND WE SHALL PAY THE AMOUNT OF THE DRAFT DIRECTLY TO YOU, AS DIRECTOR OF THE DIVISION OR THE SOLID WASTE TRUST FUND IN ACCORDANCE WITH YOUR INSTRUCTIONS.

THIS LETTER OF CREDIT IS SUBJECT TO THE UNIFORM CUSTOMS AND PRACTICE OF DOCUMENTARY CREDITS INTERNATIONAL CHAMBER OF COMMERCE PUBLICATION NO. 500 OR UNIFORM COMMERCIAL CODE, LATEST EDITION.

SINCERELY,



[SIGNATURE(S), AND TITLE(S) OF OFFICIAL(S) OF ISSUING INSTITUTION

[DATE] 1-24-11