

**AMENDED AND RESTATED  
ARTICLES OF ORGANIZATION  
OF  
CAHABA CONTRACTING & RECLAMATION, L.L.C.**

May 9, 2011

Pursuant to the provisions of the Alabama Limited Liability Company Law, Alabama Code § 10A-5-1.01 et seq. (the "Alabama Limited Liability Company Law"), the undersigned limited liability company hereby amends and restates its articles of organization as follows:

FIRST: The name of the filing entity is Cahaba Contracting & Reclamation, L.L.C.

SECOND: The filing entity is a limited liability company formed under the laws of the State of Alabama.

THIRD: The articles of organization of the filing entity were filed on June 12, 2000 in the Office of the Judge of Probate, Shelby County, Alabama.

FOURTH: Articles I through IX of the articles of organization of the filing entity are hereby deleted, and the articles of organization of the filing entity are hereby amended and restated to read in its entirety as follows:

1. The name of the filing entity is Cahaba Contracting & Reclamation, L.L.C.
2. The filing entity is a limited liability company.
3. The purpose for which the filing entity is formed is the business of mining, recovering, producing, processing and selling coal, and performing reclamation, as a contract miner providing such services to Birmingham Coal & Coke Company, Inc. and to such other parties as the filing entity's management committee may approve from time to time, accomplishing any lawful act whatsoever or which shall at any time appear conducive or expedient for the protection or benefit of the aforementioned purpose, exercising all other powers necessary to or reasonably connected with the foregoing purpose which may be legally exercised by limited liability companies under Alabama Limited Liability Company Law or under the laws of any jurisdiction in which the filing entity may conduct its business, and engaging in all activities necessary, customary, convenient or incident to any of the foregoing.
4. The period of duration of the filing entity is perpetual.
5. The members of the filing entity shall have the right to admit additional members to the filing entity in accordance with the terms and conditions of the applicable provisions of the operating agreement of the filing entity, as it may be amended from time to time.



20110527000157430 2/3 \$156.00  
Shelby Cnty Judge of Probate, AL  
05/27/2011 11:01:49 AM FILED/CERT

6. Except as specifically required by any non-waivable provisions of the Alabama Limited Liability Company Law or any provisions of the operating agreement of the filing entity, as it may be amended from time to time, the cessation of membership in the filing entity by any member shall not result in the dissolution of the filing entity.

7. Management of the filing entity is vested in the following managers, who are to serve as managers until their successors are elected and begin serving:

<u>Name of Manager</u>	<u>Address</u>
Robert A. Lewis	912 Edenton Street Birmingham, AL 35242
Thomas A. Lewis	912 Edenton Street Birmingham, AL 35242
Timothy J. Bergen	912 Edenton Street Birmingham, AL 35242
Jos De Smedt	912 Edenton Street Birmingham, AL 35242
Lenn W. Morris	912 Edenton Street Birmingham, AL 35242

8. The regulation of the internal affairs of the filing entity, if not set forth herein, shall be governed by the operating agreement of the filing entity, as it may be amended from time to time.

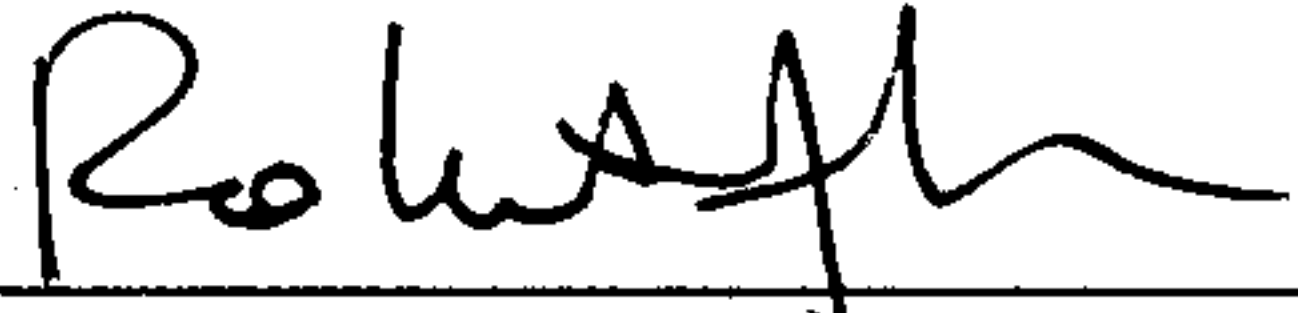
FIFTH: Each amendment to the articles of organization of the filing entity set forth in this filing instrument has been made in accordance with Title 10A of the Alabama Code and has been approved in accordance with Title 10A of the Alabama Code and the governing documents of the filing entity by the members of the filing entity.

SIXTH: The restatement of the certificate of formation set forth in this filing instrument (i) accurately states the text of the certificate of formation being restated and each amendment to the certificate of formation being restated that is in effect, as further amended by this filing instrument, and (ii) does not contain any other change in the certificate of formation being restated except for information omitted under Alabama Code § 10A-1-3.17(b).

[Remainder of Page Left Blank Intentionally]

IN WITNESS WHEREOF, the filing entity has caused this filing instrument to be executed  
by its member as of the date first above written.

CAHABA CONTRACTING & RECLAMATION, L.L.C.

By:   
Name: Robert A. Lewis  
Its: Member

By: RADAR USA HOLD CORP.  
Its: Member

By:   
Name: Jos De Smedt  
Its: Chief Financial Officer

This instrument prepared by:

Charles A. Roberts, Jr.  
Bradley Arant Boult Cummings LLP  
One Federal Place  
1819 Fifth Avenue North  
Birmingham, AL 35203-2119