

**SEVENTH AMENDMENT AND EIGHTH WAIVER REGARDING
2013 LOAN AND SECURITY AGREEMENT**

THIS SEVENTH AMENDMENT AND EIGHTH WAIVER REGARDING 2013 LOAN AND SECURITY AGREEMENT ("**Eighth Waiver**") is made as of the 31st day of May, 2016 (the "**Effective Date**") by and among ADA-ES, INC., a Colorado corporation ("**Borrower**"), ADVANCED EMISSIONS SOLUTIONS, INC., a Delaware corporation ("**ADES**"), and COBIZ BANK, a Colorado corporation, d/b/a COLORADO BUSINESS BANK ("**Lender**").

RECITALS

A. Borrower, ADES and Lender are parties to that certain 2013 Loan and Security Agreement dated as of September 19, 2013, as amended by the First Amendment and Waiver Regarding 2013 Loan and Security Agreement dated as of December 2, 2013, as further amended by a Waiver Letter dated February 7, 2014, as further amended by the Second Amendment Regarding 2013 Loan and Security Agreement dated as of April 3, 2014, as further amendment by the Third Waiver Regarding 2013 Loan and Security Agreement dated as of June 30, 2014, as further amended by the Third Amendment and Fourth Waiver Regarding 2013 Loan and Security Agreement dated as of September 20, 2014, as further amended by the Fourth Amendment and Fifth Waiver Regarding 2013 Loan and Security Agreement dated as of December 15, 2014, as further amended by the Fifth Amendment and Sixth Waiver Regarding 2013 Loan and Security Agreement dated as of May 29, 2015, as further amended by the Sixth Amendment and Seventh Waiver Regarding 2013 Loan and Security Agreement dated as of September 30, 2015 (as amended, supplemented, modified and restated from time to time, the "**Loan Agreement**").

B. In accordance with the provisions of the Loan Agreement, Lender has agreed to waive and amend, for the benefit of Borrower, certain terms and conditions contained in the Loan Agreement, as specifically provided herein.

C. ADES wishes to provide its consent to the amendments and waivers set forth herein.

D. Other than as defined in this Eighth Waiver, all capitalized terms used in this agreement without definition shall have the meanings given to such terms in the Loan Agreement.

NOW THEREFORE, in consideration of the promises and covenants made by Borrower and contained in this Eighth Waiver and the consent given by ADES herein, Lender grants the waivers and agrees to the amendments set forth below as of the Effective Date:

I. Amendment to Definitions. The definition of "Secured Line Termination Date" is amended and restated to read, in its entirety, as follows:

"Secured Line Termination Date" means August 29, 2016, or such earlier date as may occur pursuant to Section 8.2 hereof.

Smith Amendment Waiver Report

**United States. Supreme Court, John
Chandler Bancroft Davis, Henry
Putzel, Henry C. Lind, Frank D. Wagner**

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Official Reports of the Supreme Court United States. Supreme Court,1988 **Authorizing Appropriations for Fiscal Years 1990-91 for the Department of State, the U.S. Information Agency, the Voice of America, the Board for International Broadcasting, and for Other Purposes** United States. Congress. House. Committee on Foreign Affairs,1989 *The Encyclopedic Digest of Tennessee Reports* Thomas Johnson Michie,1906 United States Reports United States. Supreme Court,John Chandler Bancroft Davis,Henry Putzel,Henry C. Lind,Frank D. Wagner,2000 *Reports of Cases at Law and in Equity Determined by the Supreme Court of the State of Iowa* Iowa. Supreme Court,1895 **North Carolina Reports** North Carolina. Supreme Court,1935 Cases argued and determined in the Supreme Court of North Carolina **Reports of Cases Argued and Determined in the Supreme Court of Alabama** Alabama. Supreme Court,1882 Reports of Cases at Law and in Equity, Argued and Determined in the Supreme Court of Alabama Alabama. Supreme Court,1882 *Reports of Cases Decided in the Court of Appeals of the State of Georgia at the ...* Georgia. Court of Appeals,1908 *Congressional Record* United States. Congress,2002 **United State Congressional Serial Set, Serial No. 14721, House Reports Nos. 37-60** United States. 79th Congress, 2nd session, The Congressional Serial Set contains the House and Senate documents and reports This volume contains House Reports from the 107th Congress 1st Session 2001

Reports of Cases in Law and Equity Determined in the Supreme Court of the State of Iowa Iowa. Supreme Court,1895 *Hearings, Reports and Prints of the House Committee on Rules* United States. Congress. House. Committee on Rules,1970 **The National Bankruptcy News and Reports** ,1898 **Reports of Cases Argued and Determined in the Supreme Court of the State of Vermont** Vermont. Supreme Court,1890 *Reports of Cases in the Supreme Court of Nebraska* Nebraska. Supreme Court,Lorenzo Crounse,Guy Ashton Brown,Walter Albert Leese,David Allen Campbell,Lee Herdmen,Henry Paxon Stoddart,1897 Rules of the Supreme Court In force February 1 1914 v 94 p vii xx *Reports of cases heard and determined in the Appellate Division of the Supreme Court of the State of New York* ,1924 **North Carolina Court of Appeals Reports** North Carolina. Court of Appeals,1999 Massachusetts Reports Massachusetts. Supreme Judicial Court,1913 **A Digest of New York Statutes and Reports** Austin Abbott,1890

The Top Books of the Year Smith Amendment Waiver Report The year 2023 has witnessed a remarkable surge in literary brilliance, with numerous engrossing novels captivating the hearts of readers worldwide. Lets delve into the realm of bestselling books, exploring the engaging narratives that have charmed audiences this year. Smith Amendment Waiver Report : Colleen Hoover's "It Ends with Us" This poignant tale of love, loss, and resilience has captivated readers with its raw and emotional exploration of domestic abuse. Hoover skillfully weaves a story of hope and healing, reminding us that even in the darkest of times, the human spirit can triumph. Uncover the Best : Taylor Jenkins Reids "The Seven Husbands of Evelyn Hugo" This captivating historical fiction novel unravels the life of Evelyn Hugo, a Hollywood icon who defies expectations and societal norms to pursue her dreams. Reids compelling storytelling and compelling characters transport readers to a bygone era, immersing them in a world of glamour, ambition, and self-discovery. Smith Amendment Waiver Report : Delia Owens "Where the Crawdads Sing" This captivating coming-of-age story follows Kya Clark, a young woman who grows up alone in the marshes of North Carolina. Owens crafts a tale of resilience, survival, and the transformative power of nature, captivating readers with its evocative prose and mesmerizing setting. These bestselling novels represent just a fraction of the literary treasures that have emerged in 2023. Whether you seek tales of romance, adventure, or personal growth, the world of literature offers an abundance of captivating stories waiting to be discovered. The novel begins with Richard Papen, a bright but troubled young man, arriving at Hampden College. Richard is immediately drawn to the group of students who call themselves the Classics Club. The club is led by Henry Winter, a brilliant and charismatic young man. Henry is obsessed with Greek mythology and philosophy, and he quickly draws Richard into his world. The other members of the Classics Club are equally as fascinating. Bunny Corcoran is a wealthy and spoiled young man who is always looking for a good time. Charles Tavis is a quiet and reserved young man who is deeply in love with Henry. Camilla Macaulay is a beautiful and intelligent young woman who is drawn to the power and danger of the Classics Club. The students are all deeply in love with Morrow, and they are willing to do anything to please him. Morrow is a complex and mysterious figure, and he seems to be manipulating the students for his own purposes. As the students become more involved with Morrow, they begin to commit increasingly dangerous acts. The Secret History is a masterful and suspenseful novel that will keep you guessing until the very end. The novel is a warning tale about the dangers of obsession and the power of evil.

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