

MAT Asphalt Non-Monetary Improvements:

In addition to the \$1.2 million dollars in monetary relief to be paid into a common fund for the benefit of the Class, Defendant MAT Asphalt agrees to the following improvement measures aimed at odor and dust mitigation which have an estimated total value of \$900,000:

- a. By April of 2024, MAT will install a blue smoke control system, which will capture and filter 99.9% of blue smoke from any and all asphalt plant emissions points. This system will be installed on the hot mix silo that will maintain odor emissions for the liquid asphalt tank filling operations at the top of the silo and control potential emissions/odors resulting from the load out of asphalt to trucks. MAT will also ensure the continued use of fume condensers and/or activated carbon to limit vapors from liquid asphalt cement tanks.
- b. Maintain and enforce a fugitive dust control plan that includes paving, cleaning, and sweeping the Facility's roadways;
- c. MAT will also expand its fugitive dust control plan which is expected to include the use of a water canon. The fugitive dust plan will also include details regarding water application and street sweeping frequency, the immediate cleanup of materials spilled on the roadways and the cleaning of wheels on departing trucks.
- d. Maintain rules to ensure that any and all trucks leaving the property are covered with tarps to minimize exposure to open air;
- e. Maintain and enforce a policy to load and unload truck beds and loader/excavator buckets slowly and to minimize the drop height of materials to the lowest height possible;

- f. Maintain and enforce a policy requiring trucks to turn off engines as often as possible on the premises of the Facility;
- g. Defendant agrees to the following measures to control dust, which include by are not limited to:
 - 1. Utilizing an on-site water truck to wet dirt roads and keep dust down (twice per day, multiple times per week).
 - 2. Water contents of any piles is checked twice per day to ensure compliance with EPA standards.
 - 3. Include of a portable water cannon in the fugitive dust control plan
- h. MAT will plant twenty-five (25) additional trees around the Facility property boundary within twelve (12) months of final approval of this Settlement Agreement;
- i. MAT will conduct inspection of the baghouse prior to beginning operation each year; and
- j. MAT will complete maintenance and repairs to the ductwork of the Facility as necessary to ensure that there are no leaks.