

**SETTLEMENT AND ELECTION OF PAYMENT**

**In the matter of:**

**Vulcan Materials Company**

**Site # A0705**

**Notices of Violation Nos. A60412 and 60879**

The Bay Area Air Quality Management District (“District”) has issued the Notices of Violation (“NOVs”) referenced above to Vulcan Materials Company (“Respondent”), alleging that Respondent violated District regulation(s) described in the NOVs.

Respondent elects and agrees to pay the monetary civil penalty of **Two Hundred Twenty-Eight Thousand Dollars (\$228,000)** in complete settlement of **NOVs Nos. A60412 and 60879** pertaining to **Vulcan Materials Co., Site No. A0705**. Respondents agree to pay the full amount of **\$228,000**, payment to be made by check or money order and to be **RECEIVED** by the District by **December 23, 2023**. Respondents agree that failure to pay by the due date constitutes a breach of this agreement and renders the entire amount immediately due and payable.

Upon receipt of the total monetary civil penalty due, the District releases Respondent from any further liability pertaining to the violations or conduct alleged in the NOVs. Further, this settlement precludes the District from seeking criminal or civil penalties under California Health & Safety Code Section 42400 et seq. or from taking administrative action for the same violations or conduct alleged in the NOVs.

Respondent understands and agrees that the District may rely upon the NOVs and may offer proof thereof in connection with any administrative or judicial proceeding not related to the actions that are the basis for the NOVs for purposes of establishing a violation history.

Respondent understands and agrees that settlement of this matter by payment of this monetary civil penalty is reasonable, fair, and in the best interests of the District and Respondent.

The undersigned expressly affirms that he or she is authorized to execute this Settlement and Election of Payment on behalf of Respondent.

Vulcan Materials Co.  
52 El Charro Rd.  
Pleasanton, CA 94588

**By:** G. Brent Leclerc  
**Title:** Manager - Environmental Services  
**Signature** *G. Brent Leclerc*  
**Date:** December 13, 2023

**INSTRUCTIONS**

1. Enclose in accompanying envelope a check or money order made payable to “Bay Area Air Quality Management District” and mailed to: Legal Division, 375 Beale St., Suite 600, San Francisco, CA 94105.
2. Include on the face of your check or money order NOVs Nos. A60412 and 60879.

**PLEASE RETAIN A COPY FOR YOUR RECORDS  
AND INCLUDE A COPY OF THIS FORM WITH YOUR PAYMENT**

**RECEIVED, DEC 19 2023**