

[Consent Order entered Wed., Aug 26, 2009,
by Judge William L. Dowell.]

IN THE IOWA DISTRICT COURT FOR LEE COUNTY AT KEOKUK

STATE OF IOWA, ex rel., IOWA)
DEPARTMENT OF NATURAL)
RESOURCES (99AG23542),)

Plaintiff,)

vs.)

MATRIX METALS LLC, d/b/a KEOKUK)
STEEL CASTINGS CO., f/k/a KEOKUK)
STEEL CASTINGS CO., INC.,)

Defendant.)

LAW NO. CV EQ ⁰⁰⁵¹⁸⁸

**CONSENT ORDER,
JUDGMENT AND DECREE**

[8-26-09]

NOW on this _____ day of _____, 2009, the Court is presented with the Plaintiff's Petition at Law seeking civil penalties and injunctive relief pursuant to Iowa Code section 455B.146. The Court having read the Petition and being otherwise advised by the parties
FINDS:

1. The Court has jurisdiction of the parties and the subject matter of this action and the parties consent to the entry of the Consent Order, Judgment and Decree.

2. Defendant Matrix Metals LLC, d/b/a Keokuk Steel Castings Co., f/k/a Keokuk Steel Castings Co., Inc. (Matrix Metals) admits for purposes of settlement and this action only, the violations alleged in paragraphs 130 through 134, and paragraph 144 of the Petition at Law, and no other allegation or statement therein except as expressly provided herein.

3. The Defendant states that it has worked cooperatively and in a timely manner to address the violations identified herein by taking several steps to attain compliance, installing a new environmental management team, and agreeing to make significant improvements to its environmental management process to ensure continued compliance. Defendant states that the

violations identified herein were unintentional.

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

4. Defendant Matrix Metals, L.L.C. shall pay a civil penalty of Two Hundred Twenty Thousand and no/100 dollars (\$220,000.00) for the violations admitted herein within ten (10) days of the entry of this Consent Order, Judgment and Decree. The Defendant shall also pay interest pursuant to Iowa Code section 535.3(1) on any unpaid balance. Payment of the civil penalty and any interest shall be made payable to the State of Iowa and forwarded to Assistant Attorney General Jacob Larson at the address below.

5. Defendant Matrix Metals, L.L.C. is permanently enjoined from further violations of Air Quality Construction Permit Nos. 06-A-449-S3, 08-A-329-S1, 76-A-098-S6, 76-A-099-S2, and 01-A-181-S5; Title V Operating Permit No. 04-TV-012-M001; 567 Iowa Admin. Code 24.1(4); and 40 C.F.R. §§ 63.7683(a)-(b), 63.7690(a)(1)(i), 63.7735(b)(1), and 63.7745(a)(3), as adopted by 567 Iowa Admin. Code 23.1(4), except as otherwise allowed by future permit modifications.

6. This Consent Order, Judgment and Decree is in full compromise and settlement of all violations alleged in the Petition and referenced herein to have been committed by Defendant, and all violations arising out of the same facts and circumstances referred to in the Petition and referenced herein that were known or should have been known to the State of Iowa as of the date of filing of this Consent Order, Judgment and Decree.

7. The Court retains jurisdiction of this matter to ensure compliance with the terms of this Order.

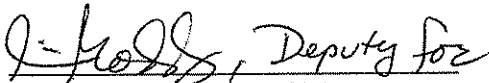
8. The costs of this action are taxed to the Defendant in the amount of \$_____. (Clerk to enter).

[Judge William L. Dowell]

JUDGE, Eighth Judicial District of Iowa

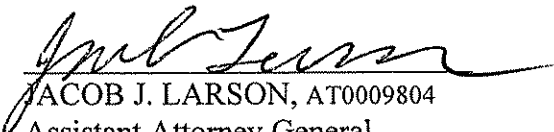
Approved as to form:

IOWA DEPARTMENT OF
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