Fourth Addendum to the 2010 Memorandum of Understanding

This Fourth Addendum to the October 7th, 2010 Memorandum of Understanding between the Wisconsin Department of Natural Resources and Forest County Potawatomi Community to Implement Forest County Potawatomi Class I Air Redesignation (the "2010 MOU"), is effective as of January 30, 2015 (the "Effective Date").

I. Extension of Review Period

The Parties agree that the Review Period established in section III of the First Addendum to the 2010 MOU (the "First Addendum") and modified by section I of the Second Addendum to the 2010 MOU (the "Second Addendum") and by section I of the Third Addendum to the 2010 MOU (the "Third Addendum") is extended with respect to FCPC's new mercury and sulfur Threshold Effects Levels (TELs) related to the methylation component of the Existing Water Quality and Aquatic Systems AQRVs (the "Mercury Methylation TELs"), and with respect to FCPC's New Vegetation AQRV and TEL, so as to conclude by close of business on Friday May 1, 2015 or individually for the Mercury Methylation TELs, the Vegetation AQRV, and/or the Vegetation TEL if the Department takes action to invoke Scientific Review Panel dispute resolution in accordance with Section VI of the 1999 Agreement (the "SRP Process"), whichever occurs earlier.

II. Vegetation AQRV Implementation During Review Period

Notwithstanding anything to the contrary in this Fourth Addendum or Section IV.B.4 of the 1999 Agreement, until the Vegetation AQRV and TEL become effective, FCPC has the right to apply the Vegetation AQRV to new and modified PSD permit applications on a case-by-case basis if FCPC believes that substantial harm, as defined in Section IV.A.4 of the 1999 Agreement and Section 4(d) of the MOU, will occur to the Vegetation AQRV within the Class I Area. Should the Department have a scientific or technical dispute relating to the Vegetation AQRV or TEL applied by FCPC pursuant to this paragraph, the Department may invoke the SRP Process to resolve the dispute and determine if adverse impacts may potentially occur to the Vegetation AQRV.

III. Water Quality and Aquatic Systems Mercury Methylation TELs Implementation During the Review Period

Until TELs (or DATs) to protect against mercury methylation become effective, FCPC continues to have the right to apply the Water Quality and Aquatic Systems AQRVs to new and modified PSD permit applications, including in ways to protect against mercury methylation. When FCPC applies the Water Quality and Aquatic Systems AQRVs to protect against mercury methylation, both parties will work together to determine interim TELs. If the parties are unable to agree on interim TELs, the Scientific Review Panel, as defined in the 1999 Agreement, has the authority to determine if adverse impacts from mercury methylation may potentially occur to the Water Quality and Aquatic Systems AQRVs.

IV. Remaining Terms

Except as expressly modified by this Fourth Addendum, the remaining terms in the 2010 MOU and the First Addendum, Second Addendum and Third Addendum shall remain unchanged.

V. Termination

Should either party believe the other party is not acting in good faith, it may terminate this Fourth Addendum upon forty five (45) days' written notice to the other party (sent by certified priority mail to the signatory of this Fourth Addendum and by electronic mail to the signatory party's air program director and legal counsel). The party issuing notice shall provide in its notice its concerns and why it believes the other party is not acting in good faith and the party receiving notice shall be given an opportunity to respond to the concerns. If the response is acceptable to the issuing party, the notice can be rescinded. If the response is not acceptable then this Fourth Addendum shall be terminated effective on the forty-fifth day following the date the written notice was sent by certified priority mail (the "Termination Date"). For the avoidance of doubt, nothing in this paragraph shall limit a party's right to invoke the SRP Process for the Vegetation AQRV and/or TEL or the Mercury Methylation TELs prior to the Termination Date.

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IN WITNESS THEREOF the Parties hereto have caused this Fourth Addendum, which shall be effective as of the date set forth above when signed by both Parties, to be executed as follows:

FOREST COUNTY POTAWATOMI COMMUNITY

By: Dale Frank

Title: Chairman

WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By: Matt Mooney

Title: Deputy Secretary