**COMMUNITY BENEFITS AGREEMENT**

This COMMUNITY BENEFITS AGREEMENT, between Wabash Valley Resources, LLC (“WVR”) and the Vermillion County Commissioners (the “Commissioners”) is made this \_\_\_\_\_\_\_\_\_\_\_ day of June, 2024.

**WHEREAS,** WVR is building an ammonia manufacturing facility, with accompanying carbon dioxide injection wells to be located in Vermillion County (the “Project”); and

**WHEREAS,** WVR is committed to enhancing community safety, protecting the natural environment, and enhancing community welfare as an integral part of its operations; and

**WHEREAS,** WVR recognizes the community’s past and continuing support of the Project, and has agreed to provide certain community benefits;

**NOW, THEREFORE,** in consideration of the mutual promises, covenants, and conditions herein contained, the parties agree as follows:

**1. Community Benefit Funds:**

a. WVR shall establish an advised endowment fund, to be known as the “WVR Vermillion County Community Benefit Fund” (the “Fund”), with the Wabash Valley Community Foundation, Inc. (the “Foundation”), pursuant to the terms of a “Donor Advised Endowment Fund Agreement” between WVR and the Foundation (the “Fund Agreement”).

b. The Commissioners agree to submit to the Foundation recommendations regarding distribution of available income from the Fund, as more fully provided in the Fund Agreement:

(i) At least forty percent (40%) of the distributable income from the Fund shall be used to support charitable activities in or serving the Town of Universal and surrounding areas (including, if appropriate under the Fund’s standards, the support of rural infrastructure).

(ii) The remainder of the distributions from the Fund shall be used to support efforts to combat climate change, to facilitate clean energy and energy efficiency, to develop clean transit, to develop affordable and sustainable housing, to perform training and workforce development, to remediate and reduce legacy pollution, and to develop clean water and wastewater infrastructure. The Commissioners agree to make funding recommendations consistent with these restrictions.

**2. Training and Equipping First Responders:**

a. WVR shall work collaboratively with first responders serving Clinton Township to assist in establishing a program to train and equip first responders in emergency and environmental response.

b. As part of this, an initial distribution of five hundred thousand dollars ($500,000.00) shall be made from the Fund to volunteer fire departments serving Clinton Township. This distribution shall be used (i) for obtaining training in emergency response techniques in the event of environmental incidents, and (ii) for equipment useful for responding to environmental incidents (including personal protective equipment, monitoring devices, and emergency medical supplies).

c. WVR will coordinate annual training sessions with Vermillion County’s designated emergency response teams, with additional sessions as needed.

**3. Rural Infrastructure Improvements:**

a. To respond to the requests of Vermillion County citizens, WVR commits to undertake, at its expense, road upgrades within a three-mile radius of its injection facilities, at a projected expense of up to five million dollars ($5,000,000). WVR will perform these upgrades, as it deems appropriate or necessary, by directly engaging and paying suitable contractors, and will comply with applicable Vermillion County, Indiana or federal road standards.

b. The Commissioners commit to authorizing road improvements requested by WVR as shown in the attachment. The Commissioners will direct Vermillion County employees and officials to facilitate and expedite any needed approvals, to coordinate with WVR and its contractors on the efficient performance of road upgrade work, and to coordinate with the Indiana Department of Transportation as needed. The Commissioners will further encourage local officials to facilitate and encourage the timely performance of road upgrades, as necessary or appropriate.

**4. Workforce Engagement and Training:** WVR will collaborate with the Commissioners to identify former coal community workers for potential employment opportunities, and will make available applicable training and skills development programs to ensure that these individuals are prepared for new roles in operations, maintenance, or other relevant positions. WVR will give preference in hiring to qualified applicants who are residents of Clinton Township, and Fayette and Sugar Creek Townships in Vigo County.

**5. Compliance and Reporting:** WVR will appoint a responsible officer or employee to oversee implementation of this Agreement, and to respond to questions and requests from the Commissioners.

IN WITNESS WHEREOF, WVR (by its duly authorized officer) and the Commissioners have executed this Agreement as of the day and year first above written.

[signatures on following page]

WABASH VALLEY RESOURCES, LLC:

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By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

VERMILLION COUNTY COMMISSIONERS:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Britton Luther

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Tim Yocum

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RJ Dunavan

Attachment 1 – Road Upgrades Map

A screenshot of a computer

Description automatically generated

**Injection Site**