

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

STATE OF NEBRASKA, ex rel.,)
MICHAEL J. LINDER, Director)
DEPARTMENT OF ENVIRONMENTAL)
QUALITY,)

Doc. 1072 No. 334

ORDER

Plaintiff,)

v.)

A & S CONCRETE RECYCLING, INC.,)
A Nebraska Corporation)
Defendant.)

NOW ON THIS 14TH day of August, 2007, this matter came before this Court, the Honorable Joseph Troia, Douglas County District Court, upon the Plaintiff's Motion for Default Judgment. Exhibit 1, the Affidavit in Support of Motion for Default Judgment, was received into evidence, and Judicial Notice was taken of the pleadings in this matter.

THE COURT HEREBY FINDS THAT the Defendant, A & S Concrete Recycling, Inc. is in default.

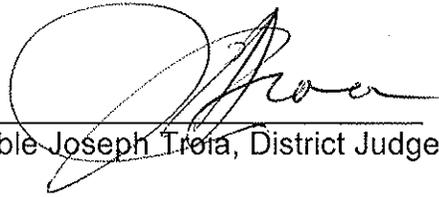
IT IS THEREFORE ORDERED THAT:

- (1) A & S is ordered to comply with the Administrative Order of the NDEQ within 30 days of the date of this Order; and
- (2) A & S is enjoined from further violating Title 129 and the Administrative Order issued by the Director of the NDEQ on January 26, 2006; and
- (3) Civil Penalties are imposed upon A & S in the amount of \$50,000.00; and

- (4) A & S is ordered to submit its annual emissions inventories for the calendar years 2003, 2004, 2005, and 2006 within 30 days of the date of this Order.

IT IS SO ORDERED.

BY THE COURT,



Honorable Joseph Troia, District Judge

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