

**IN THE CIRCUIT COURT OF DENT COUNTY
STATE OF MISSOURI**

FILED
JUL 12 2015

BECKY SWINEY
CIRCUIT CLERK
DENT COUNTY, MO

STATE OF MISSOURI *ex rel.*)
CHRIS KOSTER, the Attorney)
General of Missouri, and the)
MISSOURI CLEAN WATER)
COMMISSION, and the MISSOURI)
DEPARTMENT OF NATURAL)
RESOURCES,)

Plaintiff,)

v.)

Case No. 11DE-CC00048

FRANKIE L. SCHWARTZ *d/b/a*)
SCHWARTZ AUTO SALVAGE,)

Defendant.)

FINAL JUDGMENT

Plaintiff, State of Missouri, filed a petition with this court on October 28, 2011, against Defendant for violations of the Missouri Clean Water Law, §§ 644.006–644.150, RSMo. The case was brought before the court for Plaintiff's request for preliminary injunction on April 12, 2015, and for Plaintiff's request for permanent injunction on November 27, 2013. Upon remand from the Missouri Court of Appeals, Southern District, this court finds as follows:

1. Defendant has owned and operated Schwartz Auto Salvage, a motor vehicle salvage yard in Salem, Dent County, Missouri. Schwartz Auto Salvage had more than fifty (50) vehicles on-site.

2. From at least June 6, 2009, and continuing, Defendant owned and operated Schwartz Auto Salvage without a Department-issued general storm water permit, in violation of the Missouri Clean Water Commission's Regulation 10 CSR 20-6.200.

3. Section 644.076.1, RSMo, authorizes injunctive relief and civil penalties of up to Ten Thousand Dollars (\$10,000.00) per day for each day of each violation when a person has violated any standard, rule or regulation promulgated by the Commission.

4. Due to Defendant's failure to comply with Regulation 10 CSR 20-6.200, Plaintiff is entitled to injunctive relief and civil penalty.

WHEREFORE, the Court enters the following relief:

A. Defendant is enjoined from further violations of the Missouri Clean Water Law and its implementing regulations, including the operation of a motor vehicle salvage yard without a general storm water permit;

B. Defendant is ordered to pay a civil penalty in the amount of

\$ 450.00

SO ORDERED.



JUDGE SIDNEY T. PEARSON
Dent County Circuit Court

12 July 2015

DATE