

IN THE CIRCUIT COURT OF REYNOLDS COUNTY, MISSOURI

STATE OF MISSOURI ex rel.)	
Attorney General Chris Koster,)	
)	
Plaintiff,)	
)	
v.)	Case No.
)	
THE DOE RUN RESOURCES)	
CORPORATION, d/b/a THE DOE)	
RUN COMPANY,)	
)	
Defendant.)	

Consent Judgment

The State of Missouri and the Defendant assent to the entry of this Consent Judgment. The parties advised the Court that they consent to its terms for settlement purposes only, and they conditioned their consent upon the Court approving the document in its entirety.

The Court has read the State's Petition for Injunctive Relief and Civil Penalties, which alleges that Defendant violated the Missouri Clean Water Law and Missouri Land Reclamation Act. The Court is satisfied that the provisions of this Consent Judgment are intended to resolve the issues raised by the Petition, and that the parties want to terminate this controversy by consenting to the entry of this judgment without trial. The Court retains jurisdiction over the parties and this matter in order to enforce the terms of this Consent Judgment.

The parties agree to the following.

1. **Objectives.** The objectives of the parties to this Consent Judgment are to protect human health and the environment and to resolve any and all controversies between the parties relating to alleged violations of Missouri Land Reclamation Act and Missouri Clean Water Law that existed prior to the execution of this consent judgment. By entering into this Consent Judgment, Defendant does not admit any liability to the State arising out of the transactions or occurrences alleged in the Petition.

2. **Definitions.** The terms used below shall have the same meaning as provided in the Missouri Clean Water Law and Missouri Land Reclamation Act and implementing regulations. In addition, the following terms are specifically defined:

- a. "Consent Judgment" means this Consent Judgment and all attachments, which are included by reference;
- b. "Defendant" means The Doe Run Resources Corporation, d/b/a The Doe Run Company;
- c. "Department" means the Missouri Department of Natural Resources;
- d. "Plaintiff" and "State" mean the State of Missouri;
- e. "Site" or "Facility" means the West Fork Mine, located at 2006 Highway KK, Bunker, Missouri.

3. **Jurisdiction.** Defendant consents to this Court's personal jurisdiction for purposes of executing and enforcing this Consent Judgment.

4. **Parties Bound.** The provisions of this Consent Judgment jointly and severally bind all parties to this action as well as their respective agents, servants, employees, heirs, successors, and assigns. Defendant shall provide a copy of this Consent Judgment to all persons or entities retained to perform work required by its terms. Any change in ownership or corporate status of Defendants including, but not limited to, any transfer of assets or real or personal property shall not alter Defendant's responsibilities under this Consent Judgment.

5. **Modification.** The parties must agree in writing and must receive approval from the Court in order to modify or amend this Consent Judgment.

6. **Costs.** Defendant shall pay all court costs in this action.

I. Civil Penalties

7. Defendant consents to the entry of judgment in favor of the State for a total civil penalty of \$16,380.00. Defendant hereby authorizes entry of this judgment against it and in favor of the State of Missouri for this sum.

8. Within 30 days of entry of this Consent Judgment, Defendant shall pay the \$16,380.00 civil penalty by check made payable to the "State of

Missouri (Reynolds County)" and mailed, along with a copy of the first page of this Consent Judgment, to: **Collections Specialist, Missouri Attorney General's Office, P.O. Box 899, Jefferson City, MO 65102-0899.**

II. Satisfaction and Reservation of Rights

9. This Consent Judgment shall not be construed to limit the rights of the State to obtain penalties or injunctive relief under the Missouri Clean Water Law and Missouri Land Reclamation Act or implementing regulations or under other federal or state laws or regulations, except as expressly stated in the preceding paragraphs.

10. Without limiting the foregoing, the parties expressly agree that nothing in this Consent Judgment shall:

- a. Prevent the State from applying to this Court for further orders or relief if violations of this Consent Judgment occur;
- b. Preclude the State from seeking equitable or legal relief for violations of any laws or regulations not alleged in the Petition;
- c. Preclude the State from seeking equitable or legal relief for future violations of the Missouri Clean Water Law, the Missouri Land Reclamation Act, or the regulations promulgated thereunder.

11. The State further reserves all legal and equitable remedies to address any imminent and substantial danger to the public health or welfare or the environment arising at, or posed by, Defendant's Facility or

Site, acts, or omissions, whether related to the violations addressed in this Consent Judgment or otherwise.

III. Notice and Delivery

12. Whenever under the terms of this Consent Judgment notice must be given or a report or other document must be forwarded by one party to another, it shall be directed to the entities at the addresses specified below.

13. Notice must be in writing and either hand-delivered or sent by registered or certified mail, postage prepaid.

To the Department:	To the State:
Missouri Department of Natural Resources Attn: Bill Zeaman Land Reclamation Program P.O. Box 176 Jefferson City, MO 65102 Phone: (573) 751-1312	Missouri Attorney General's Office Agriculture & Environment Division P.O. Box 899 Jefferson City, MO 65102 Phone: (573) 751-8370 Fax: (573) 751-8796
Missouri Department of Natural Resources Attn: Paul Dickerson Water Protection Program P.O. Box 176 Jefferson City, MO 65102	
To Defendant:	
Mark Yingling The Doe Run Company 1801 Park 270 Drive, Suite 300 St. Louis, MO 63146	

14. Either party may update the delivery address by giving written notice of the new address to the other parties at the addresses above or to the most recent address provided in accordance with this paragraph.

The parties hereby consent to this Consent Judgment through their duly authorized representatives as indicated below.

THE DOE RUN RESOURCES CORPORATION, d/b/a THE DOE RUN COMPANY

Mark R. Yingling
Name Mark R. Yingling
Title: VP EHS
Date: 8/12/16

MISSOURI ATTORNEY GENERAL'S OFFICE

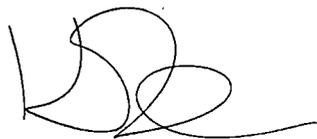
By: Tim Blackwell
Tim Blackwell
Assistant Attorney General
Date: August 12, 2016

MISSOURI DEPARTMENT OF NATURAL RESOURCES

Name: Sean Spratt, M.D.

Date: 9/13/16

SO ORDERED.



Circuit Judge

Date: 13 September 2016