

IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA
CIVIL DIVISION
NOTICE OF ORDER

NO. 1046 of 2019, G.D.

PLAINTIFF(S)

Commonwealth of Pennsylvania, upon relation to
Richard E. Bower, D.A. Fayette Co., and Eugene
A. Vittone, D.A. Washington County

VS

Belle Vernon Municipal Authority, et al

DEFENDANT(S)

Plaintiff(s):

Richard E. Bower, D.A. Fayette Co. X Rostraver Twp Sanitary Landfill
Eugene A. Vittone, D.A. Washington Co. X Westmoreland Waste, Inc.

Defendant(s):

Belle Vernon Municipal Authority X Westmoreland Waste Corp.
Tervita-Rostraver Twp Sanitary Landfill X Westmoreland Waste, LLC

You are hereby notified that the following Order has been entered on you on
May 17, 2019, in the above case.

Nina Capuzzi Frankhouser, Prothonotary

BY: Yolanda Burke, Clerk

MAILED: May 17, 2019

(6/17)

IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA,
upon relation of
RICHARD BOWER, DISTRICT ATTORNEY
FAYETTE COUNTY and
EUGENE A. VITTONI, DISTRICT ATTORNEY
WASHINGTON COUNTY,

VS.

BELLE VERNON MUNICIPAL AUTHORITY,
TERVITA - ROSTRAVER TOWNSHIP SANITARY
LANDFILL,
ROSTRAVER TOWNSHIP SANITARY LANDFILL,
WESTMORELAND WASTE INC.,
WESTMORELAND WASTE CORP., AND
WESTMORELAND WASTE, LLC

DEFENDANTS

CIVIL ACTION - LAW

No. *1046* of 2019 G.D.

JUDGE *LESKINEN*

ORDER

AND NOW, this *17th* day of *May*, 2019, upon

consideration of the Petition for Temporary Injunction, by Plaintiffs, Commonwealth of Pennsylvania, against Defendants, it is ORDERED that the Petition for a Temporary Injunction is granted. The Court finds (1) that the Plaintiffs have demonstrated a substantial likelihood that the Plaintiffs will succeed on the merits of their claims against the Defendants, (2) that the Plaintiffs will suffer immediate and irreparable harm if the Defendants' conduct remains unabated, (3) that the irreparable injury that Plaintiff's face outweighs the injury that the Defendant will sustain as a result of the immediate injunctive relief, and (4) that the public interest will be served by the granting of the immediate injunctive relief.

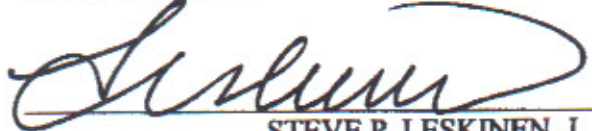
FILED
2019 MAY 17 PM 3:57
PROTON

It is further ORDERED that the Defendants are enjoined from discharging into the Monongahela River any effluent which contains contaminated chemicals from the Defendants. The Defendants are additionally enjoined from sending, or passing through, water, waste, wastewater, discharge, contaminants, effluent, pollutants, leachate, sludge, biological processes, or any other substances to the Belle Vernon Municipal Authority.

It is further ORDERED that a hearing on the Plaintiff's Petition for Injunction is scheduled for May 24th, 2019 at 1:30 o'clock p.m. before the undersigned in Courtroom One of the Fayette County Courthouse, 61 East Main Street Uniontown, PA 15401. The Defendant must appear or a Bench Warrant will be issued.

BY THE COURT:

Attest:


STEVE P. LESKINEN, J.

