

DOCKET NO: HHDCV126029310S

SUPERIOR COURT

DANIEL C. ESTY, COMM'R OF ENERGY
& ENVTL PROTECTI

JUDICIAL DISTRICT OF HARTFORD
AT HARTFORD

V.
SURACI INCORPORATED Et Al

12/24/2013

ORDER

ORDER REGARDING:
12/11/2013 124.00 MOTION - SEE FILE

Plaintiff Present.

The foregoing, having been heard by the Court, is hereby:

ORDER:

ORDER (#124.86):

In addition to granting the injunctive relief against all defendants requested in paragraphs one, two, and three, this court also awards:

A) The civil penalty for paragraph four (violation of hazardous waste management statutes and regulations) of \$700,000.

B) The civil penalty for paragraph five (violation of air pollution control statutes and regulations) of \$33,500.

C) The penalty for paragraph six (violation of Title V) of \$10,000.

Payments to be made in accordance with paragraph seven.

Judicial Notice (JDNO) was sent regarding this order.

080096

Judge: MARSHALL K BERGER

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DANIEL C. ESTY	:	SUPERIOR COURT
COMMISSIONER OF ENERGY AND	:	
ENVIRONMENTAL PROTECTION	:	
	:	JUDICIAL DISTRICT
v.	:	OF HARTFORD
	:	
	:	
SURACI INCORPORATED;	:	
SURACI METAL FINISHING, LLC;	:	
SURACI PAINT & POWDER	:	
COATING, LLC; AND	:	
BRUNO F. SURACI JR.	:	, 2013

(PROPOSED) JUDGMENT

This action brought by the Commissioner of the Department of Energy and Environmental Protection by writ and complaint came to this Court on February 21, 2012. An Amended Complaint was filed on January 18, 2013. On June 13, 2013, this Court entered a default judgment against defendants Suraci Incorporated, Suraci Metal Finishing, LLC, Suraci Paint & Powder Coating, LLC and Bruno F. Suraci, Jr. (collectively the “Defendants”) for their failure to appear. The matter was then claimed to a hearing in damages.

The Court having heard the Plaintiff, Commissioner, hereby enters judgment as follows:

1. The Defendants are enjoined from violating any provisions of Conn. Gen. Stat. Chapters 445, 446c, and 446k concerning the protection of the environment.
2. The Defendants are required to comply with Section 22a-449(c)-100, et seq., of the Regulations of Connecticut State Agencies (“RCSA”) relating to the management of hazardous waste and Conn. Gen. Stat. Chapters 445 and 446k.

3. The Defendants are required to comply with Section 22a-174-23, et seq., of the Regulations of Connecticut State Agencies (“RCSA”) relating to air pollution control and Conn. Gen. Stat. Chapter 446c.
4. The Defendant shall pay a civil penalty in the amount of \$_____ to the State of Connecticut for the violations of hazardous waste management statutes and regulations. This penalty is assessed jointly and severally against all defendants.
5. The Defendant shall pay a civil penalty in the amount of \$_____ to the State of Connecticut for the violations of air pollution control statutes and regulations. This penalty is assessed jointly and severally against all defendants.
6. The Defendants shall pay a total of \$_____ for the Title V emissions fee for each calendar year 2011 and 2012 in accordance with RCSA §22a-174-26. This fee is assessed jointly and severally against all defendants.
7. Any payments required by this judgment shall be by certified check or bank check made payable to “Treasurer, State of Connecticut,” and delivered to the Office of the Attorney General, 55 Elm Street, Hartford, Connecticut.

It is So Ordered

Date

Judge of Superior Court

CERTIFICATION

I hereby certify that a copy of the foregoing (Proposed) Judgment was mailed, first-class postage prepaid, this 11th day of December, 2013 to:

Bruno Suraci
185 East Tuttle Road
Durham, CT 06422

/s/ Matthew I. Levine
Matthew I. Levine
Assistant Attorney General