

STATE OF VERMONT

SUPERIOR COURT

CIVIL DIVISION

RUTLAND UNIT

Docket No. 597-10-15 Rdev

STATE OF VERMONT, AGENCY OF)
AGRICULTURE, FOOD and MARKETS,)
and AGENCY OF NATURAL)
RESOURCES,)
Plaintiff,)

v.)

WILLIAM and ROBIN HANFIELD,)
Defendants.)

FILED

JUN 28 2016

VERMONT SUPERIOR COURT
RUTLAND

ORDER ON INJUNCTIVE AND MONETARY REMEDIES

The Complaint in this action was filed on October 8, 2015. The State moved for Default Judgment on Liability on March 21, 2016 with supporting affidavits and exhibits establishing the liability of Defendants. On April 27, 2016, the Court granted the State's Motion for Default Judgment and found Defendants liable for violations of Vermont's environmental and agricultural law and regulations. On June 28, 2016, a hearing on injunctive and monetary remedies was held.

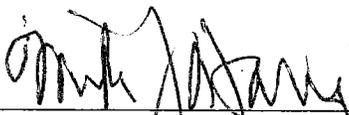
Based on the liability found by the Court in its April 27th Order and the evidence presented at the hearing on injunctive and monetary remedies, and pursuant to 6 V.S.A. § 4812(c) and 10 V.S.A. § 8221, the Court now ORDERS as follows:

1. Defendants shall follow all applicable Vermont statutes and regulations at their farm, including that they will manage the manure pit properly and so as to not overflow;
2. Defendants shall certify in writing to the Vermont Agency of Agriculture, Food and Markets (AAFV) by November 1st each year for 3 years following the date

of the order that there is at least 180 days of storage at the manure pit or that Defendants have made arrangements for alternative storage capabilities (i.e. transport of waste);

3. Defendants shall: (i) hire an outside consulting engineer, approved in advance by AAFM, to review the construction, use and capacity of the manure pit and milk house waste system, including whether the manure pit meets National Resources Conservation Service (NRCS) standards; (ii) provide the consultant's findings and recommendation to AAFM; and (iii) make any alterations or construction to the manure pit and milk house waste system deemed necessary by AAFM in order for the manure pit and milk house waste system to comply with Vermont statutes and regulations;
4. Defendants shall limit the use of the manure pit to on-site generated waste only, i.e. manure, milk house waste and water, until AAFM has reviewed the consulting engineer's report and necessary changes, if any, have been made to the manure pit to the satisfaction of AAFM; and
5. Defendants shall pay the State of Vermont the sum of \$24,750.00 in civil penalties for the three violations of Title 10, section 1259.

SO ORDERED



Hon. Michael J. Harris
Superior Court, Civil Division, Rutland Unit

6/28/16

Date