

IN THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI  
21st JUDICIAL CIRCUIT

**FILED**

DIV. JAN 09 2015 10

State of Missouri  
Ex Rel Etal,

Plaintiff

vs.

Republic Services,

Defendant

January 9, 2015

JOAN M. GILMER  
CIRCUIT CLERK, ST. LOUIS COUNTY

13SL-CC01088

Division No. 10

**ORDER**

The parties appear by counsel. The Court takes up Plaintiffs Motion for a Temporary Restraining Order requiring Defendant to Comply with Plaintiff's Demand for Additional Data and rules as follows:

The Parties agree to relocate approved TMP's 24 and 26 to the approximate locations identified in the Missouri Department of Natural Resource's December 26, 2014 letter. Bridgeton Landfill, LLC shall, by January 16, 2015 submit a work plan to proceed with installation of relocated TMP's 24 and 26, consistent with methodologies utilized for the installation of the most recently installed TMP's, which do not include coring or sampling corings or cuttings. Bridgeton Landfill shall promptly commence construction preparation upon approval of the work plan and expedite construction upon availability of drilling equipment, weather permitting.

Further, the Parties shall submit briefing and Defendants shall submit testimony by affidavits by January 16, 2015 on the Plaintiff's request for monthly

carbon monoxide monitoring in the gas wells identified in MDNR's December 26, 2014 letter, including the issue of whether that issue must be referred to dispute resolution under Paragraph 47 of the Agreed Order.

The other issues raised by the motion shall be referred to a Special Master for report and recommendation, based on an amendment to the Agreed Order to be negotiated between the Parties.

The Court passed on Plaintiffs Emergency Motion to Compel Defendants to Protect and Preserve Physical Evidence. The parties shall submit additional briefing on the issue of the Court's subject matter jurisdiction to order coring for inspection and analysis for radiologically-impacted material ("RIM") in the absence of EPA being a party to the case, by January 16, 2015.


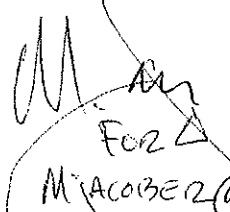
In the event the Court determines it possesses subject matter jurisdiction to require defendants to take core samples for analysis for RIM, the issue of whether such sampling will be required shall be referred to a Special Master for report and recommendation, based on the amendment to the Agreed Order to be negotiated between the Parties.

January 9, 2015

SO ORDERED:



Michael T. Jamison  
Judge, Division 10

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