

[Consent Order entered Monday,  
March 31, 2008, by District Court  
Judge Todd Beer.]

IN THE IOWA DISTRICT COURT FOR GRUNDY COUNTY

STATE OF IOWA, ex rel., IOWA )  
DEPARTMENT OF NATURAL )  
RESOURCES (99AG23542), )

Plaintiff, )

vs. )

GARRETT CORPORATION, d/b/a )  
DELTA INDUSTRIES, LTD., a/k/a )  
DELTA SPORTS, an Iowa Corporation, )

Defendant. )

LAW NO. \_\_\_\_\_

[Court no. CUCV 058267]

**CONSENT ORDER, JUDGMENT  
AND DECREE**

NOW on this \_\_\_\_\_ day of \_\_\_\_\_, 2008, the Court is presented with the plaintiff's petition seeking civil penalties and injunctive relief pursuant to Iowa Code section 455B.146. The Court having read the petition and being otherwise advised by the parties  
**FINDS:**

1. The Court has jurisdiction of the parties and the subject matter of this action and the parties consent to entry of this Consent Order, Judgment and Decree.
2. Defendant Garrett Corporation, d/b/a Delta Industries, Ltd., a/k/a Delta Sports admits, for purposes of settlement and for this action only, the violations alleged in the Petition at Law.

**THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:**

1. Defendant Garrett Corporation, d/b/a Delta Industries, Ltd., a/k/a Delta Sports is assessed a civil penalty of Forty-five Thousand and no/100 Dollars (\$45,000.00) for the violations alleged in the petition. The defendant shall pay the civil penalty within ten (10) days of the entry of this Consent Order, Judgment and Decree. The defendant shall also pay interest pursuant to Iowa Code section 535.3(1) on any unpaid balance. Payments of the civil penalty

and interest shall be made payable to the State of Iowa and submitted to plaintiff's attorney, David R. Sheridan, at the address noted below.

2. Defendant Garrett Corporation, d/b/a Delta Industries, Ltd., a/k/a Delta Sports is permanently enjoined from further violations of Iowa Code section 455B.134(3)(a); 567 Iowa Admin. Code 22.1(1), 22.3(3)"e", and Air Quality Construction Permit Nos. 99-A-952-S2, 99-A-953-S2, 99-A-954-S2, 06-A-1306-S1, and 06-A-1307-S1.

3. The costs of this action are taxed to the defendant in the amount of \$ \_\_\_\_\_  
(Clerk to enter).

---

JUDGE, First Judicial District of Iowa

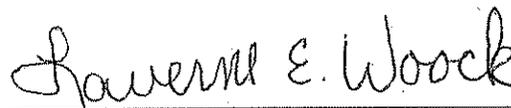
Approved as to form:

IOWA DEPARTMENT OF NATURAL  
RESOURCES



RICHARD A. LEOPOLD, Director

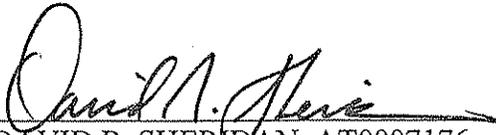
GARRETT CORPORATION, d/b/a  
DELTA INDUSTRIES, LTD., a/k/a  
DELTA SPORTS



---

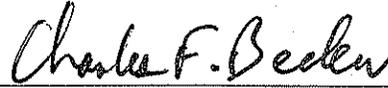
LAVERNE E. WOOCK, President

THOMAS J. MILLER  
Attorney General of Iowa



DAVID R. SHERIDAN, AT0007176  
Assistant Attorney General  
Environmental Law Division  
Lucas State Office Bldg., Ground Flr.  
Des Moines, Iowa 50319  
Phone: (515) 281-5351  
Fax: (515) 242-6072  
ATTORNEYS FOR PLAINTIFF

BELIN, LAMSON, McCORMICK,  
ZUMBACH & FLYNN, P.C.



CHARLES F. BECKER, AT0000718  
666 Walnut Street, Suite 2000  
Des Moines, IA 50309-3989  
Phone: (515) 283-4609  
Fax: (515) 558-0609  
ATTORNEYS FOR DEFENDANT