

IN THE DISTRICT COURT OF ADAMS COUNTY, NEBRASKA

STATE OF NEBRASKA, ex rel.,)	Case No. _____
MICHAEL J. LINDER, Director)	
DEPARTMENT OF ENVIRONMENTAL)	
QUALITY,)	
Plaintiff,)	COMPLAINT
v.)	
)	
FLOWSERVE US, INC.,)	
a Nebraska authorized corporation,)	
Defendant.)	
)	
)	
)	

The State of Nebraska, on behalf of the Nebraska Department of Environmental Quality (NDEQ), alleges the following:

1. The Plaintiff is the agency of the State of Nebraska charged with the duty, pursuant to Neb. Rev. Stat. §81-1504(1) (Reissue 2008) of exercising exclusive supervision, administration and enforcement of the Environmental Protection Act, Neb. Rev. Stat. §81-1501 (Reissue 2008 and Supp. 2009) *et seq.*

2. At all times material herein the Defendant, Flowserve US Inc., is a company authorized to do business in Nebraska. The Defendant owns and operates an iron and steel foundry, making pump components, in Hastings, Adams County, Nebraska.

3. Pursuant to Nebraska Revised Statute §81-1506(2) it is unlawful to (b) operate any disposal system or part thereof without obtaining necessary permits from the Department; . . . or (e) construct or use any new outlet for the discharge or emission of any wastes into the air, waters, or land of the state without the necessary permit.

4. On or about October 29, 2008, Flowserve, Inc. failed to submit an operating permit application a minimum of six months before the expiration of the operating permit.



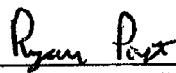
Flowserve's operating permit expired on March 29, 2009. Flowserve, Inc. continued to operate without an operating permit issued by the Plaintiff until March 26, 2010.

5. Pursuant to Neb. Rev. Stat. §81-1508.02 (2), a civil penalty is provided in the amount of not more than ten thousand dollars (\$10,000) for each day of violation. In case of a continuing violation, each day shall constitute a separate offense.

WHEREFORE, the Plaintiff prays that judgment be entered in favor of the Plaintiff and against the Defendant in the form of civil penalties as provided in Neb. Rev. Stat. §81-1508.02 (2) and further that all costs of this action be taxed to the Defendant.

STATE OF NEBRASKA, ex rel.,
MICHAEL J. LINDER, Director
NEBRASKA DEPARTMENT OF
ENVIRONMENTAL QUALITY, Plaintiff

By JON C. BRUNING, #20351
Attorney General

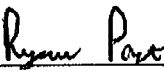
By: 

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Attorneys for Plaintiff.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Complaint has been served upon Defendant by regular United States mail, first class postage prepaid on this 2nd day of April, 2012, addressed to the Defendant's attorney of record as follows:

Robert L. Roberts, Jr.
Vice President, Global Litigation Counsel
Flowserve Corporation
5215 N. O'Connor Blvd., Suite 2300
Irving, Texas 75039



Ryan S. Post
Assistant Attorney General