

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

STATE OF OREGON, acting by and through
the DEPARTMENT OF ENVIRONMENTAL
QUALITY,

Plaintiff,

v.

NW METALS, INC., an Oregon Corporation,
and MOYATA ANOTTA, an individual,

Defendants.

Case No. 19CV49704

GENERAL JUDGMENT OF REMEDIAL
CONTEMPT

ORS 20.140 - State fees deferred at filing

This matter coming before the Court on Plaintiff State of Oregon by and through the Department of Environmental Quality's ("DEQ") Amended Motion for Order to Show Cause Re: Remedial Contempt against Defendants NW Metals, Inc. ("NW Metals"), and Moyata Anotta ("Anotta"), and the Court being fully advised in the premises, makes the following findings:

1. The June 21, 2021 Stipulated Permanent Injunction ("Injunction") is a facially valid court order.
2. Anotta is the President and Operator of NW Metals.
3. Anotta knew of the Injunction having signed it as president and operator of NW Metals.
4. Anotta and NW Metals knowingly and willfully failed to comply with the Injunction by:
 - a. Operating a metal shredder without the proper air permit;
 - b. Failing to comply with air quality laws under ORS 468A;
 - c. Failing to obtain the proper solid waste permits;
 - d. Failing to comply with solid waste laws under ORS 459; and

1 e. Failing to comply with state water quality rules under ORS 468B, including the
2 failure to obtain a 1200-Z stormwater permit.

3 5. Additionally, the Court finds:

4 a. The Type II Notice to Construct issued to Anotta and NW Metals is not a valid air
5 permit and was not issued for the NW Metals N. Commercial Ave. operation;

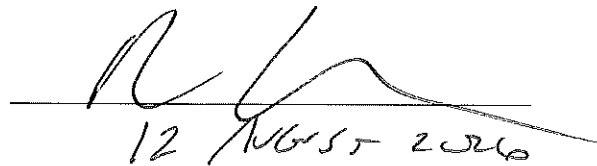
6 b. NW Metals is operating at the N. Commercial Ave. location in a manner that requires
7 a valid Air Contaminant Discharge Permit ("ACDP"); and

8 c. The prior ACDP issued for the NW Metals N. Columbia Blvd. operation is not valid
9 for the N. Commercial Ave. location;

10 Now, therefore, it is hereby ORDERED and ADJUDGED that:

11 Moyata Anotta and NW Metals, Inc., be held in contempt for willfully and knowingly
12 failing to comply with the terms of the Injunction.

13 Neither Moyata Anotta nor NW Metals, Inc., may operate until there is compliance with
14 the State of Oregon's environmental laws and the Oregon Department of Environmental
15 Quality's air, solid waste, and stormwater permit requirements.

16
17
18
19
20 
12 AUG 5 2020

21 SUBMITTED BY:

22 Marcus Hull, OSB #990621

23 Assistant Attorney General

24 Oregon Department of Justice

25 1162 Court Street NE

26 Salem, OR 97301

Phone: (503) 934-4400

Fax: (503) 373-7067

Marcus.hull@doj.oregon.gov

Attorney for Plaintiff

CERTIFICATE OF READINESS

This proposed judgment is ready for judicial signature because:

1. ☐ Each opposing party affected by this order or judgment has stipulated to the order or judgment, as shown by each opposing party's signature on the document being submitted.
2. ☐ Each opposing party affected by this order or judgment has approved the order or judgment, as shown by signature on the document being submitted or by written confirmation of approval sent to me.
3. I have served a copy of this order or judgment on all parties entitled to service and:
 - a. ☐ No objection has been served on me as of the date below.
 - b. ☒ I received objections that I could not resolve with the opposing party despite reasonable efforts to do so. I have filed with the court a copy of the objections I received and indicated which objections remain unresolved. Defendants' objections are attached hereto as Exhibit 1.
 - c. ☐ After conferring about objections, *[role and name of opposing party]* agreed to file any remaining objection with the court by *[date]*, which predated my submission.
4. ☐ Service is not required pursuant to UTCR 5.100(3), or by statute, rule, or otherwise.
5. ☐ This is a proposed judgment that includes an award of punitive damages and notice has been served on the Director of the Crime Victims' Assistance Section as required by UTCR 5.100(5).

Dated: August 11, 2026.

s/ Carla McClurg
Carla McClurg, OSB #165144
Senior Assistant Attorney General
Oregon Department of Justice
Salem, OR 97301
Phone: (503) 934-4400
Fax: (503) 373-7067
Carla.McClurg@doj.oregon.gov
Attorney for State of Oregon