



D87107374

IN THE COURT OF COMMON PLEAS  
HAMILTON COUNTY

**JUDGE ROBERT P. RUEHLMAN**  
Court of Common Pleas  
Hamilton County, Ohio

STATE OF OHIO, *ex rel.*  
RICHARD CORDRAY  
OHIO ATTORNEY GENERAL,

Plaintiff,

v.

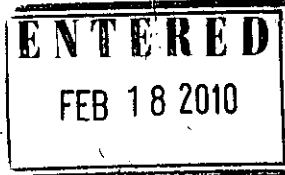
DEMETRIUS "DUKE" BALL, d.b.a.  
BALL WRECKING COMPANY

Defendant.

CASE NO. A0706422

JUDGE RUEHLMAN

ENTRY AND ORDER



This matter having come to hearing on Plaintiff State of Ohio's Motion for Summary Judgment against Defendant Demetrius "Duke" Ball, and the Court having heard arguments of the parties and being in all ways sufficiently advised:

IT IS HEREBY ORDERED that Plaintiff State of Ohio's Motion for Summary Judgment is **GRANTED**.

The Court hereby orders and enjoins Defendant to:

1. Comply with the provisions of R.C. Chapter 3704 and the rules adopted thereunder;
2. Obtain a thorough asbestos inspection for any demolition or renovation operation, in accordance with Ohio Adm.Code 3745-20-02(B);
3. Submit written notification to Ohio EPA at least 10 days prior to conducting any demolition or renovation operations, in accordance with Ohio Adm.Code 3745-20-03;
4. Comply with asbestos waste handling standards during emergency demolitions, in accordance with Ohio Adm.Code 3745-20-05(B)(2);

5. Remove all regulated asbestos-containing materials before engaging in activities that would break-up dislodge, or similarly disturb the materials or preclude access to the materials for subsequent removal, in accordance with Ohio Adm.Code 3745-20-04(A)(1);

6. Adequately wet asbestos-containing material, including material that has been removed or stripped, and ensure that the materials remain adequately wet until collected and contained or treated in preparation for disposal, in accordance with Ohio Adm.Code 3745-20-04(A)(6);

7. Seal asbestos-containing material, and after wetting, seal all asbestos-containing waste material while wet in durable leak-tight containers or wrapping that comply with Ohio Adm.Code 3745-20-05(C), in accordance with Ohio Adm.Code 3745-20-05(B)(1);

8. Comply with the terms of the Director's Final Findings and Orders of November 8, 1996, which require that Defendant, *inter alia*:

- a. Pay \$1,000 fine to Ohio EPA;
- b. Comply with all requirements of Ohio Adm.Code Chapter 3745-20 during any demolition or renovation operation performed in Ohio; and
- c. Keep copies of documentation confirming that all regulated asbestos-containing materials have been removed from any facility demolished by Defendant.

9. Pay a civil penalty to the State of Ohio in an amount to be determined at a hearing scheduled for \_\_\_\_\_, 2010, pursuant to R.C. 3704.06(C).

The Court shall retain jurisdiction of this action for the purpose of enforcing this Order.

Dated this 18 day of February, 2010.

Hon. Judge Robert Ruehlman

**JUDGE ROBERT P. RUEHLMAN**

Court of Common Pleas  
Hamilton County, Ohio

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