

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

STATE OF OHIO, ex rel.	:	
WILLIAM J. BROWN,	:	Case No. 79002016
Attorney General of Ohio,	:	
	:	JUDGE RICHARD J. McMONAGLE
Plaintiff,	:	
	:	
vs.	:	
	:	<u>JUDGMENT ENTRY</u>
ERIEWAY POLLUTION CONTROL, INC.,	:	
	:	
Defendant.	:	

This matter was instituted by plaintiff, the Attorney General of Ohio, at the request of the Director of the Ohio Environmental Protection Agency (herein "Director"), through the filing of a complaint on August 17, 1979, which was subsequently amended August 31, 1979. The amended complaint charged the defendant with violations of Sections 6111.07(A) and 6111.04 of the Ohio Revised Code. The defendant, Erieway Pollution Control, Inc., operates a liquid industrial waste treatment facility in Bedford, Ohio.

The plaintiff and defendant by their respective attorneys have appeared and hereby agree to settle this action by requesting that this Court enter the Judgment Entry without trial or adjudication of any issue of fact or law.

The plaintiff and defendant hereby waive the entry of findings of fact and conclusions of law under Rule 52 of the Ohio Rules of Civil Procedure.

NOW THEREFORE, before the taking of any testimony and upon the pleading, it is

ORDERED, ADJUDGED AND DECREED as follows:

I.

This Court has jurisdiction over the subject matter herein and of the parties consenting hereto. The complaint states a claim upon which relief could be granted against the defendant.

II.

The provisions of this Judgment Entry shall apply to and be binding upon the parties to this action, their officers, directors, stockholders, agents, servants, employees, assigns and successors in interest.

III.

Defendant owns and operates a liquid industrial waste treatment facility located at 33 Industry Way, Bedford, Ohio 44146. Pursuant to Section 6111.45 of the Ohio Revised Code, defendant submitted to the Director for his approval plans for its waste treatment facility. These plans have been reviewed by the Director and received his approval on September 17, 1980. A copy of these plans and their accompanying textual report is attached to this Judgment Entry and is incorporated by reference herein.

IV.

Defendant shall at all times conduct the operations of its facility located at 33 Industry Way, Bedford, Ohio, in strict accordance with the plans and textual report attached to this Judgment Entry.

V.

No liquid or solid wastes, treated or untreated, shall be discharged or be permitted to discharge from defendant's facility at 33 Industry Way, Bedford, Ohio, into "waters of the state", as that phrase is defined in Section 6111.01(H) of the Ohio Revised Code, unless defendant has received from the Director a permit authorizing such discharge.

VI.

Defendant shall pay into the State Treasury, to the credit of the General Revenue Fund, the sum of three thousand dollars (\$3,000.00). Payment by defendant shall be made by delivering to plaintiff's counsel on the date of issuance of this Judgment Entry a certified check for the above amount made payable to "Treasurer, State of Ohio".

VII.

This Court retains jurisdiction of this case for the purpose of determining compliance with this Judgment Entry.

IX.

The costs of this action are hereby assessed against the defendant.

DATE 1/14/81

JUDGE [Signature]

APPROVED BY:

WILLIAM J. BROWN
ATTORNEY GENERAL OF OHIO

BY: Margaret A. Malone
MARGARET A. MALONE
Assistant Attorney General

BY: Robert J. Styduhar
ROBERT J. STYDUHAR
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Cleveland, Ohio 44122
Attorney for Defendant

RECEIVED FOR FILING

JAN 14 1981

GERALD E. FUERST, CLERK
BY: _____ DEP.

THE STATE OF OHIO Cuyahoga County	ss. I, GERALD E. FUERST, CLERK OF THE COURT OF COMMON PLEAS, COUNTY OF SAID COUNTY,
HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS TRULY FILED AND CORRECTLY RECORDED.	
NOW ON FILE IN MY OFFICE.	
WITNESS MY HAND AND SEAL OF SAID COURT THIS DAY OF _____ A.D. 1981	
GERALD E. FUERST, Clerk	
By _____	Deputy

INDEX OF ATTACHED DOCUMENTS

TEXTUAL REPORT

<u>PAGE</u>	<u>IDENTIFICATION</u>
1	Title Page of Report
2	Summary Page
3	Appendix C Form
4-5	Purpose, Description of Waste Streams, and Existing Facilities Description
6-7	Description of Hyde Oil Recovery System
8	Modifications to Chem-Pac Processing Facilities
9	Block Flow Diagram for Site
10-12	Summary of Type and Quantity of Wastes to be Processed with Hyde Oil Recovery System
13-16	Summary of Type and Quantity of Wastes to be Processed with Chem-Pac Process

PLAN BLUEPRINTS

<u>SHEET NO.</u>	<u>IDENTIFICATION</u>
1	Title Sheet
2	Process Flow Sheet
3	Site Plan
4	General Floor Plan of Offices and Buildings
5	Details of Unloading Station
6	Hyde Oil Process-Arrangement and Piping
7	Hyde Oil Process-Sections and Details
8	Chem-Pac Process Plan-Pug Mill and Pump Room
9	Chem-Pac Process - Sections of Pug Mill and Pump Room