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IN THE COURT OF COMMON PLEAS MAHONING COUNTY, OHIO

STATE OF OHIO, ex rel. ANTHONY J. CELEBREZZE, JR. ATTORNEY GENERAL OF OHIO

Plaintiff,

vs.

METAL CARBIDES, INC. 6001 Southern Blvd. P. O. Box 3749 Youngstown, Ohio 44512

Defendant.

CASE NO. 8

JUDGE

CONSENT JUDGMENT

The Complaint having been filed herein, and the parties hereto having consented to the entry of this Consent Judgment, now therefore, without trial of any issue of fact or law and upon the consent of the parties hereto, it is hereby ORDERED, ADJUDGED and DECREED that:

I

This Court has jurisdiction of the subject matter herein and of the parties hereto. The Complaint states a claim upon which relief can be granted against Defendant. Venue is proper in this Court.

ΙI

The provisions of this Consent Decree shall apply to and be binding upon the Defendant to this action, its officers, agents, servants, employees, and successors.

Defendant shall pay a civil penalty pursuant to R.C. 3734.13(C) in the amount of four thousand dollars (\$4,000.00) by delivering to Plaintiff's counsel within thirty days after entry of this Consent Judgment, a check drawn to the order of "Treasurer, State of Ohio" for payment into the hazardous waste clean-up fund created in R.C. 3734.28.

IV

Compliance with the terms of this Consent Judgment shall constitute full satisfaction of any civil liability of Defendant for claims alleged in the Complaint.

V

Defendant shall pay Court costs.

VI

Defendant waives its right to pursue and hereby withdraws its appeal of the July 13, 1988 Director's Final Findings and Orders, which appeal is pending before the Environmental Board of Review (Case No. EBR 501836) (Copy of Voluntary Notice of Dismissal attached).

APPROVED:

ANTHONY J. CELEBREZZE, JR. ATTORNEY GENERAL OF OHIO

DOMINIC J. HANKÉT Assistant Attorney General Environmental Enforcement Section 30 East Broad Street, 17th Floor Columbus, Ohio 43266-0410 (614) 466-2766

Counsel for Plaintiff

BY: Mark G. Bactice

Mark A. Beatrice MANCHESTER, BENNETT, POWERS AND ULLMAN CO., L.P.A. Eleventh Floor Bank One Building Youngstown, Ohio 44503 Counsel for Metal Carbides, Inc.

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BEFORE THE ENVIRONMENTAL BOARD OF REVIEW

	ENVIRONMENTAL OF REVIEW
METAL CARBIDES, INC.	Lino, c
Appellant)	CASE NO. EBR 501836
vs.)	MOTION OF APPELLANT TO DISMISS APPEAL
RICHARD L. SHANK, DIRECTOR) OF ENVIRONMENTAL PROTECTION)	

Now Comes the Appellant, METAL CARBIDES, INC., by and through its counsel, and hereby moves the Board of Review for an Entry Dismissing the Appeal herein.

> MARK A. BEATRICE, Counsel for Appellant, METAL CARBIDES, INC.

MANCHESTER, BENNETT, POWERS & ULLMAN CO., L.P.A. 1100 Bank One Building Youngstown, OH 44503 Telephone: (216) 743-1171

OF COUNSEL

ENTRY DISMISSING APPEAL

Upon the foregoing motion, and stipulation below of Counsel for Appellant, METAL CARBIDES, INC., the Appeal herein is hereby ORDERED DISMISSED.

Entered in the .Case File of the Board this day	THE ENVIRONMENTAL BOARD OF REVIEW
of February, 1989.	
Submitted and approved:	

Mah 4. Bectice

Appellee