

IN THE COURT OF COMMON PLEAS  
PORTAGE COUNTY, OHIO

FILED  
COURT OF COMMON PLEAS  
JUN 30 8 10 AM '87  
LUCY S. B. CLERK  
PORTAGE COUNTY, OHIO

STATE OF OHIO, EX REL. )  
WILLIAM J. BROWN )  
ATTORNEY GENERAL OF OHIO, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
MR. & MRS. O. SCOTT, )  
 )  
Defendants. )

Case No. 81CV-030

Judge Kainrad

CONSENT JUDGMENT

The Complaint having been filed on January 8, 1981, and the parties having consented to the entry of this Consent Judgment,

NOW, THEREFORE, before the taking of testimony, upon the pleadings and upon the consent of the parties, it is ORDERED, ADJUDGED and DECREED as follows:

I.

This Court has jurisdiction over the subject matter of and parties to this action. The Complaint states a claim upon which relief may be granted under Chapter 6109, Ohio Revised Code.

II.

The provisions of this Judgment shall apply to Defendants, their agents, servants, employees, and successors, and to all persons, firms, corporations, and other entities having notice of this Judgment who are, or will be, acting in concert and privity with the Defendants or their agents, servants, employees, or successors.

III.

Defendants are hereby enjoined to perform the following at Defendants' Island Creek public water system, Franklin

Hills public water system, and North Benton Shores public water system:

1. As required by and in accordance with OAC 3745-81-21, Defendants shall collect a sample of water from each water system each calendar month. The sample shall be collected by the tenth day of each month, so as to allow sufficient time within the month to collect another sample should the first sample prove for any reason not to be amenable to accurate laboratory analysis. Upon notification that a sample cannot be accurately analyzed, Defendants shall, on the Monday following notification, collect another sample and submit it to the laboratory for analysis. Defendants shall comply with the provisions of OAC 3745-81-21(D) regarding check samples.

2. As required by and in accordance with OAC 3745-81-28, Defendants shall, within twenty-four hours of collecting each sample, submit the sample to a laboratory approved by Ohio EPA for analysis for coliform bacteria.

3. As required by and in accordance with OAC 3745-81-31, Defendants shall report to Ohio EPA the results of each analysis within forty days of the analysis. Such report shall be made within forty-eight hours of analysis if the analysis indicates a violation of the primary drinking water maximum permissible coliform bacterial level.

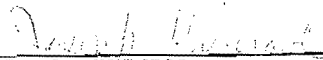
#### IV.

Defendants are ordered to pay to the Treasurer, State of Ohio, for deposit into the General Revenue Fund, the sum of one hundred dollars for each violation of Paragraph III above. Upon notification of violation(s) by the State of Ohio, Defendants shall, within ten days of notification, deliver a certified check payable to Treasurer, State of Ohio, in the amount set forth in the notification, to the person set forth in the notification. This paragraph shall

not be construed as preventing the State of Ohio from pursuing any other remedy provided by law for violation of Paragraph III.


v.

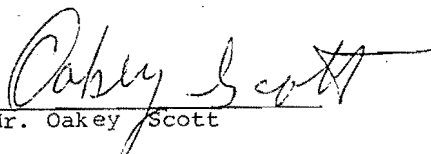
The Court retains jurisdiction for the purpose of making any order or decree necessary to carry out this Judgment.

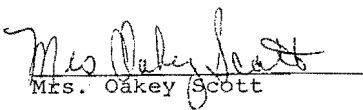
  
\_\_\_\_\_  
JOSEPH R. KAINRAD  
Judge, Court of Common Pleas

\_\_\_\_\_  
DATE

\_\_\_\_\_  
WILLIAM J. BROWN  
ATTORNEY GENERAL of OHIO

By   
\_\_\_\_\_  
DAVID E. NORTHROP  
Assistant Attorney General

  
\_\_\_\_\_  
Mr. Oakey Scott

  
\_\_\_\_\_  
Mrs. Oakey Scott