

IN THE COURT OF COMMON PLEAS
PICKAWAY COUNTY, OHIO

MAY 20 9 57 AM '81
CLERK OF COURT
PICKAWAY COUNTY

STATE OF OHIO, ex rel. :
WILLIAM J. BROWN :
ATTORNEY GENERAL OF OHIO :
30 East Broad Street :
Columbus, Ohio 43215, :
Plaintiff, :

v. :

Case No. 81-CI 295

RCA CORPORATION :
GLASS OPERATIONS :
PICTURE TUBE DIVISION :
24200 South U.S. 23 :
P.O. Box 512 :
Circleville, Ohio 43113, :
Defendant. :

CONSENT JUDGMENT

The Complaint having been filed herein on MAY 20, 1981;
And the Plaintiff and Defendant by their respective attorneys
having consented to the entry of this Consent Judgment;

NOW, THEREFORE, before the taking of any testimony, and
without trial or adjudication of any issue of fact or law herein,
it is hereby Ordered, Adjudged, and Decreed as follows:

I.

This Court has jurisdiction of the subject matter herein and
of the parties consenting hereto. By its signature hereon, Defendant
agrees to waive service of the Complaint. The Complaint states a
claim upon which relief can be granted against Defendant.

II.

The provisions of this Consent Judgment shall apply to and
be binding upon the parties to this action, their officers, directors,
agents, servants, employees, and successors; in addition, the
provisions of this Consent Judgment shall apply to all persons,
firms, corporations, agencies, and other entities having notice of
this Consent Judgment and who are, or will be, acting in concert
and privity with the Defendant to this action or its officers,
directors, agents, servants, employees, successors and assigns.

III.

Defendant agrees and is hereby enjoined to bring the emissions from its picture tube component manufacturing facility located at Circleville, Ohio ("facility") into compliance with all applicable air pollution laws and regulations of the State of Ohio no later than October 23, 1981. In order to do so, the Defendant, inter alia, as expeditiously as practicable but no later than August 7, 1981:

(1) Shall install and have operational an electrostatic precipitator to control emissions from its glass melting furnace A, and

(2) Shall modify the existing ductwork which presently serves glass melting furnaces A and B so as to control emissions from glass melting furnace B.

IV.

Defendant agrees and is hereby enjoined to perform emission tests on glass melting furnaces A and B and to submit the results to the Ohio Environmental Protection Agency no later than October 23, 1981. Such emission tests shall be performed in accordance with OAC 3745-17-03. Written notice of the tests shall be given to the Ohio Environmental Protection Agency at least thirty (30) days prior to the tests.

V.

Upon application by the Defendant pursuant to Rule O.A.C. 3745-35-02 and a demonstration that the glass melting furnaces at the facility comply with the requirements of the rule, the Director of the Ohio Environmental Protection Agency shall issue permits to operate for these sources.

VI.

Operation of the glass melting furnaces at the facility shall be allowed without permits to operate until January 1, 1982, provided that the Defendant (1) minimizes emissions from the glass melting furnaces during the period of time from the entry of this consent judgment until August 7, 1981, by utilizing the existing electrostatic precipitator, as long as the same remains in operation, at its maximum capacity and efficiency, (2) controls loadings to the glass melting furnaces to minimize the by-passing of emission control equipment and, (3) complies with all of the terms of this consent judgment.

E.P.H.
S.P.S.
M.T.B.

VII.

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

VIII.

Defendant shall pay the court costs of this action.

William Ammer
JUDGE, COURT OF COMMON PLEAS
5-20-81

APPROVED:

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ATTORNEY GENERAL OF OHIO

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