

REMEMBER TO FILE

IN THE COURT OF COMMON PLEAS

PERRY COUNTY, OHIO AUG 5 10 51 AM '82

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

FILED
HEB WATTS
PERRY COUNTY
CLERK OF COURTS

Plaintiff

v.

CASE NO. 18477

~~DERBY~~ OIL & GAS CORPORATION, et al

Defendants

CONSENT JUDGMENT

The complaint having been filed on May 23, 1983, and Plaintiff and Defendants Derby Oil and Gas Corporation and John Fondale having consented to this Consent Judgment,

NOW, THEREFORE, upon the pleadings, and upon consent of the above-stated parties, it is ORDERED, ADJUDGED, AND DECREED as follows:

I

This Court has jurisdiction over the parties consenting to this decree, and over the subject matter of this action. The complaint states a claim upon which relief may be granted under Chapter 1509, Revised Code.

II

This Consent Judgment applies to Defendants, their agents, employees and successors, and to all persons, firms, corporations, and other entities having notice of the Judgment and acting in privity with such Defendants.

III

Defendant Derby Oil & Gas Corporation as "owner" as that term is defined in R.C. 1509.01(K) of several oil and gas wells, is permanently enjoined from placing saltwater as that term is defined in O.A.C. 1501:9-3-01(E) and other oil field wastes produced from such wells onto the lands or waters of Perry County, Ohio unless Defendant Derby Oil and Gas Corporation:

A. properly causes such saltwater and other oil field wastes to be injected into underground injection wells permitted by the Chief of the Division of Oil and Gas pursuant to R.C. 1509.22 and rules adopted thereunder; or,

B. disposes of such saltwater and other oil field wastes in any other manner approved by the Chief of the Division of Oil and Gas under R.C. 1509.22.

IV

Defendant John Fondale is permanently enjoined from placing saltwater as that term is defined in O.A.C. 1501:9-3-01(E) and other oil field wastes onto the lands or waters of Perry County, Ohio unless Defendant Fondale:

A. properly injects saltwater and other oil field wastes into underground injection wells permitted by the Chief of the Division of Oil and Gas pursuant to R.C. 1509.22 and rules adopted thereunder; or,

B. disposes of saltwater and other oil field wastes in any other manner approved by the Chief of the Division of Oil and Gas under R.C. 1509.22.

V

Defendant Derby Oil and Gas Corporation and Defendant John Fondale shall each pay a civil penalty of five hundred dollars. Payments shall be made within ten days of entry of this Consent Judgment by delivering to Counsel for the State a check in that amount payable to "Treasurer, State of Ohio". Defendants shall pay court costs.

VI

This Consent Judgment shall in no way relieve the Defendants of their obligations, if any, to comply with any other Local, State, or Federal law in any way related to the substance of this Consent Judgment.

VII

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

P. J. ...
JUDGE, COURT OF COMMON PLEAS

August 5, 1955
Date

APPROVED:

ANTHONY J. CELEBREZZE, JR.
ATTORNEY GENERAL OF OHIO

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