

IN THE COURT OF COMMON PLEAS
STARK COUNTY, OHIO



STATE OF OHIO, ex rel.)
WILLIAM J. BROWN)
ATTORNEY GENERAL OF OHIO,)
Plaintiff,)
-vs-)
EDWARD CAIN dba)
CAIN'S GENERATOR & ARMATURE CO.)
Defendant.)

Case No. 82-090
Judge Turpin
CONSENT ORDER AND ENTRY

The Complaint and Answer having been filed herein
on January 20, 1982 and February 26, 1982 respectively;
And the parties by their respective attorneys having
consented to the entry of this Consent Order and Entry;
NOW THEREFORE, before the taking of any testimony,
and upon the pleadings, it is hereby Ordered, Adjudged and
Decreed that:

I

This Court has jurisdiction of the subject matter herein
and of the parties consenting hereto.

II.

Plaintiff asserts in its Complaint that Defendant
has operated air contaminant sources at his facility in the
absence of effective permits to operate and in violation of

applicable statutes and regulations, and further asserts that Defendant has refused to allow representatives of the director of the Ohio Environmental Protection Agency to enter and inspect his facility in accordance with the provisions of Revised Code Section 3704.03(M). Defendant in his Answer denies Plaintiff's assertions. The parties have determined to enter into this Consent Order and Entry in resolution of the asserted violations of law.

III.

Defendant, his officers, agents, servants, employees, attorneys, and all persons in active concert and participation with Defendant, are hereby permanently enjoined to refrain from interfering with activities of the Director of the Ohio Environmental Protection Agency, his agents, employees or representatives (including the Canton Air Pollution Control Division), conducted at Cain's Generator and Armature Company facility in accordance with the authority granted in Revised Code Section 3704.03(M).

IV.

Defendant, his officers, agents, servants, employees, attorneys, and all persons in active concert and participation with Defendant, are hereby permanently enjoined to refrain from operating air contaminant sources at Cain's Generator and Armature Company facility in the absence of requisite effective permits to operate and/or in violation of applicable environmental statutes and regulations.

V.

Defendant shall pay a civil penalty pursuant to Revised Code Section 3704.06 of One Thousand Dollars (\$1,000.00). A certified check for the above amount shall be delivered to counsel for Plaintiff within five days of the journalization of this Consent Order and Entry for payment into the state treasury; the check shall be made payable to "Treasurer, State of Ohio."

VI.

The costs of this action are hereby assessed against Defendant.

Sept. 13, 82
DATE

Ira G. Turpin
IRA G. TURPIN, JUDGE
STARK COUNTY COURT OF COMMON PLEAS

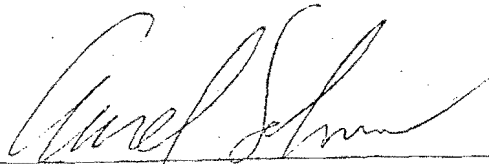
APPROVED:

WILLIAM J. BROWN
ATTORNEY GENERAL OF OHIO

By:


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Attorney for Defendant Edward Cain
dba Cain's Generator & Armature Company



EDWARD CAIN

Individually and as President of Cain's
Generator & Armature Company