

COURT OF COMMON PLEAS OF FRANKLIN COUNTY, OHIO

State of Ohio, ex rel. :  
William J. Brown, Attorney :  
General of Ohio, :  
Plaintiff, :  
vs. :  
Chase Foundry & :  
Manufacturing Co., :  
Defendant. :

Case No. 79CV-09-4495

JUDGMENT ENTRY

MARTIN, J.

FILED  
COMMON PLEAS COURT  
FRANKLIN CO., OHIO  
1984 JAN 12 AM 10:58  
THOMAS J. ERICHT  
CLERK OF COURTS

This matter having come before this Court on remand from the Franklin County Court of Appeals with instructions to enter final judgment for Plaintiff State of Ohio, granting an injunction on Count 6 of the Complaint, and for the Defendant on the first three counts of the Complaint, it is hereby ORDERED, ADJUDGED, AND DECREED that:

1. Defendant Chase Foundry and Manufacturing Company, its officers, employees, agents, assigns, successors, and all persons having knowledge or notice of this Judgment Entry are enjoined immediately from operating the cupola located at Defendant's facility at 2300 Parsons Avenue, Columbus, Ohio, 43207, or at any other location to which said cupola may be moved within this state. This injunction against operation of said cupola shall continue, and no operation of the cupola shall occur, until such time as the owner or operator of the cupola has obtained from the Director of the Ohio Environmental Protection Agency a Permit to Operate, pursuant to the requirements set forth in Ohio Administrative Code §3745-35-02, or a variance, pursuant to the

requirements set forth in Ohio Administrative Code §3745-35-03,  
authorizing operation of the cupola.

2. Counts 1, 2, and 3 of the Complaint are DISMISSED with  
prejudice.

*Paul W. Martin*  
PAUL W. MARTIN, JUDGE

APPROVED:

William J. Brown  
Attorney General of Ohio

BY:

Robert J. Styduhar  
Assistant Attorney General

BY:

Jack A. Van Kley  
Assistant Attorney General  
Environmental Law Section

Attorneys for Plaintiff, State  
of Ohio

C. William Brownfield

William H. Arnold  
Brownfiel, Bowen & Bally

Attorneys for Defendant, Chase  
Foundry & Manufacturing Co.

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1981 JAN 12 AM 10: 58  
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CLERK OF COURTS