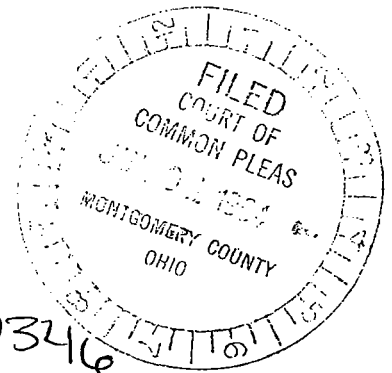


IN THE
COURT OF COMMON PLEAS
MONTGOMERY COUNTY, OHIO



State of Ohio, ex rel.
Lee Fisher
Attorney General of Ohio,

Plaintiff,

v.

Chrysler Corporation
dba Acustar, Inc., Dayton Thermal
Products Division,

Defendant.

Case No.

Judge

94-2346
Patrick J. Foley

CONSENT ORDER

The Complaint in the above-captioned matter having been filed herein, and Plaintiff State of Ohio ("State") by its Attorney General, Lee Fisher, and Defendant Chrysler Corporation, dba Acustar, Inc., Dayton Thermal Products Division ("Chrysler") having consented to the entry of this Order,

NOW THEREFORE, without trial of any issue of fact or law, and upon consent of the parties hereto, it is hereby ORDERED, ADJUDGED AND DECREED as follows:

I. Jurisdiction and Venue

The Court has jurisdiction over the parties and the subject matter of this case. The Complaint states a claim upon which relief can be granted against Defendant Chrysler under Chapter 3734. of the Ohio Revised Code ("RC"). Venue is proper in this Court.

II. Parties

The provisions of this Consent Order shall apply and be binding upon the parties to this action, their agents, officers, stockholders, board of directors, employers, assigns, successors in interest and any person acting in concert or privity with any of them.

III. Satisfaction of Lawsuit

A. The State alleges in its Complaint that Defendant Chrysler operated its manufacturing plant located at 1600 Webster Street, Dayton, Montgomery County, Ohio (hereinafter referred to as the "Webster Street facility") in such a manner as to result in violations of the hazardous waste management laws of the State of Ohio, *i.e.*, RC Chapter 3734. and the rules adopted thereunder.

B. Compliance with the terms of this Consent Order shall constitute full satisfaction of any civil liability by Defendant Chrysler for all claims under Ohio's hazardous waste management laws alleged in the Complaint.

C. Nothing in this Consent Order shall be construed to limit the authority of the State to seek relief for claims or conditions not alleged in the Complaint, including violations which occur after the filing of the Complaint, regardless of when said violations occurred.

D. Nothing in this Consent Order shall be construed to limit the State from requiring Defendant Chrysler, pursuant to the provisions of RC Chapter 3734. and the rules adopted thereunder and/or any federal law, to initiate appropriate corrective action to address contamination of the groundwater, surface water and soils at the Webster Street facility, or to recover costs incurred by the State for such remediation to which the State may be entitled pursuant to state and/or federal law.

IV. Nonadmission of Liability Clause

Nothing in this Consent Order shall be construed as an admission of fact, law or liability by Defendant Chrysler and shall have no effect on any other administrative, civil and/or criminal proceeding pertaining to the Webster Street facility.

V. Effect Upon Other Actions

Nothing in this Consent Order shall be construed to relieve Defendant Chrysler of the obligation to comply with applicable federal, state or local statutes, regulations or ordinances, or shall constitute a waiver or release of any right, remedy, defense or claim by or against Defendant with regard to any person not a party to this Consent Order.

VI. Civil Penalty

Defendant Chrysler is ordered to pay to the State, pursuant to RC §3734.13(C), a civil penalty of one hundred sixty-four thousand dollars (\$164,000.00). The civil penalty shall be paid by delivering to the State's attorney, and/or his successor, a certified check for the above amount, payable to the order of "*Treasurer, State of Ohio*", to be deposited into the hazardous waste clean-up fund, within thirty (30) days of the Court's entry of this Consent Order.

VII. Attorney General Costs

Defendant Chrysler is ordered to pay to the Ohio Attorney General two thousand two hundred fifty-nine dollars (\$2,259.00). Said amount represents the costs incurred by the Attorney General's office in the above-captioned action. Such costs shall be paid by delivering to the State's attorney, and/or his successor, a certified check for the above amount, payable to the order of the "*Treasurer, State of Ohio*". to be deposited into the Attorney General's Special Reimbursement Fund, No. 612, Program No. 5718, within thirty (30) days of the Court's entry of this Consent Order.

VIII. Retention of Jurisdiction

The Court will retain jurisdiction of this action for the purpose of enforcing the terms and provisions of this Consent Order.

IX. Costs

Defendant Chrysler is hereby ordered to pay the court costs of this action.

ENTERED THIS _____ DAY OF _____, 1994.


COURT OF COMMON PLEAS
MONTGOMERY COUNTY, OHIO

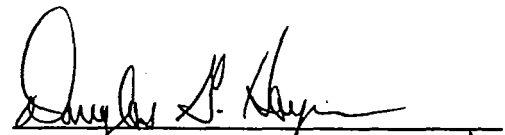
Judge

Approved:

LEE FISHER
ATTORNEY GENERAL OF OHIO

FULLER & HENRY

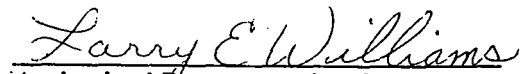

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Attorney for Defendant Chrysler
Corporation

Attorney for the State of Ohio


Authorized Representative for
Defendant Chrysler Corporation