

IN THE COURT OF COMMON PLEAS  
BUTLER COUNTY, OHIO

STATE OF OHIO, ex rel. :  
ANTHONY J. CELEBREZZE, JR. :  
ATTORNEY GENERAL OF OHIO, :  
Plaintiff, :  
v. :  
IRA CROUCH, d/b/a :  
HOWELL DRY CLEANERS, :  
Defendant. :

CASE NO. CV83-12-140

JUDGE STITSINGER

CONSENT JUDGMENT

FILED In Common Pleas Court  
BUTLER COUNTY, OHIO

APR 10 1985

EDWARD S. ROBB, JR.  
CLERK

The Plaintiff having filed the Complaint in this action to enforce the state air pollution statutes, and Plaintiff and Defendant having consented to this Consent Judgment;

THEREFORE, before the taking of any testimony, upon the pleadings and upon the consent of the parties hereto, it is hereby ordered, adjudged and decreed as follows:

I.

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 under Section 3704.05 of the Ohio Revised Code and Section 3745-35-02 of the Ohio Administrative Code.

II.

This Court will retain jurisdiction of this action for the purpose of making any order or decree which it may deem at any time to be necessary to carry out the Consent Judgment.

III.

As described in paragraphs three to four of the Complaint, the Defendant has violated Revised Code Section 3704.05 and Ohio Administrative Code Section 3745-35-02. Compliance by Defendant with the provisions of this Consent Judgment will be in full settlement and satisfaction of the action filed by Plaintiff for all violations alleged in the Complaint occurring on or before March 1, 1985.

IV.

Defendant shall pay a civil penalty pursuant to R.C. 3704.06 in the amount of two hundred twenty-five dollars (\$225.00). This penalty shall be paid by delivering to Plaintiff's counsel, for payment into the state treasury, a check made to the order of "Treasurer, State of Ohio." Plaintiff's counsel's address is:

Paul D. Hancock  
Assistant Attorney General  
Environmental Enforcement  
Section  
30 East Broad Street  
17th Floor  
Columbus, Ohio 43215

V.

Defendant is ordered and enjoined to comply with the requirements contained in his Permit to Operate ("PTO") the air contaminant source located at Howell Dry Cleaners and that he file an application for a new PTO for this air contaminant source at least three months before the expiration of his present PTO.

VI.

The Defendant shall pay a stipulated penalty of thirty dollars (\$30.00) per day, payable to the General Revenue Fund, for any failure to apply for a new PTO for the air contaminant source described in paragraph V within three (3) months before the expiration of his present PTO.

VII.

This Consent Judgment shall not be construed so as to preclude the State of Ohio from seeking monetary, injunctive, or other relief provided by law or equity for violations of R.C. 3704.05 or O.A.C. 3745-35-02, which violations occur subsequent to March 1, 1985, nor shall it be construed to preclude the State of Ohio or its agencies from seeking monetary, injunctive, or other relief against Defendant for any violation of any state or federal law other than those referred to in the Complaint regardless of when the violation occurred.

VIII.

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/or privity with Defendants or their agents, servants, employees, and/or successors.

IX.

Defendant shall pay court costs.

A. STITSINGER  
JUDGE, COURT OF COMMON PLEAS

ANTHONY J. CELEBREZZE, JR.  
ATTORNEY GENERAL OF OHIO

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Ira Crouch  
IRA CROUCH, d/b/a  
HOWELL DRY CLEANERS

APPROVED BY:

GREVEY, GREEN AND GARRETSON

BY: David M. Greve  
DAVID M. GREEN  
P.O. Box 60  
Hamilton, Ohio 45011  
COUNSEL FOR DEFENDANT

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TRUE COPY OF THE ORIGINAL FILED  
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4 EDWARD S. ROBB, JR.  
Butler County Clerk of Courts  
John Cosmard Deputy