

FILED
MAY 1 3 25 PM '86
LAKE COUNTY COURT

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Judge Parks

IN THE COURT OF COMMON PLEAS

LAKE COUNTY, OHIO

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

CASE NO. 85CIV1406

Plaintiff,

v.

JUDGE PARKS

DIXIE ENERGY COMPANY, INC.
242 E. Liberty Street
Wooster, OH 44691
and
PHILLIP E. DALLMAN
242 E. Liberty Street
Wooster, OH 44691
and
B & B DRILLING COMPANY
P.O. Box 418
Stockport, OH 43787

Defendants.

JUDGMENT

Upon motion of Plaintiff State of Ohio for Default Judgment against B & B Drilling Company filed with the Court on February 12, 1986, and Defendant B & B Drilling Company having failed to plead or appear at the hearing on plaintiff's motion scheduled on April 18, 1986, it is hereby ORDERED AND ADJUDGED that Defendant B & B Drilling Company is:

(A) permanently enjoined to remove all contaminated soils at the Rought No. 1 well-site in an environmentally sound manner within thirty days after entry of this judgment according to the following guidelines:

(1) excavation of the contaminated soils shall include all materials down to the clay layer at 12.5 feet;

(2) soil samples shall be collected from the bottom and sides of the excavation and analyzed for sodium and soluble salts by a method approved by the division of oil and gas to insure that all of the contaminated material has been removed;

(3) the excavated material shall be air-dried prior to disposal at a location approved by the Ohio Environmental Protection Agency. To dry the material, B & B Drilling Company shall place it on a plastic liner and cover it with an additional plastic liner until removal can be achieved;

(4) before excavation and removal of the material commences, notice shall be given to the division of oil and gas so that an inspector may be present at the time such activities occur.

(B) permanently enjoined to provide an alternate source of drinking water free of charge to those persons whose water wells are contaminated by brine and other oil field wastes from the Rought lease until such time as the wells meet the standards of the Safe Drinking Water Act. In providing such source, B & B is ordered to install at each residence one 1500 gallon tank that is to be filled regularly so that the needs of the inhabitants are met;

(C) ordered to pay a civil penalty in the amount of \$16,000 to the Division of Oil and Gas. Payment shall be made by sending a certified check made payable to the "Treasurer, State of Ohio" to the division of oil and gas, Fountain Square, Building A, Columbus, Ohio 43224, within thirty days after entry of this judgment.

Date: MAY 01 1986
_____ Judge, Common Pleas

Approved:

ANTHONY J. CELEBREZZE, JR.
ATTORNEY GENERAL OF OHIO

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