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FILED
HELEN J. GAROFALO
CLERK OF COURTS
STARK COUNTY OHIO
DEC 19 2 53 PM '84



IN THE COURT OF COMMON PLEAS
STARK COUNTY, OHIO

STATE OF OHIO, ex rel.
ANTHONY J. CELEBREZZE, JR.
ATTORNEY GENERAL OF OHIO
30 East Broad Street
Columbus, OH 43215,

CASE NO. 84-1861

Plaintiff,

CONSENT JUDGMENT

v.

EVERFLOW EASTERN, INC.,
and CVAS DRILLING, INC.,

Defendants.

The complaint having been filed on December 3 , 1984
under Chapter 1509 of the Ohio Revised Code; and plaintiff
State of Ohio and defendant Everflow Eastern, Inc. having
consented, without trial or adjudication of any issue of
fact or law herein, to the entry of this Consent Judgment;

THEREFORE, before the taking of any testimony, upon the
complaint and the consent of parties hereto, this Court hereby
ORDERS and DECREES as follows:

I

This Court has jurisdiction over the parties and the
subject matter of this case. The complaint states a claim
upon which relief can be granted to the plaintiff against
defendant Everflow Eastern, Inc. under Chapter 1509 of the
Ohio Revised Code.

502

II

Defendant Everflow Eastern, Inc. has violated Sections 1509.03 and 1509.22 of the Ohio Revised Code and Rules 1501:9-3-08 (A), 1501:9-9-03 (F), 1501:9-1-07, and 1501:9-3-04 (A) of the Ohio Administrative Code by improperly storing saltwater, by failing to maintain a pit so as to prevent the escape of saltwater, and by allowing saltwater to enter down-gradient soils and surface waters causing pollution of the lands and waters. These violations occurred near the well drilled under permit 3958 on the American Sportsman's Club, Inc. lease in Section 10, Osnaburg Township, of Stark County.

III

Defendant Everflow Eastern, Inc. shall pay to plaintiff State of Ohio a civil penalty of four thousand dollars (\$4,000.00) not later than ten days from the entry of this Consent Judgment by delivering to plaintiff's counsel, for payment into the State Treasury, a certified check in such amount to the order of "Treasurer, State of Ohio". Such civil penalty shall be in full satisfaction of any liability of defendant Everflow Eastern, Inc. for all the violations of Chapter 1509 asserted in the complaint.

IV

Defendant Everflow Eastern, Inc. shall pay any court costs attributable to the claims asserted in the complaint against it.

V

By executing this Consent Judgment, plaintiff State of Ohio does not discharge, release, or in any way affect any right, demand, claim, or cause of action which plaintiff has, or may have, against any party other than Everflow Eastern, Inc. and the State herein expressly reserves for

IN THE COURT OF COMMON PLEAS

STARK COUNTY, OHIO

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

Plaintiff

v.

EVERFLOW EASTERN, INC.
and
CVAS DRILLING, INC.,

Defendants.

CASE NO. 84-1861

JUDGE QUINN

CONSENT ORDER

The complaint in the above-captioned case was filed with this Court on December 3, 1984. The plaintiff State of Ohio, by its Attorney General, Anthony J. Celebrezze, Jr., and defendant CVAS Drilling, Inc. consent to this decree without any admission of liability on the part of defendant CVAS Drilling, Inc. for any of the alleged violations contained in the complaint.

NOW, THEREFORE, without trial or adjudication of any issue of law or fact arising from the complaint, and before the taking of any testimony, but upon the consent of the parties hereto, this Court hereby ORDERS and DECREES as follows:

I

This Court has jurisdiction over the subject matter herein and the parties consenting hereto. The complaint states a claim upon which relief can be granted to the plaintiff against defendant CVAS Drilling, Inc. under Chapter 1509 of the Ohio Revised Code.

II

The provisions of this Consent Order apply to and are binding upon defendant CVAS Drilling, Inc., its officers, directors, or successors.

III

Defendant CVAS Drilling, Inc. shall pay to plaintiff State of Ohio a civil penalty in the amount of three thousand dollars (\$3,000.00) not later than ten days after the entry of this consent order. Payment shall be made by delivering to plaintiff's counsel a certified check in such amount made payable to "Treasurer, State of Ohio." Such civil penalty shall be in full satisfaction of any liability of defendant CVAS Drilling, Inc. for all violations asserted in the complaint.

IV

Defendant CVAS Drilling, Inc. shall pay any court costs attributable to the claims asserted against it in the complaint.

The Honorable William R. Quinn
Judge, Court of Common Pleas
Stark County, Ohio

APPROVED:

ANTHONY J. CELEBREZZE, JR.
ATTORNEY GENERAL OF OHIO

By:

Rebecca M. Kimball

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CVAS DRILLING, INC.

By:

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