

COSTS PAID
ROBERT DE JENNINGS
Clerk of the Court of Common Pleas
JUN 30 1981
Robert De Jennings
CLERK

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PAGE 27

JUDGE

V

IN THE COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

STATE OF OHIO, ex rel.
WILLIAM J. BROWN
ATTORNEY GENERAL OF OHIO,

Plaintiff,

-vs-

ELMO GOODALE,

Defendant.

Case No. A8009503

Judge William R. Matthews

*Enter
Matthews*

CONSENT JUDGMENT

The Complaint having been filed herein on November 7, 1980 under Sections 6111.04, 6111.07 and 6111.09 of the Ohio Revised Code;

And the Plaintiff and Defendant by their respective attorneys having consented to the entry of this Consent Judgment;

NOW, THEREFORE, before the taking of any testimony and upon the pleadings it is Ordered, Adjudged, and Decreed as follows:

I.

This Court has jurisdiction of the subject matter herein and of the parties consenting hereto. The Complaint states a claim upon which relief can be granted against the Defendant under Sections 6111.04, 6111.07 and 6111.09 of the Ohio Revised Code.

II.

The provisions of this Consent Judgment shall apply to and

be binding upon the parties to this action, their officers, directors, agents, servants, employees, partners, successors and assigns. In addition, the provisions of this Consent Judgment shall apply to all persons, partnerships, firms, corporations and other entities having notice of this Consent Judgment and who are, or will be, acting in concert and privity with the Defendant to this action or his officers, directors, partners, agents, servants, employees, and successors. At the time of entry of this Consent Judgment Defendant shall disclose to, and give notice of, this Consent Judgment to the partners in Westbrook Village Mobile Home Park and Elko Investments.

III.

The Defendant has in the operation of the wastewater treatment plant at Westbrook Village Mobile Home Park violated Sections 6111.04 and 6111.07(A), Ohio Revised Code, by his noncompliance with the terms of NPDES permit number V 623*AD.

IV.

The Defendant agrees and is hereby enjoined to comply with the terms of NPDES permit V 623*AD, and all unaltered terms and conditions of any renewal thereof, including, but not limited to, those pertaining to monitoring, reporting, and effluent limitations.

V.

The Defendant agrees and is hereby ordered to pay a civil penalty, under Section 6111.09, Ohio Revised Code, in the amount of Five Thousand Dollars (\$5,000.00) in satisfaction of the violations of conditions and limitations contained in NPDES permit V 623*AD which have occurred until the date this Consent Judgment is entered. Said penalty shall be paid in seven monthly installments.

The Defendant shall pay the initial installment, not later than ten days from the entry of this Consent Judgment, by forwarding to counsel for Plaintiff a certified check drawn to the order of the "Treasurer, State of Ohio", in the amount of \$714.32. Each of the six subsequent installments shall be paid by forwarding to counsel for Plaintiff, not later than one month after the previous month's payment was due, a certified check drawn to the order of the "Treasurer, State of Ohio", in the amount of \$714.28.

VI.

The Court retains jurisdiction of this suit and the Defendant for the purpose of making any order or decree which it may deem to be necessary to carry out this Consent Judgment.

VII.

The Defendant shall pay the Court costs.

WILLIAM R. MATTHEWS, JUDGE
Court of Common Pleas
Hamilton County, Ohio

APPROVED:

WILLIAM J. BROWN
ATTORNEY GENERAL OF OHIO

Margaret A. Malone

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FILED
MAY 19 1963