

III

Defendant shall pay a civil penalty pursuant to R.C. 3734.13(C) in the amount of four thousand dollars (\$4,000.00) by delivering to Plaintiff's counsel within thirty days after entry of this Consent Judgment, a check drawn to the order of "Treasurer, State of Ohio" for payment into the hazardous waste clean-up fund created in R.C. 3734.28.

IV

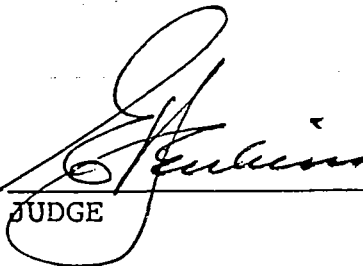
Compliance with the terms of this Consent Judgment shall constitute full satisfaction of any civil liability of Defendant for claims alleged in the Complaint.

V

Defendant shall pay Court costs.

VI

Defendant waives its right to pursue and hereby withdraws its appeal of the July 13, 1988 Director's Final Findings and Orders, which appeal is pending before the Environmental Board of Review (Case No. EBR 501836) (Copy of Voluntary Notice of Dismissal attached).


JUDGE

APPROVED:

ANTHONY J. CELEBREZZE, JR.
ATTORNEY GENERAL OF OHIO

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Counsel for Metal Carbides, Inc.

4933E

BEFORE THE ENVIRONMENTAL
BOARD OF REVIEW

CLERK OF COURTS
MANCHESTER COUNTY, OHIO
FEB 10 1989
ANTHONY VIVO, CLERK

METAL CARBIDES, INC.)
)
Appellant)
)
vs.)
)
RICHARD L. SHANK, DIRECTOR)
OF ENVIRONMENTAL PROTECTION)
)
Appellee)

CASE NO. EBR 501836

MOTION OF APPELLANT TO
DISMISS APPEAL

Now Comes the Appellant, METAL CARBIDES, INC., by and through its counsel, and hereby moves the Board of Review for an Entry Dismissing the Appeal herein.

Mark A. Beatrice
MARK A. BEATRICE, Counsel for
Appellant, METAL CARBIDES, INC.

MANCHESTER, BENNETT, POWERS &
ULLMAN CO., L.P.A.
1100 Bank One Building
Youngstown, OH 44503
Telephone: (216) 743-1171

OF COUNSEL

ENTRY DISMISSING APPEAL

Upon the foregoing motion, and stipulation below of Counsel for Appellant, METAL CARBIDES, INC., the Appeal herein is hereby ORDERED DISMISSED.

Entered in the Case File
of the Board this ____ day
of February, 1989.

THE ENVIRONMENTAL BOARD OF REVIEW

Submitted and approved:

Mark A. Beatrice