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COURT OF COMMON PLEAS

MAR 16 1998

DELORES REED, Clerk  
PORTAGE COUNTY, OHIO

IN THE COURT OF COMMON PLEAS  
PORTAGE COUNTY, OHIO

STATE OF OHIO, ex rel.  
BETTY MONTGOMERY  
ATTORNEY GENERAL OF OHIO,

Plaintiff,

v.

PORTAGE LANDFILL AND  
DEVELOPMENT COMPANY, et al.,

Defendants.

: CASE NO. 87 CV 0958  
:  
: JUDGE JOHN A. ENLOW  
:  
: FINAL JUDGMENT ENTRY  
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Since the other remaining Defendants in this case have settled with the State of Ohio, this matter is before this Court regarding the State of Ohio's claims, set forth in its amended Complaint, against Defendants Janic, Inc. and John Hoffman. As set forth in this Court's prior Orders of September 16, 1994 and January 13, 1995, this Court finds as follows: (1) that the Portage Landfill was not properly closed according to law; (2) that Defendants Janic, Inc. and John Hoffman are responsible for the expense of proper closure of the landfill site; and (3) that closure shall be performed in accordance with O.A.C. 3734-27-10(C) (as that section existed on July 29, 1976), together with ground water monitoring and explosive gas monitoring, as set forth in the "Referee Report and Recommendation" filed herein on March 15, 1993.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that, as the landfill was not properly closed according to law, Defendants Janic, Inc. and John Hoffman shall immediately begin approved closure activities at the landfill under the supervision and with the approval of Ohio EPA and the Portage County Combined General Health District, and in accordance with O.A.C. 3745-27-10(C) (as that section existed on July 29, 1976), together with ground water monitoring and explosive gas monitoring, as set forth in the Report.

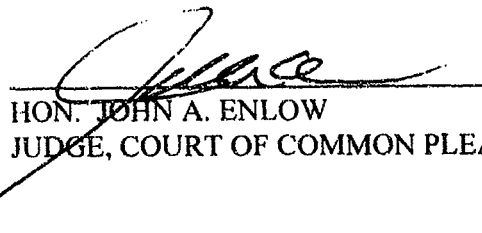
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IT IS FURTHER ORDERED, ADJUDGED and DECREED that Defendants Janic, Inc. and John Hoffman shall be jointly and severally liable and responsible for all expenses of proper closure, as set forth above, of the landfill site which are not obtained by the State of Ohio as a result of its settlements with the other Defendants.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Water Pollution and Nuisance claims, Counts Three and Twenty-Two, brought by the State of Ohio in its amended Complaint against Defendants Janic, Inc. and John Hoffman are dismissed without prejudice.

This Order is the Final Judgment of this Court regarding the Solid Waste claims, Counts One, Two and Four through Twenty-One, brought by the State of Ohio in its amended Complaint against Defendants Janic, Inc. and John Hoffman.

SO ORDERED.

  
HON. JOHN A. ENLOW  
JUDGE, COURT OF COMMON PLEAS

THE CLERK IS DIRECTED TO SERVE UPON ALL PARTIES NOTICE OF THIS FINAL JUDGMENT AND ITS DATE OF ENTRY UPON THE JOURNAL, PURSUANT TO CIVIL RULE 58(B).

STATE OF OHIO  
PORTAGE COUNTY  
I, Linda K. Fankhauser, Clerk of the Court  
of Common Pleas, within and for said  
County hereby certify the foregoing to be  
a true copy of the

entry  
filed in the foregoing case.  
By Linda K. Fankhauser, Clerk  
