

FILED
COURT OF COMMON PLEAS

JUN 22 1998

DELORES REED, Clerk
PORTAGE COUNTY, OHIO

IN THE COURT OF COMMON PLEAS
PORTAGE COUNTY, OHIO

STATE OF OHIO, ex rel.	:	CASE NO. 87 CV 0958
BETTY MONTGOMERY	:	
ATTORNEY GENERAL OF OHIO,	:	JUDGE JOHN A. ENLOW
	:	
Plaintiff,	:	
v.	:	<u>FINAL JUDGMENT ENTRY</u>
	:	
PORTAGE LANDFILL AND	:	
DEVELOPMENT COMPANY, et al.,	:	
	:	
Defendants.	:	

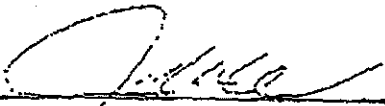
Since the other remaining Defendants in this case have settled with the State of Ohio, this matter is before this Court regarding the State of Ohio's claims, set forth in its amended Complaint, against Defendants Janic, Inc. and John Hoffman. As set forth in this Court's prior Orders of September 16, 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. - *referee report*

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.

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.

This Order is the Final Judgment of this Court and is a final, appealable order which resolves all of the pending claims brought by the State of Ohio in its amended complaint against Defendants Janic, Inc. and John Hoffman. All other claims against all other parties have been addressed through other orders of this Court. There are no other claims against any other Defendants raised by the State of Ohio in this action which remain pending before this Court for resolution or final judgment. This Court has determined that there is no just reason for delay.

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).