

IN THE COURT OF COMMON PLEAS

CLINTON COUNTY, OHIO

State of Ohio :
Plaintiff : CASE NO. 94-CR-3
-vs- :
Ruthman Pump & Engineering, Inc. :
Defendant : JUDGMENT ENTRY

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CLINTON COUNTY CLERK

This cause came on for hearing on the 6th day of January, 1994, with William E. Peelle, Prosecuting Attorney, and Retanio Aj Rucker, Assistant Attorney General for the State of Ohio, appearing on behalf of the State of Ohio, and the Defendant, being Court with his counsel, Glenn V. Whitaker.

Whereupon, the Defendant, by Thomas R. Ruthman, President and Authorized Representative of Ruthman Pump & Engineering, Inc., waived the formal reading of the Bill of Information and acknowledged service of the same. The court finds, upon inquiry, that the Defendant has knowingly, intelligently and voluntarily waived its right to a Grand Jury investigation of this matter and its right to be charged by way of indictment. Further, the court finds that the Defendant has agreed to proceed by way of Bill of Information. Upon said findings, the Defendant further says that it is Guilty of the following:

- (a) Illegal Storage of Hazardous Waste in violation of Section 3734.02 (F) of the Ohio Revised Code as contained in the first count of the Bill of Information, a felony.



respect to punishment, represents the free and voluntary exercise of the Defendant's own will and best judgment. Whereupon, the court finds that the Defendant entered a plea of Guilty as follows:

(a) Illegal Storage of Hazardous Waste in violation of Section 3734.02 (F) of the Ohio Revised Code as contained in the first count of the Bill of Information, a felony;

(b) Illegal Storage of Hazardous Waste in violation of Section 3734.02 (F) of the Ohio Revised Code as contained in the second count of the Bill of Information, a felony;

(c) Illegal Disposal of Hazardous Waste in violation of Section 3734.02 (F) of the Ohio Revised Code as contained in the third count of the Bill of Information, a felony;

(d) Illegal Disposal of Hazardous Waste in violation of Section 3734.02 (F) of the Ohio Revised Code as contained in the fourth count of the Bill of Information, a felony;

(e) Illegal Transportation of Hazardous Waste in violation of Section 3734.02 (F) of the Ohio Revised Code as contained in the fifth count of the Bill of Information, a felony;

(f) Offering Hazardous Waste for Transportation without a Manifest in violation of Section 3734.11 (A) and OAC Rule 3745-52-20 as contained in the sixth count of the Bill of Information, a felony.

The court, being fully advised as to the facts, hereby accepts the Defendant's plea of Guilty entered herein as knowingly, intelligently and voluntarily made with full knowledge of the

consequences thereof, including waivers of all applicable rights and defenses and understanding of the maximum penalties. The court further finds the Defendant, based upon the facts and the aforesaid findings of the court, to be Guilty of the following:

(a) Illegal Storage of Hazardous Waste in violation of Section 3734.02 (F) of the Ohio Revised Code as contained in the first count of the Bill of Information, a felony;

(b) Illegal Storage of Hazardous Waste in violation of Section 3734.02 (F) of the Ohio Revised Code as contained in the second count of the Bill of Information, a felony;

(c) Illegal Disposal of Hazardous Waste in violation of Section 3734.02 (F) of the Ohio Revised Code as contained in the third count of the Bill of Information, a felony;

(d) Illegal Disposal of Hazardous Waste in violation of Section 3734.02 (F) of the Ohio Revised Code as contained in the fourth count of the Bill of Information, a felony;

(e) Illegal Transportation of Hazardous Waste in violation of Section 3734.02 (F) of the Ohio Revised Code as contained in the fifth count of the Bill of Information, a felony;

(f) Offering Hazardous Waste for Transportation without a Manifest in violation of Section 3734.11 (A) and OAC Rule 3745-52-20 as contained in the sixth count of the Bill of Information, a felony.

It is further ORDERED by the Court as follows:

(1) that Ruthman Pump & Engineering, Inc. shall be and is hereby fined the sum of Twenty-Five Thousand Dollars (\$25,000.00) on each count herein and that Fifteen Thousand Dollars (\$15,000.00) be suspended on each count herein;

(2) that Ruthman Pump & Engineering, Inc. shall pay the sum of Ninety Thousand Dollars (\$90,000.00) restitution to Clinton County, Ohio;

(3) that Ruthman Pump & Engineering, Inc. shall pay the sum of Twenty Thousand Dollars (\$20,000.00) to the Ohio Attorney General's Office as restitution for the costs incurred in the investigation and prosecution of this criminal case. Payment to be remitted to the Attorney for the State, or his successor, payable to the order of the "Treasurer, State of Ohio", to be deposited into the Ohio Attorney General's Special Reimbursement Fund, No. 612, Program No. 5718, within seven (7) days of the Court's entry of sentence herein;

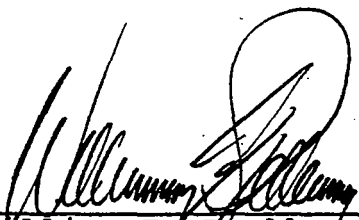
(4) that Ruthman Pump & Engineering, Inc. shall pay the sum of Fifteen Thousand Dollars (\$15,000.00) to the Ohio EPA as restitution for the costs incurred in the investigation and prosecution of this criminal case. Payment of the Ohio EPA'S costs shall be remitted to Edith Long, or her successor, Ohio EPA, Division of Fiscal Administration, 1800 WaterMark Drive, P.O. Box 1049, Columbus, Ohio 43266-0149, payable to the order of the "Treasurer, State of Ohio", to be deposited into the Hazardous

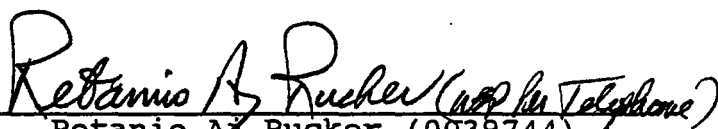
Waste Clean-up Fund per Ohio Revised Code Section 3734.28 within seven (7) days of the Court's entry of sentence herein;


(5) that Ruthman Pump & Engineering, Inc shall pay the costs of these proceedings in the sum of \$ 2298.90 .

ENTER this 10th day of May, 1994.


William B. McCracken, JUDGE


William E. Seelle (0006245)
Prosecuting Attorney


Retanio A. Rucker (0039744)
David G. Cox (0042724)
Assistant Attorney Generals
Environmental Enforcement


Glenn V. Whitaker (0018169)
Attorney for Defendant