

IN THE COURT OF COMMON PLEAS  
HAMILTON COUNTY, OHIO

STATE OF OHIO  
LEE FISHER  
ATTORNEY GENERAL OF OHIO,

PLAINTIFF,

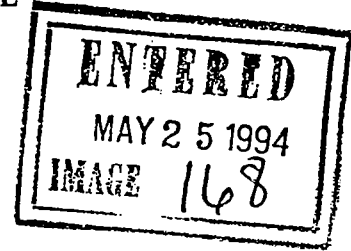
v.

STEELCRAFT MANUFACTURING  
COMPANY, A DIVISION OF  
AMERICAN STANDARD, INC.,

DEFENDANT.

CASE NO. A8509596

JUDGE NADEL



CONSENT ORDER FOR PENALTIES

WHEREAS, Plaintiff State of Ohio, by its Attorney General (hereinafter "Plaintiff") and Defendant Steelcraft Manufacturing Company, A Division of American Standard, Inc. (hereinafter "Defendant") entered into a Consent Decree filed by the court in this matter on December 2, 1985;

WHEREAS, Paragraph 5(H) of the Decree required Defendant to comply with applicable air pollution limits by December 31, 1985;

WHEREAS, Paragraphs 14-17 of the Decree require Defendant to pay stipulated penalties for failure to comply with Paragraph 5(H) on demand of Plaintiff;

WHEREAS, Plaintiff alleges that the Defendant failed to comply with applicable air pollution limits in violation of Paragraph 5(H) on numerous days between January 1, 1986 and December 29, 1988;

WHEREAS, Plaintiff has demanded payment of stipulated penalties under Paragraphs 14-17 for the violations of Paragraph 5(H);

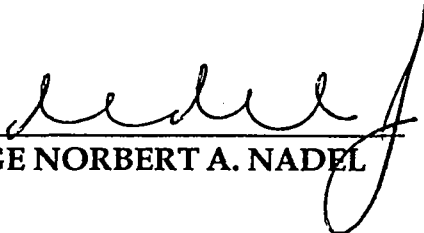
WHEREAS, the parties have determined that settlement of the stipulated

penalties is in the public interest;

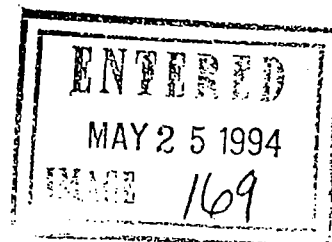
NOW, THEREFORE, the parties hereby stipulated to the following:

1. Defendant shall pay to Plaintiff a total stipulated penalty in the amount of \$75,000, pursuant to Paragraphs 14 to 17, for the violations of Paragraph 5(H) of the Consent Decree between January 1, 1986 and December 29, 1988.
2. Payment of such penalty shall be in the form of a certified check, payable to "Treasurer, State of Ohio" and delivered to Plaintiff's counsel within twenty (20) days of the effective date of this Consent Order for Penalties.
3. Payment of such penalty shall constitute full satisfaction of Defendant's obligation to pay penalties under Paragraphs 14-17 for the violations of Paragraph 5(H) between January 1, 1986 and December 29, 1988.


IT IS SO ORDERED.

  
\_\_\_\_\_  
JUDGE NORBERT A. NADEL


5/25/94  
Date



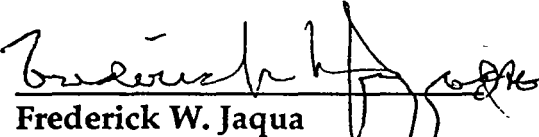
LEE FISHER  
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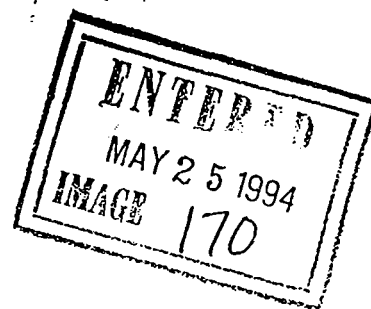
  
RUSSELL S. FRYE  
Chadbourne & Parke  
1101 Vermont Avenue, N.W.  
Washington, D.C. 20005-3521  
(202) 289-3000

Counsel for Defendant

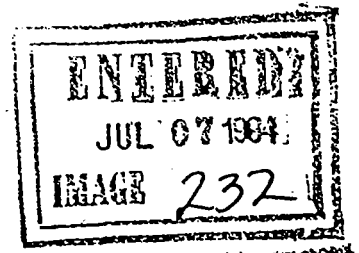
  
JAMES O. PAYNE, JR. (0008129)  
Assistant Attorney General  
Environmental Enforcement  
30 East Broad Street, 25th Floor  
Columbus, Ohio 43266-0410  
(614) 466-2766

Counsel for Plaintiff

  
Frederick W. Jaqua  
Vice President, General Counsel  
and Secretary  
American Standard Inc.  
1114 Avenue of the Americas  
New York, NY 10036



IN THE COURT OF COMMON PLEAS  
HAMILTON COUNTY, OHIO



STATE OF OHIO : CASE NO. A8509596  
LEE FISHER :  
ATTORNEY GENERAL OF OHIO, : JUDGE NADEL  
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 PLAINTIFF, :  
 :  
 v. :  
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 STEELCRAFT MANUFACTURING :  
 COMPANY, A DIVISION OF :  
 AMERICAN STANDARD, INC., :  
 :  
 DEFENDANT. :

CONSENT ORDER FOR PENALTIES

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WHEREAS, Plaintiff alleges that the Defendant failed to comply with applicable air pollution limits in violation of Paragraph 5(H) on numerous days between January 1, 1986 and December 29, 1988;

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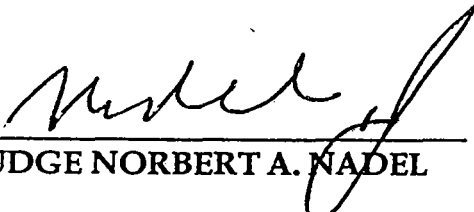
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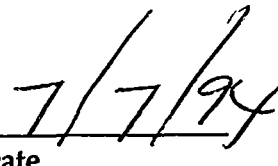
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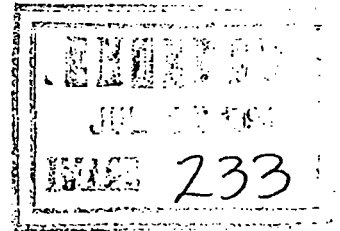
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2. Payment of such penalty shall be in the form of a certified check, payable to "Treasurer, State of Ohio" and delivered to Plaintiff's counsel within twenty (20) days of the effective date of this Consent Order for Penalties.
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IT IS SO ORDERED.

  
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JUDGE NORBERT A. NADEL


  
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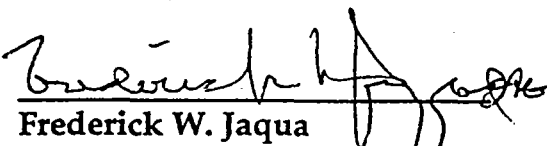
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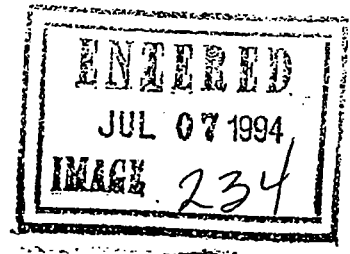
  
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Counsel for Defendant

  
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Assistant Attorney General  
Environmental Enforcement  
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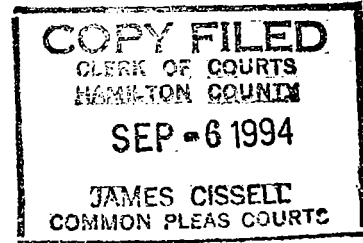
Counsel for Plaintiff

  
Frederick W. Jaqua  
Vice President, General Counsel  
and Secretary  
American Standard Inc.  
1114 Avenue of the Americas  
New York, NY 10036



IN THE COURT OF COMMON PLEAS  
HAMILTON COUNTY, OHIO

STATE OF OHIO, EX. REL. : CASE NO. A8509596  
ATTORNEY GENERAL OF OHIO :  
 :  
Plaintiff : JUDGE NADEL  
 :  
V. :  
 :  
STEELCRAFT MANUFACTURING :  
COMPANY :  
 :  
 :  
Defendant :



DEFENDANT'S MOTION TO TERMINATE CONSENT DECREE

Defendant in this action, by and through counsel, hereby moves the Court for an Order terminating the Consent Decree entered in this matter on December 2, 1985 ("Consent Decree").

Defendant Steelcraft Manufacturing Company was formerly owned by, and a division of, American Standard Inc.; it is now a division of MascoTech, Inc. The Consent Decree was entered into by Defendant as a division of American Standard Inc.

The terms and conditions of the Consent Decree have been fulfilled. The compliance and reporting obligations under Section IV and V, respectively, have been fulfilled. The state has ceased the obligation for monthly reporting and incorporated quarterly reporting duties into the facility's air emission permits. All other obligations of the Consent Decree have similarly been fulfilled.

The Attorney General of the State of Ohio is in support of this Motion.

Through this motion, MascoTech, Inc. does not waive any of its rights to contest and object to the application of this Consent Decree to MascoTech, Inc.

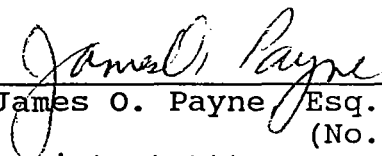
A proposed Order is attached for the Court's consideration.



Mark A. Norman, Esq. (N-125)  
(No. 0012033)

Attorney for Steelcraft  
Manufacturing Company, a  
Division of MascoTech, Inc.  
Vorys, Sater, Seymour and Pease  
221 E. Fourth Street, Suite 2100  
Cincinnati, Ohio 45202  
(513) 723-4000

In Support of Defendants Motion to Terminate Consent Decree



James O. Payne, Esq. (J-413)  
(No. 000729)

Assistant Attorney General  
30 E. Broad Street, 25th Floor  
Columbus, Ohio 43266-0410  
(614) 466-2766



IN THE COURT OF COMMON PLEAS  
HAMILTON COUNTY, OHIO

*Handwritten signature*

STATE OF OHIO, EX. REL.  
ATTORNEY GENERAL OF OHIO

: CASE NO. A8509596

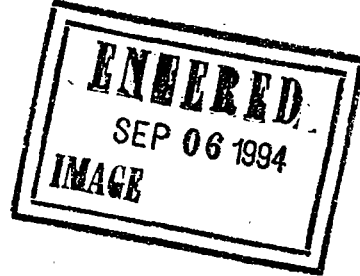
: JUDGE NADEL

Plaintiff

v.

STEELCRAFT MANUFACTURING  
COMPANY

Defendant



O R D E R

This matter, having come before the Court upon the Motion of the Defendant to Terminate Consent Decree, and good cause having been shown, and upon said Motion,

IT IS HEREBY ORDERED that the Consent Decree in this case, entered December 2, 1985, is hereby terminated. This case is hereby closed.

*Handwritten signature of Judge Nadel*  
\_\_\_\_\_  
JUDGE, COURT OF COMMON PLEAS

APPROVED:

STATE OF OHIO, EX REL.  
LEE FISHER  
ATTORNEY GENERAL OF OHIO

STEELCRAFT MANUFACTURING COMPANY

*Handwritten signature of James D. Payne*  
\_\_\_\_\_

*Handwritten signature of Mark A. Hoffman*  
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