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IN THE COURT OF COMMON PLEAS

FILED

VINTON COUNTY, OHIO

'86 NOV 26 PM 12 25

CASE NO. 84-CV5-31

STATE OF OHIO, ex rel.
ANTHONY J. CELEBREZZE, JR.
ATTORNEY GENERAL OF OHIO

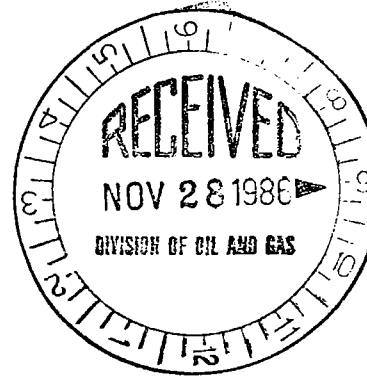
Plaintiff,

v.

W.R.I., et al.,

Defendant.

Lorraine Hoy
CLERK OF COURTS



ENTRY

This matter having come before the court on Plaintiff's filing of Charges in Contempt against Defendant W.R.I. and upon consent of the parties, the court finds:

1. For the purposes of this Entry, Defendant W.R.I. is the partnership of J. B. Wilson and Ray Roles only.
2. On June 3, 1986, the Division of Oil and Gas conducted an inspection of the tank battery serving the Perry lease located in Knox Township, Vinton County, Ohio, and found that Defendant W.R.I. had violated the permanent injunction issued by this court on September 11, 1985. Defendant W.R.I. does not contest this fact.

3. On September 25, 1986, Defendant W.R.I. paid to the Division of Oil and Gas the civil penalty of Five Thousand Dollars (\$5,000.00) as ordered by this court on September 11, 1985.
4. W.R.I. is in contempt of the lawful order of this court entered on September 11, 1985. Defendant W.R.I. may purge itself of said contempt by complying with the terms of this entry.

THEREFORE, it is Ordered, Adjudged and Decreed as follows:

- A. That within one week of the entry of this order, the Division of Oil and Gas, at the expense of Defendant W.R.I., shall take soil samples of the contaminated soils and present them to an EPA-approved laboratory for an EP Toxicity Test and Percent Solids Test. Defendant W.R.I. shall apply to the EPA for approval for removal of the soils to an appropriate landfill. Within one week of receiving the approval from the EPA, Defendant W.R.I. shall begin the following cleanup operation at the tank battery serving the Perry lease located in Knox Township, Vinton County, Ohio.
 - 1) All contaminated soils shall be removed from the site to an EPA-approved landfill. Defendant W.R.I. shall contact the operator of the approved landfill for permission to dispose of the soils there.

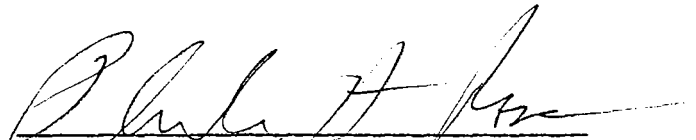
Defendant W.R.I. shall provide written documentation of volumes of soil removed from the site and volumes of soil received at the landfill.

- 2) An impermeable dike shall be built around the tank battery and lined with a plastic liner.
- 3) The areas disturbed during the cleanup operation shall be graded, seeded, and mulched and have vegetation established on them sufficient to prevent erosion and sedimentation. The grading and mulching shall be completed as soon as possible after removal of the contaminated soils. Vegetation shall be established by May 15, 1987.
- 4) All work shall be done under the supervision and subject to the approval of the Division of Oil and Gas.

B. The cleanup operation described in Paragraph A shall be completed within thirty (30) days of receiving approval from the EPA to dispose of the soil into the appropriate landfill.


C. Failure on the part of Defendant W.R.I. to comply with any of the requirements of this order within the time periods described shall result in the imposition of a

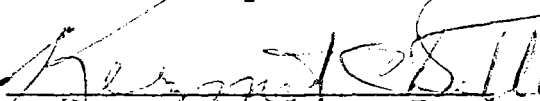
fine of Five Hundred Dollars (\$500.00) for each day the
Defendant fails to comply with this order and/or
imprisonment for ten (10) days.


PHILLIP H. ROSE, JUDGE

APPROVED:

ANTHONY J. CELEBREZZE, JR.
ATTORNEY GENERAL OF OHIO


EDDA SARA POST.
Assistant Attorney General
Attorney for Plaintiff


KERMIT C. SITTERLEY
Attorney for Defendant