

FILED  
LUCAS COUNTY

OCT 15 2 04 PM '86

COMMON PLEAS CLERK  
CAROL A. PIFIE  
CLERK OF COURTS

IN THE COURT OF COMMON PLEAS  
LUCAS COUNTY, OHIO

STATE OF OHIO, ex rel. : Case No. 850719  
ANTHONY J. CELEBREZZE, JR. :  
ATTORNEY GENERAL OF OHIO, : JUDGE KNEPPER  
:  
Plaintiff, : Jack A. Van Kley (6637)  
: David I. Schiff (6637)  
v. : Assistant Attorneys General  
: Environmental Enforcement  
MAUMEE REFINING, INC., et al., : Section  
: 30 East Broad Street  
Defendants. : Columbus, OH 43215  
(614) 466-2766

Neil M. Gingold  
4626 Royal Avenue  
Niagara Falls, NY 14303

CONSENT JUDGMENT BETWEEN  
PLAINTIFF STATE OF OHIO AND  
DEFENDANT FRONTIER CHEMICAL

The Complaint in the above-captioned case having been filed herein, and the Plaintiff State of Ohio by its Attorney General, Anthony J. Celebrezze, Jr., (hereinafter "Plaintiff") and the Defendant, Frontier Chemical Waste Process, Inc. (hereinafter "Frontier"), having filed an Answer to the above referenced Complaint and having consented to entry of this Consent Judgment;

NOW, THEREFORE, without trial or admission of any issues of law or fact, and upon consent of the parties hereto, it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. This Court has jurisdiction over the subject matter herein pursuant to Chapter 3734 of the Ohio Revised Code. The Complaint states a claim upon which relief can be granted

against Frontier under this statute. This Court has jurisdiction over the parties hereto. Venue is proper in this Court.

2. The provisions of this Consent Judgment shall apply to and be binding upon the parties to this action, their agents, officers, employees, assigns, and successors in interest.

3. Plaintiff alleges in its Amended Complaint that Frontier has transported hazardous waste to an Ohio facility in violation of Ohio Revised Code Section 3734.02(F) and Ohio Administrative Code (OAC) Section 3745-52-20. Frontier denies these allegations in its Answer. Compliance with this Consent Judgment shall be full satisfaction for Frontier's liability for these alleged violations.

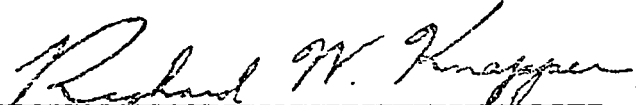
4. Frontier shall pay a civil penalty of Twenty Thousand Dollars (\$20,000.00) pursuant to Ohio Revised Code Section 3734.13(C) by delivering to Plaintiff's counsel, for payment into the Hazardous Waste Cleanup Special Account created by Ohio Revised Code Section 3734.28, certified checks totalling such amount made payable to the order of "Treasurer, State of Ohio". This civil penalty shall be paid in four monthly installments of Five Thousand Dollars (\$5,000.00) each. The first installment shall be delivered to Plaintiff's counsel within thirty (30) days after the entry of this Consent Judgment, and the remaining installments shall be delivered on or before the monthly anniversary dates of the first installment.

5. Frontier is enjoined and prohibited from violating Ohio Revised Code Section 3734.02(F) and OAC 3745-52-20. This injunction shall not be construed as an admission by Frontier that it is or ever has been in violation of the above referenced sections of law.

6. By executing this Consent Judgment, Plaintiff and Frontier do not discharge, release, or in any way affect any right, demand, claim, or cause of action which Plaintiff and/or Frontier have, or may have, against any other Defendant in this action, and Plaintiff and Frontier herein expressly reserve for further enforcement all rights, demands, claims, and causes of action which they have, or may have, against all other Defendants in this action.

7. The Court retains jurisdiction of this suit for the purpose of making any order or decree which it may deem at any time to be necessary to carry out this Consent Judgment.

8. Frontier shall pay one-half of the court costs in this action.

  
HONORABLE RICHARD W. KNEPPER  
JUDGE, COURT OF COMMON PLEAS

APPROVED:

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

By: Jack Van Kley  
Jack A. Van Kley (6637) ✓  
David I. Schiff (6637)  
Assistant Attorneys General  
Environmental Enforcement  
Section  
30 East Broad Street  
Columbus, OH 43215  
(614) 466-2766

FRONTIER CHEMICAL WASTE PROCESS, INC.

By: Neil M. Gingold  
Neil M. Gingold  
4626 Royal Avenue  
Niagara Falls, NY 14303