

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

CIVIL ACTION NO. 1:13cv343 (WOB-KLL)

STATE OF OHIO

PLAINTIFF

VS.

JUDGMENT

JENNY LEE FORD, ET AL.

DEFENDANTS

Pursuant to the Order entered concurrently herewith, the Court being advised,

IT IS ORDERED AND ADJUDGED that default judgment is entered in favor of plaintiff State of Ohio and against defendants Jenny Lee Ford and James Robert Ford as follows: 1) Pursuant to 42 U.S.C. § 9607, Defendants Jenny Lee Ford and James Robert Ford, jointly and severally, are ordered to pay Plaintiff, State of Ohio, response costs which the State has incurred from January 29, 1996 through May 28, 2008, in the amount of \$441,838.30, plus interest on this amount at the legal rate until this judgment amount is satisfied. 2) Pursuant to Ohio Rev. Code § 3734.20(B) and Ohio Rev. Code § 3745.12, Defendants Jenny Lee Ford and James Robert Ford, jointly and severally, are ordered and enjoined to pay Plaintiff, State of Ohio, additional response costs for investigation and the remedial measures that have been performed by Ohio EPA and its contractors from May 29, 2008 through January 15, 2011, for Ohio EPA's implementation of

the work required by the April 6, 2007 Director's Final Findings and Orders in the amount of \$29,468.87, plus interest on this amount at the legal rate until this judgment amount is satisfied. 3) The response cost payments and interest ordered by paragraphs 1. and 2. shall be made by delivering to Plaintiff, c/o Scott Hainer, Paralegal, or his successor at the Office of the Attorney General of Ohio, Environmental Enforcement Section, 30 East Broad Street, 25th Floor, Columbus, Ohio 43215, cashier's or certified checks payable to the order of "Treasurer, State of Ohio." 4) Pursuant to Ohio Rev. Code § 6111.07(B), Ohio Rev. Code § 3734.10, Ohio Rev. Code § 3734.13(C), Ohio Rev. Code § 3734.20, and Ohio Rev. Code §§ 3767.02-3767.06, Defendants Jenny Lee Ford and James Robert Ford, jointly and severally, are ordered and enjoined to perform additional remediation work to address the ground water contamination that continues to be a threat to the Coal Grove Wellfield. To implement this remediation, Defendants are ordered to hire an environmental consultant to prepare a remediation plan for further cleanup of the contamination in the ground water that has migrated from the Tri-State Tank Cleaning facility, located at 410 Riverside Drive, Coal Grove, Ohio, also known as the Ford Bros. Site. The remediation plan shall be submitted to Ohio EPA for approval. When the remediation plan is approved by Ohio EPA, Defendants shall implement the plan as

approved by Ohio EPA. Defendants are also ordered to pay Ohio EPA its response costs for reviewing the plan, overseeing the work, and other related costs, such as contractor and laboratory costs. Ohio EPA shall submit to Defendants invoices for these future response costs. 5) The remediation plan required to be submitted by paragraph 4. shall be submitted to Ohio EPA at the following address: Ohio EPA Southeast District Office, Division of Environmental Response and Revitalization, Attn. Site Coordinator, Tri-State Tank Cleaning Site, 2195 Front Street, Logan, Ohio 43138. 6) Pursuant to Ohio Rev. Code §§ 3734.13(C) and 6111.09(A), Defendants Jenny Lee Ford and James Robert Ford, jointly and severally, are ordered and enjoined to pay into the Treasury of the State of Ohio a civil penalty for violations of Ohio Rev. Code §§ 3734.11(A) and 6111.07(A) in the amount of \$250,000 plus interest on this judgment amount at the legal rate until this judgment is satisfied. This civil penalty payment and interest shall be paid in the same manner and at the same address set forth in paragraph 3. 7) Defendants Jenny Lee Ford and James Robert Ford are ordered and enjoined from violating Ohio Rev. Code Chapter 3734 and Ohio Rev. Code Chapter 6111, the rules promulgated under those Chapters, and any Orders issued by the Director to the Defendants. 8) Defendants Jenny Lee Ford and James Robert Ford and their agents, representatives, employees, successors, or assigns, under the names that they presently use

or any other names they use through any corporate or other device, and those acting in concert and participation with Defendants directly or indirectly, are ordered and enjoined from engaging in the acts or practices of which the State complains in the Complaint.

This 22nd day of May, 2014.



Signed By:

William O. Bertelsman *WOB*

United States District Judge