

IN THE COURT OF COMMON PLEAS
SANDUSKY COUNTY, OHIO
SANDUSKY COUNTY
COMMON PLEAS COURT
FILED

OCT - 2 2019

CASE NO. 19CV295
TRACY M. OVERMYER
JUDGE JOHN P. DEWEY
CLERK

STATE OF OHIO, ex. rel.
DAVE YOST
OHIO ATTORNEY GENERAL

Plaintiff,

v.

MEGGITT PAINTING & SANDBLASTING,
LLC

Defendant.

State of Ohio, Sandusky County, SS:
I hereby certify that this is a true copy of
the original document now on file in my
office this 19th day of October
2019.

TRACY M. OVERMYER
Sandusky County Clerk of Courts

By *[Signature]*
Deputy Clerk

FINAL JUDGMENT ENTRY

On September 25, 2019, this matter came before this Court for a hearing on civil penalties against Defendant Meggitt Painting & Sandblasting, LLC. Assistant Attorney General Karia Ruffin appeared on behalf of the State of Ohio. Mr. Joshua Meggitt, owner and operator, of Meggitt Painting & Sandblasting, LLC, was present as well.

The allegations in the State's Complaint have been deemed admitted by Defendant Meggitt Painting & Sandblasting, LLC, as documented by this Court's July 26, 2019 Judgment Entry and Order (file-stamped on July 23, 2019) granting the State's Motion for Default Judgment and injunctive relief against Defendant Meggitt Painting & Sandblasting, LLC.

Prior to the hearing, the parties met to discuss the matter of civil penalty and agreed to the Court entering this Order as follows:

- A. On or before October 11, 2019, Defendant Meggitt Painting & Sandblasting, LLC shall submit to the Ohio Environmental Protection Agency the permit evaluation report for reporting year 2017.

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Environmental Enforcement

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- B. On or before October 11, 2019, Defendant Meggitt Painting & Sandblasting, LLC shall submit to the Ohio Environmental Protection Agency the permit evaluation report for reporting year 2018.
- C. On or before October 18, 2019, Defendant Meggitt Painting & Sandblasting, LLC shall pay three thousand dollars (\$3,000.00) pursuant to the Director's Final Findings and Orders effective April 7, 2017.
- D. On or before October 18, 2019, Defendant Meggitt Painting & Sandblasting, LLC shall pay four hundred and forty dollars (\$440.00) pursuant to Ohio EPA 2016 -2017 fee emission invoice.
- E. Pursuant to R.C. 3704.06, Defendant Meggitt Painting & Sandblasting, LLC is ordered to pay a total civil penalty of six thousand dollars (\$6,000.00) for the violations described in Count One, Two, and Three of the State's Complaint. If the full payment of the civil penalty under this Order is not received by the State in accordance with the terms of this Order, the remaining unpaid balance of the total civil penalty, shall become immediately due and owing. Defendant Meggitt Painting & Sandblasting, LLC shall pay the civil penalty in installments as follows, but nothing in this Judgment Entry shall prohibit or penalize Defendant Meggitt Painting & Sandblasting from accelerating any payment:
- i. On or before November 1, 2019, Defendant shall pay the first civil penalty installment of five hundred dollars (\$500.00).
 - ii. On or before December 1, 2019, Defendant shall pay a second civil penalty installment of five hundred dollars (\$500.00).
 - iii. On or before January 1, 2020, Defendant shall pay a third civil penalty installment of five hundred dollars (\$500.00).

- iv. On or before February 1, 2020, Defendant shall pay a fourth civil penalty installment of five hundred dollars (\$500.00).
 - v. On or before March 1, 2020, Defendant shall pay a fifth civil penalty installment of five hundred dollars (\$500.00).
 - vi. On or before April 1, 2020, Defendant shall pay a sixth civil penalty installment of five hundred dollars (\$500.00).
 - vii. On or before May 1, 2020, Defendant shall pay a seventh civil penalty installment of five hundred dollars (\$500.00).
 - viii. On or before June 1, 2020, Defendant shall pay an eighth civil penalty installment of five hundred dollars (\$500.00).
 - ix. On or before July 1, 2020, Defendant shall pay a ninth civil penalty installment of five hundred dollars (\$500.00).
 - x. On or before August 1, 2020, Defendant shall pay a tenth civil penalty installment of five hundred dollars (\$500.00).
 - xi. On or before September 1, 2020, Defendant shall pay an eleventh civil penalty installment of five hundred dollars (\$500.00).
 - xii. On or before October 1, 2020, Defendant shall pay a twelfth civil penalty installment of five hundred dollars (\$500.00).
- F. Defendant Meggitt Painting & Sandblasting shall make all payments described in Paragraphs C, D, and E of this Order through cashier's or certified checks or money orders, payable to the order of "Treasurer, State of Ohio," and delivered to the State of Ohio, c/o Sandra Finan, Paralegal, or her successor at the Office of the Attorney General

of Ohio, Environmental Enforcement Section, 30 East Broad Street, 25th Floor,
Columbus, Ohio 43215.

- G. If Defendant Meggitt Painting & Sandblasting, LLC fails to comply with any of the deadlines and/or requirements of this Order, Defendant shall immediately and automatically be liable for and shall pay stipulated penalties under the following schedule for each failure to comply. Payment of stipulated penalties shall not alter in any way Defendant's obligation to complete the performance required in this Order.
- a. For each day of each failure to meet a deadline and/or requirement from one (1) day to thirty (30) days – Three Hundred Dollars (\$300.00) per day not met;
 - b. For each day of each failure to meet a deadline and/or requirement from thirty-one (31) days to sixty (60) days – Six Hundred Dollars (\$600.00) per day not met;
 - c. For each day of each failure to meet a deadline and/or requirement over sixty (60) days – One Thousand Dollars (\$1,000.00) per day not met.
- H. This Court's Judgment Entry, journalized July 26, 2019 and time-stamped July 23, 2019, shall remain effective and enforceable against Defendant Meggitt Painting & Sandblasting, LLC.
- I. The Court will retain jurisdiction of this suit for the purpose of making any order or decree that it may deem necessary at any time to carry out its judgment.

IT IS SO ORDERED.

DATE

10/2/19

JUDGE DEWEY

