

IN THE COURT OF COMMON PLEAS  
COLUMBIANA COUNTY, OHIO

STATE OF OHIO, ex rel.  
MARC DANN  
ATTORNEY GENERAL OF OHIO

Plaintiff

v.

THEODORE H. TSESMILLES  
and  
DEBRA L. TSESMILLES

Defendants.

**FILED**  
COLUMBIANA COUNTY  
COURT OF COMMON PLEAS  
JUL 23 2007

CASE NO.: 2007 CV 00610

Judge: C. ASHLEY PIKE

ANTHONY J. D'ATTILIO  
CLERK : (SJC)

AGREED ORDER

Upon agreement between Plaintiff State of Ohio ("State" or "Plaintiff") and Defendants Theodore H. Tsesmilles and Debra L. Tsesmilles ("Defendants") this Court **ORDERS, ADJUDGES, AND DECREES** as follows:

- That Defendant hereby give authorization and consent to the Ohio Environmental Protection Agency ("Ohio EPA"), its contractors, and its authorized representatives to access and enter upon the property located at 165 E. Main Street., Salineville, Columbiana County Ohio, 43954, (hereinafter "Tsesmilles Tire Dump") for the purposes of taking the necessary and appropriate preventive and/or corrective action, including but not limited to removing, processing, treating, and disposing of scrap tires, and other such actions as are necessary to remove the scrap tires and other associated solid wastes, if any, from the Tsesmilles Tire Dump. The authorization and consent shall remain in full force and effect until all necessary and appropriate preventive and/or corrective action has been completed at the Tsesmilles Tire Dump by Ohio EPA, its contractors, and its authorized representatives. A copy of the deeds for the Tsesmilles Tire Dump are attached as Plaintiff's Exhibit A to Plaintiff's Complaint.
- That Ohio EPA's access to the property is limited to clean-up and remediation of the environmental issues identified in Plaintiff's Complaint filed in this case as well as statutory and regulatory inspection functions.

- That Defendants will pay all reasonable costs incurred by Ohio EPA in conjunction with clean-up and remediation at the Taylor Tire Dump of the environmental issues identified in Plaintiff's Complaint.
- That Defendants will cease disposal of scrap tires and/or solid waste at the Tsesmilles
- That Defendants will cease all open burning activities at the Tsesmilles Tire Dump.
- That this case will remain open so that a civil penalty may be assessed or agreed upon at a later date along with any other issues that may arise from the events identified in Plaintiff's Complaint.

IT IS SO ORDERED.

JUDGE: C. ASHLEY PIKE

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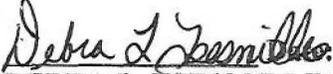
C. ASHLEY PIKE  
COLUMBINANA COUNTY  
COMMON PLEAS COURT

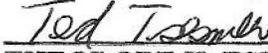
MARC DANN  
ATTORNEY GENERAL



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 7-9-07  
DEBRA L. TSESMILLES

 Date: 7-9-07  
THEODORE H. TSESMILLES