



BEFORE THE OIL AND GAS BOARD OF REVIEW
FRANKLIN COUNTY, OHIO

SUNBURY-TRENTON, INC.)
)
 Appellant,)
)
 v.)
)
 DONALD L. MASON, Chief,)
 Division of Oil and Gas,)
 Chic Dept. of Natural Resources,)
)
 Appellee.)

APPEAL NOS. ~~444~~ and 445
REVIEW OF CHIEF'S ORDER
NOS. 91-66 and 91-67

ENTRY AND ORDER

Upon Joint Motion of the parties hereto for the Oil and Gas Board of Review to adopt their Consent Decision, the Board hereby finds said motion well-taken and hereby adopts the Consent Decision. There being no issue of law and fact that needs to be heard, the Board hereby dismisses Appeal Nos. 444 and 445 with prejudice.

It is so ORDERED.

Alan H. Coogan *
ALAN H. COOGAN, Chairman

abstain
BENITA KAHN, Secretary

James Cameron *
JAMES CAMERON

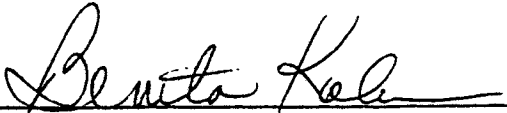
Gail Ignatz Hoover *
GAIL IGNATZ-HOOVER

William G. Williams *
WILLIAM G. WILLIAMS

* per phone authorization of 6/3/92

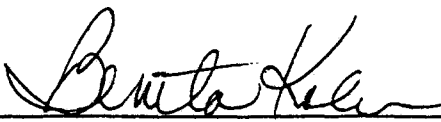
CERTIFICATE OF SERVICE

I hereby certify that, to the best of my knowledge, a copy of the foregoing Entry and Order was served, via certified United States mail, postage prepaid, this 3rd day of June, 1992, to Gene Moore, Agent of Sunbury-Trenton, Inc., at P. O. Box 858, Cambridge, Ohio 43725.



BENITA KAHN, Secretary
Oil and Gas Board of Review

I hereby certify that, to the best of my knowledge, a copy of the foregoing Entry and Order was served, via regular United States mail, postage prepaid, this 3rd day of June, 1992, to counsel for appellee Chief of the Division of Oil and Gas, Ohio Department of Natural Resources, Assistant Attorney General Laura J. Steffee, Environmental Enforcement Section, at Building A, 4435 Fountain Sq. Drive, Columbus, Ohio 43224.



BENITA KAHN, Secretary
Oil and Gas Board of Review

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OIL AND GAS BOARD
 OF REVIEW
 MAY 04 1992

JOINT MOTION FOR CONSENT DECISION

Now come the parties to the above action with their Joint Motion and respectfully request this Board to adopt the following Consent Decision and dismiss the instant appeal with prejudice.

WHEREAS:

A. On March 8, 1991, Chief's Order Nos. 91-66 and 91-67 were issued to appellant Sunbury-Trenton, Inc., ordering appellant, it successors, assignees, and agents, to cause Well #1-20, Permit No. 306, on the Irwin Lease, Harlem Township, Delaware County, Ohio, and Well #J-1, Permit No. 330, on the Noel Morrison Lease, Harlem Township, Delaware County, Ohio, to be properly plugged and abandoned. Chief's Order Nos. 91-66 and 91-67 further ordered all work to properly plug and abandon each well to be completed in a prudent and workmanlike manner within thirty (30) days of receipt of the Chief's Orders.

B. On or about March 27, 1991, appellant filed appeals of Chief's Order Nos. 91-66 and 91-67 with the Oil and Gas Board of Review.

C. Prior to hearing of any issue of law or fact in this appeal, an agreement was reached between the parties to this action which disposed of the need for a hearing of this matter.

NOW THEREFORE, in settlement of this matter, the parties, their agents, officers, employees, assignees, heirs and successors in interest, specifically, Sunbury-Trenton, Inc., hereby agree to the following:

1. Appellant consents to the entry of this Consent Decision and waives any objection or further right to appeal it may have with respect to this appeal for the purpose of settling the claims alleged in the appeal.

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

3. The fact of the violations described in Chief's Order Nos. 91-66 and 91-67 are admitted by appellant.

4. Appellant agrees to actually place each well described above in Paragraph A into production, or properly plug and abandon each well pursuant to R.C. 1509.12, to the satisfaction of the Division of Oil and Gas, **on or before August 31, 1992.**

5. Appellant shall give written or oral notice to the Division of Oil and Gas forty-eight (48) hours prior to any work commencing on each of the wells described above.

6. Appellant shall complete all work on each well in a prudent and workmanlike manner, and in compliance with the requirements of R.C. Chapter 1509 and the rules adopted pursuant thereto. When appellant has properly plugged and abandoned a well, it shall complete the restoration of the land surfaces in accordance with R.C. 1509.072, and the rules adopted pursuant thereto, **on or before October 31, 1992.**

7. Nothing in this Consent Decision shall be construed so as to prejudice the right of the Division of Oil and Gas to issue other decisions and orders and enforce the provisions of R.C. Chapter 1509 and Chapter 1501 of the Ohio Administrative Code.

8. All parties to this action state that they have read and fully understand this Consent Decision and agree to comply with it fully.

9. Appeal Nos. 444 and 445 are dismissed with prejudice.

Respectfully submitted,

LEE FISHER
ATTORNEY GENERAL OF OHIO

By: *Laura J. Steefee* 4-30-92
LAURA J. STEEFEE Date
Assistant Attorney General
Environmental Enforcement Section
Division of Oil and Gas
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(614) 265-6939
Counsel for Appellee

Gene Moore 4/29/92
GENE MOORE, Agent Date
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Cambridge, Ohio 43725