

ALABAMA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF)

STAYBRIGHT INC.)

SID PERMIT NUMBER IU 39 37 00205)

ORDER NO. 97-213-WP

FINDINGS OF FACT

Pursuant to the provisions of the Alabama Environmental Management Act, Code of Alabama (1975), §§ 22-22A-1 through 22-22A-16 (1990 Rplc. Vol.), and the Alabama Water Pollution Control Act, Code of Alabama (1975), §§ 22-22-1 through 22-22-14 (1990 Rplc. Vol.) and § 307 of the Federal Water Pollution Control Act, 33 U.S.C. § 1317, the Alabama Department of Environmental Management makes the following FINDINGS OF FACT:

1. Staybright Inc. (hereinafter "the Permittee") operates a metal finishing facility in Birmingham, Alabama.

2. The Permittee was issued a State Indirect Discharge Permit (hereinafter "SID Permit") by the Department on May 24, 1993, which authorized the discharge of pollutants and industrial wastes to waters of the State through the Jefferson County Village Creek Wastewater Treatment Plant.

3. The SID Permit was issued subject to certain discharge limitations among these the Permittee is subject to the following:

PARAMETER	DAILY MINIMUM	DAILY MAXIMUM	MONTHLY AVERAGE
Zinc	na	2.61 mg/l	1.48 mg/l

9/11/97 9/12/97

4. The Permittee violated the discharge limits of the SID Permit as follows:

MONTH	PARAMETER	EXCEEDANCE
March 1997	Zinc	Monthly Average.
March, 1997	Zinc	Daily Max (X6)

5. The Permittee failed to report flow in accordance with the SID Permit on four (4) days in February 1997.

6. The Permittee has received three prior Administrative Orders, 96-136-WP, 90-053-WP and 89-066-WP, for violations of the terms, conditions and limitations of the Permit and continues to violate the Permit to the present despite the previous Administrative Orders.

7. The Permittee has the ability to pay the civil penalty assessed herein.

ORDER

Based upon the foregoing FINDINGS OF FACT and pursuant to Code of Alabama (1975) §§ 22-22A-5 and 22-22-9 (1991 Cum. Supp.) it is hereby ORDERED:

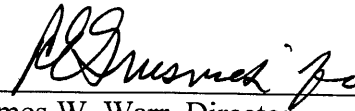
A. That, within 30 days from the date of this Order, the Permittee will pay to the Department a civil penalty in the amount of Four Thousand Four Hundred Dollars (\$4,400.00).

B. That the Permittee will immediately and hereafter comply with each and every term, condition and limitation of the Permit.

C. That failure to comply with any and all provisions of this Order may constitute cause for the assessment of additional civil penalties and/or the commencement of appropriate legal action for civil or criminal sanctions.

D. That the issuance of this Order does not preclude the Department or others from seeking appropriate sanctions for the violations stated above.

ORDERED and ISSUED this 11 day of September, 1997.


James W. Warr, Director
Alabama Department of
Environmental Management
1751 Cong. W. L. Dickinson Drive
Montgomery, Alabama 36109-2608
(334) 271-7977

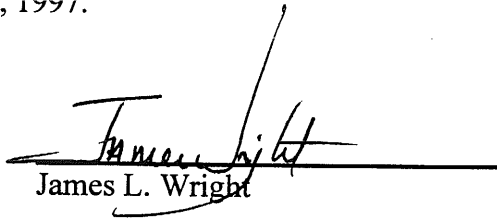
CERTIFICATE OF SERVICE

I, James L. Wright, hereby certify that I have served Administrative Order No. 97-213-WP upon Staybright, Inc. by sending the same, postage paid, through the United States Mail, as Certified Mail, with instructions to forward and return receipt requested to:

CERTIFIED MAIL NO. (Z 361 654 326)

Mr. Frederick M. Dick, Vice President
Staybright, Inc.
3833 Eastlake Boulevard
Birmingham, AL 35217

DONE this 11th of September, 1997.


James L. Wright