



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

SEP 24 2019

CERTIFIED MAIL 7017 1450 0000 7972 1865  
RETURN RECEIPT REQUESTED

Habersham Metal Products Company  
c/o: Richard E. Glaze, Esq.  
30 Ivan Allen, Jr. Boulevard N.W., Suite 700  
Atlanta, Georgia 30308

Re: Consent Agreement and Final Order, Docket No. CWA-04-2019-4503(b)  
Habersham Metal Products Company

Dear Mr. Glaze:

Enclosed please find a fully executed copy of the Consent Agreement and Final Order that has been finalized by the U.S. Environmental Protection Agency Region 4 and the Regional Administrator. Please make note of the provisions under Section IV. Payment.

If you have any questions or concerns regarding this matter, please contact Mr. David Phillips at (404) 562-9773. Legal inquiries should be directed to Mr. Nathan Stopper, Associate Regional Counsel, at (404) 562-9581.

Sincerely,

A handwritten signature in blue ink that reads "Mary Jo Bragan".

Mary Jo Bragan, Chief  
Water Enforcement Branch  
Enforcement and Compliance Assurance Division

Enclosure

cc: Mr. Lewis Hays  
Georgia Environmental Protection Division

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4**

**IN THE MATTER OF:** )  
 )  
**HABERSHAM METAL PRODUCTS** ) **CONSENT AGREEMENT AND**  
**COMPANY** ) **FINAL ORDER**  
 )  
**CORNELIA, GEORGIA,** )  
 ) **DOCKET NO. CWA-04-2019-4503(b)**  
 )  
**RESPONDENT.** )

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2019 OCT 24 AM 9:10  
HEALTH OFFICE  
USE FOR OFFICIAL  
OFFICE USE ONLY

**CONSENT AGREEMENT**

**I. Statutory Authority**

1. This is a civil penalty proceeding pursuant to Section 309(g)(2)(B) of the Clean Water Act ("CWA"), 33 U.S.C. § 1319(g)(2)(B), and the *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders and the Revocation, Termination or Suspension of Permits*, published at 64 Fed. Reg. 40,176 (July 23, 1999) and codified at 40 Code of Federal Regulations ("C.F.R.") Part 22.

2. The authority to act under Section 309(g)(2)(B) of the CWA, 33 U.S.C. § 1319(g)(2)(B), is vested in the Administrator of the United States Environmental Protection Agency. The Administrator has delegated this authority to the Regional Administrator, Region 4, who in turn has delegated this authority to the Director of the Enforcement and Compliance Assurance Division, of the EPA, Region 4 ("Complainant").

**II. The EPA's Allegations**

3. Pursuant to Section 307 of the CWA, 33 U.S.C. § 1317, the EPA has established standards that govern discharges into Publicly Owned Treatment Works ("POTWs") that discharge to navigable waters. The General Pretreatment Regulations, found at 40 C.F.R. Part 403, are designed to ensure that each POTW can comply with its National Pollutant Discharge Elimination System ("NPDES") permit.

4. Section 307(d) of the CWA, 33 U.S.C. § 1317(d), prohibits the introduction of industrial pollutants into a POTW from any source in violation of any pretreatment standard established pursuant to CWA Section 307(b), 33 U.S.C. § 1317(b).

5. The EPA has promulgated pretreatment standards for specified categories of industrial users pursuant to Section 307(b) of the CWA, 33 U.S.C. § 1317(b). These categories of

industrial users, or "categorical" industrial users, are subject to specific pretreatment requirements set forth at 40 C.F.R. Parts 405-471.

6. Habersham Metal Products Company ("Respondent") is a corporation duly organized and existing under the laws of the State of Georgia and is a "person" within the meaning of Section 502(5) of the CWA, 33 U.S.C. § 1362(5), and is thus subject to its requirements.

7. At all times relevant to this action, Respondent owned and operated a facility that conducted metal fabrication and finishing activities ("Facility") located at 264 Stapleton Road in Cornelia, Habersham County, Georgia.

8. Respondent discharged from its Facility "pollutants" subject to "pretreatment standards" and "prohibitions" within the meaning of Section 307(b), (c) and (d) of the CWA, 33 U.S.C. § 1317(b), (c) and (d). Such pollutants were discharged from the Facility into the Water Pollution Control Plant located at 200 Kudzu Hill Drive in Cornelia, Georgia, and its conveyances, which together comprise a "POTW" and "municipality" within the meaning of Sections 212(2) and 502(4) of the CWA, 33 U.S.C. §§ 1292(2) and 1362(4). This POTW is owned and operated by the City of Baldwin, Georgia ("City").

9. The Facility's manufacturing operation integrates a metal phosphating process, which employs a phosphoric acid solution to chemically impart a surface conversion to metal workpieces. Phosphating is a core metal finishing operation identified in 40 C.F.R. § 433.10(a). The presence of a core process means that the categorical pretreatment standards and requirements in 40 C.F.R. Part 433 apply to all Facility process wastewaters if discharged to a POTW, including any ancillary wastewaters.

10. Upon discharging wastewater regulated by a categorical standard to a POTW, the Facility qualified as a "significant industrial user," pursuant to 40 C.F.R. § 403.3(v)(1)(i).

11. The Facility is a "new source," as defined in 40 C.F.R. § 403.3(m), because the standards applied to the Facility after the EPA published proposed standards for Part 433 on August 31, 1982.

12. Pursuant to 40 C.F.R. § 403.6(b), prior to beginning discharge to a POTW, "new sources" shall install and have in operating condition all pollution control equipment required to meet applicable Pretreatment Standards.

13. Pursuant to Section 402(b) of the CWA, 33 U.S.C. § 1342(b), a state may establish its own pretreatment program by receiving approval of the program by the Administrator of the EPA.

14. The State of Georgia has received such approval to establish its own pretreatment program and the Georgia Environmental Protection Division ("GAEPD") is the state agency with

the authority to administer the Pretreatment Program in Georgia, pursuant to Section 402(b) of the CWA, 33 U.S.C. § 1342(b), implementing regulations, and a Memorandum of Agreement between the EPA and the GAEPD, dated October 24, 2007. As such, the Director of the GAEPD is the "Approval Authority" as defined by 40 C.F.R. § 403.3(c).

15. In states authorized to implement their own pretreatment programs, the EPA retains enforcement authority, pursuant to 33 U.S.C. §§ 1319(a)(3) and 1342(i).

16. Although the City operates the POTW, it is not authorized by the Approval Authority to implement a local pretreatment program pursuant to 40 C.F.R. § 403.8. Therefore, the authorized "Control Authority" for the Facility, as defined by 40 C.F.R. § 403.3(f), was the Director of the GAEPD at all times relevant to this action.

17. Pursuant to 40 C.F.R. § 403.12(b), (d), (e), (g), (l) and (o), a new source categorical industrial user must self-report and certify certain information on its discharges to the Control Authority at least ninety (90) days prior to commencing discharge, ninety (90) days after commencing discharge, and at least twice annually thereafter, and must retain records of such reports.

18. On September 30, 2015, an EPA contractor conducted a Pretreatment Reconnaissance Inspection ("Inspection") of the Facility to assess Respondent's compliance with the pretreatment standards and the CWA. The Facility advised the EPA that it had undergone a large expansion to its production area to install metal chemical treatment (phosphating) and powder coating processes sometime after entering into a sewer connection agreement with the City on May 13, 1991. The Facility was advised in the closing conference that this subsequent discharge was likely regulated by pretreatment standards.

19. On December 12, 2016, the EPA sent a Notice of Violation and Opportunity to Show Cause pursuant to Section 309 of the CWA, 33 U.S.C. § 1319, and an Information Request pursuant to Section 308 of the CWA, 33 U.S.C. § 1318, to Respondent. A copy of the final report for the Inspection was enclosed with this letter.

20. On February 3, 2017, Respondent provided a response to the EPA's Information Request ("Information Request Response"), enclosing pictures and a statement that the sewer lines had been disconnected from the building and process wastewaters were being disposed of off-site, the sewer clean-out had been plugged, and a threaded cap emplaced since the EPA Inspection.

21. The Information Request Response also evidenced that Respondent discharged unpermitted categorical wastewater to the POTW for approximately 26 years (between July 13, 1991, and December 15, 2016), and had not self-monitored or reported the total process wastewater discharge as required.

22. On April 13, 2017, a Show Cause meeting was held between the EPA and Respondent to discuss questions resulting from the EPA's review of the Information Request Response.

23. On July 11, 2017, the EPA and Respondent conferenced again about the prior discharges, which included further inquiry into any record Respondent may have had of past communications with the authorized pretreatment Control Authority, the Director of GAEPD. Respondent stated that the only written communications with a governmental authority regarding the discharge of process wastewater were with the City and pertained to requests to allow increased discharge rates from the Facility. Those communications had not been shared with, or made to, the Director of GAEPD. Respondent also stated that it planned to continue disposing its regulated process wastewaters offsite.

24. Based on observations made during the Inspection and its subsequent review of information obtained from Respondent, the EPA identified the following violations of pretreatment standards and requirements, as defined by 40 C.F.R. § 403.3(l) and (t):

A. Significant Industrial User discharge without a permit. Respondent was a significant industrial user, as defined by 40 C.F.R. § 403.3(v), and was therefore required, pursuant to 40 C.F.R. § 403.8(f)(1)(iii), to obtain a valid permit prior from the authorized pretreatment Control Authority to discharging to a POTW. Respondent discharged to the POTW without a valid permit from July 13, 1991, to December 15, 2016, thereby violating 40 C.F.R. § 403.8(f)(1)(iii).

B. New Source failure to install and operate pretreatment equipment prior to discharge. Pursuant to 40 C.F.R. § 403.6(b), discharge from Respondent to a POTW is subject to both the federal categorical pretreatment standards in 40 C.F.R. Part 433 and local pretreatment standards. Respondent is a new source, as defined in 40 C.F.R. § 403.3(m), because the standards applied to the Facility after August 31, 1982, when the EPA published proposed pretreatment standards for Part 433. Respondent was thus required to install, and have in operating condition, all pollution control equipment necessary to meet applicable Pretreatment Standards, including those in 40 C.F.R. Part 433, prior to beginning discharge to the POTW. Respondent did not install all such necessary pollution control equipment prior to beginning discharge of regulated wastestreams to the POTW in 1991, thereby violating 40 C.F.R. § 403.6(b), and, in continuing violation of this regulation, did not install such equipment at any time before it elected to cease discharge to the POTW on December 15, 2016.

C. Failure to submit a baseline monitoring report. Pursuant to 40 C.F.R. § 403.12 (b), (g), (l), and (o), at least ninety (90) days prior to commencement of discharge, a new source is required to submit to the authorized pretreatment Control Authority a certified report containing the information listed in 40 C.F.R. § 403.12(b)(1)-(5) and information on the method of pretreatment the source intends to use to meet applicable pretreatment standards, and to maintain a record of the report. Respondent did not submit the required baseline report to GAEPD nor did

Respondent maintain the required record demonstrating its compliance with the baseline reporting requirement, thereby violating 40 C.F.R. § 403.12 (b), (g), (l), and (o).

D. Failure to submit 90-day report. Pursuant to 40 C.F.R. § 403.12(d), (g), (l) and (o), within ninety (90) days after commencing a discharge to a POTW, a new source is required to submit a certified report to the authorized pretreatment Control Authority and maintain a record of its compliance with pretreatment standards. Ninety (90) days after commencing a categorical discharge to the POTW in 1991, Respondent did not submit a report to GAEPD of its initial compliance with the pretreatment standards in 40 C.F.R. § 433.17 nor did Respondent maintain the required records, thereby violating 40 C.F.R. § 403.12(d), (g), (l) and (o).

E. Failure to submit periodic reports on continued compliance with categorical standards. Pursuant to 40 C.F.R. § 403.12(e), (g), (l), and (o), any industrial user subject to categorical pretreatment standards must submit to the authorized pretreatment Control Authority, and maintain records of, additional periodic certified compliance reports at least twice a year on compliance with categorical standards and other related information. After commencing categorical discharge in 1991 until electing to cease discharge to the POTW on December 15, 2016, Respondent did not submit to GAEPD, or maintain records of, such self-monitoring reports of its compliance with 40 C.F.R. § 433.17 pretreatment standards, thereby violating 40 C.F.R. § 403.12(e), (g), (l), and (o).

25. Pursuant to Section 307(b) of the CWA, 33 U.S.C. § 1317(b), Respondent's foregoing violations of pretreatment standards and requirements also constitute violations of the CWA.

### **III. Stipulations and Findings**

26. The Complainant and Respondent have conferred for settlement pursuant to 40 C.F.R. § 22.18 and desire to resolve this matter and settle the allegations described herein without a formal hearing. Therefore, without the taking of any evidence or testimony, the making of any argument or the adjudication of any issue in this matter, and in accordance with 40 C.F.R. § 22.13(b), this Consent Agreement and Final Order ("CAFO") will simultaneously commence and conclude this matter.

27. For the purposes of this CAFO, Respondent admits the jurisdictional allegations set out above and neither admits nor denies the factual allegations set out above.

28. Respondent hereby waives its right to contest the allegations set out above and its right to appeal the Final Order accompanying this Consent Agreement.

29. For the purpose of this proceeding, Respondent:

A. agrees that this CAFO states a claim upon which relief may be granted against Respondent;

B. acknowledges that this CAFO constitutes an enforcement action for purposes of considering Respondent's compliance history in any subsequent enforcement actions;

C. waives any rights it may possess at law or in equity to challenge the authority of EPA to bring a civil action in a United States District Court to compel compliance with the CAFO, and to seek an additional penalty for such noncompliance, and agrees that federal law shall govern in any such civil action; and

D. waives any right it may have pursuant to 40 C.F.R. § 22.8 to be present during any discussions with, or to be served with and reply to, any memorandum or communication addressed to EPA officials where the purpose of such discussion, memorandum, or communication is to persuade such official to accept and issue this CAFO.

30. Respondent consents to the assessment of, and agrees to pay, the civil penalty as set forth in this CAFO and consents to the other conditions set forth in this CAFO.

31. By signing this CAFO, Respondent certifies that the information it has supplied concerning this matter was at the time of submission, and continues to be, truthful, accurate, and complete for each such submission, response and statement. Respondent realizes that there are significant penalties for submitting false or misleading information, including the possibility of fines and/or imprisonment for knowing submission of such information, under 18 U.S.C. § 1001.

32. The EPA also reserves the right to revoke this CAFO and settlement penalty if and to the extent that the EPA finds, after signing this CAFO, that any information provided by Respondent was materially false or inaccurate at the time such information was provided to the EPA. If such false or inaccurate material was provided, the EPA reserves the right to assess and collect any and all civil penalties for any violation described herein. The EPA shall give Respondent notice of its intent to revoke, which shall not be effective until received by Respondent in writing.

33. The Complainant and Respondent agree to settle this matter by their execution of this CAFO. The parties agree that the settlement of this matter is in the public interest and that this CAFO is consistent with the applicable requirements of the CWA.

#### IV. Payment

34. Based on the Respondent's substantiated ability to pay claim, Respondent consents to the payment of a civil penalty, which was calculated in accordance with the Act, in the amount of \$10,000.00, which is to be paid within thirty (30) calendar days of the Effective Date of this CAFO.

35. Payment shall be made by cashier's check, certified check, by electronic funds transfer ("EFT"), or by Automated Clearing House ("ACH") (also known as REX or remittance express). If paying by check, the check shall be payable to: Treasurer, United States of America, and the Facility name and docket number for this matter shall be referenced on the face of the check. If Respondent sends payment by the U.S. Postal Service, the payment shall be addressed to:

U.S. Environmental Protection Agency  
Fines and Penalties  
Cincinnati Finance Center  
P.O. Box 979077  
St. Louis, Missouri 63197-9000

If Respondent sends payment by non-U.S. Postal express mail delivery, the payment shall be sent to:

U.S. Bank  
Government Lockbox 979077  
U.S. EPA Fines & Penalties  
1005 Convention Plaza  
SL-MO-C2-GL  
St. Louis, Missouri 63101  
(314) 425-1818

If paying by EFT, Respondent shall transfer the payment to:

Federal Reserve Bank of New York  
ABA: 021030004  
Account Number: 68010727  
SWIFT address: FRNYUS33  
33 Liberty Street  
New York, New York 10045  
Field Tag 4200 of the Fedwire message should read:  
"D 68010727 Environmental Protection Agency"

If paying by ACH, Respondent shall remit payment to:

US Treasury REX / Cashlink ACH Receiver  
ABA: 051036706  
Account Number: 310006, Environmental Protection Agency  
CTX Format Transaction Code 22 – checking



Physical location of US Treasury facility:  
5700 Rivertech Court  
Riverdale, Maryland 20737  
Contact: Craig Steffen, (513) 487-2091  
REX (Remittance Express): 1-866-234-5681

36. At the time of payment, Respondent shall send a separate copy of the check, and a written statement that payment has been made in accordance with this CAFO, to the following persons at the following addresses:

Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303-8960

and

Attn: Ms. Mary Mattox  
Targeting, Data, and Measures Office  
Water Enforcement and Compliance Assurance Division  
U.S. Environmental Protection Agency, Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303-8960

37. The penalty amount specified above shall represent civil penalties assessed by the EPA and shall not be deductible for purposes of federal taxes.

38. If Respondent fails to timely pay any portion of the penalty assessed under this CAFO, EPA may request the Attorney General to bring a civil action in an appropriate district court to recover: (a) the amount assessed; (b) interest at rates established pursuant to 26 U.S.C. § 6621(a)(2); (c) the United States' attorneys' fees and enforcement expenses; and (d) a 20 percent quarterly nonpayment penalty pursuant to 33 U.S.C. § 1319(g)(9). In any such action, the validity, amount, and appropriateness of the penalty and of this CAFO shall not be subject to review.

39. In addition to what is stated in the prior Paragraph, if Respondent fails to timely pay any portion of the penalty assessed under this CAFO, EPA may:

A. refer the debt to a credit reporting agency or a collection agency, pursuant to 40 C.F.R. §§ 13.13, 13.14;

B. collect the debt by administrative offset (i.e., the withholding of money payable by the United States to, or held by the United States for, a person to satisfy the debt the person

owes the Government), which includes, but is not limited to, referral to the Internal Revenue Service for offset against income tax refunds, pursuant to 40 C.F.R. Part 13, Subparts C and H;

C. suspend or revoke Respondent's licenses or other privileges, or suspend or disqualify Respondent from doing business with EPA or engaging in programs EPA sponsors or funds, pursuant to 40 C.F.R. § 13.17; and/or

D. refer the debt to the Department of Justice after having taken aggressive collection action, pursuant to 40 C.F.R. § 13.33.

#### V. General Provisions

40. Full payment of the civil penalty, as provided in Section IV above, shall not in any case affect the right of the EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law. As stated in 40 C.F.R. § 22.18(c), full compliance with this CAFO, as provided in Section IV above, shall only resolve Respondent's liability for federal civil penalties for the violations specifically alleged above.

41. Nothing in this CAFO shall relieve Respondent of the duty to comply with all applicable provisions of the CWA and other federal, state, or local laws or statutes, nor shall it restrict the EPA's authority to seek compliance with any applicable laws or regulations, nor shall it be construed to be a ruling on, or determination of, any issue related to any federal, state, or local permit, except as expressly provided herein.

42. Nothing herein shall be construed to limit the power of the EPA to undertake any action against Respondent or any person in response to conditions that may present an imminent and substantial endangerment as provided under the Act.

43. The terms, conditions, and compliance requirements of this CAFO may not be modified or amended except upon the written agreement of both Parties, and approval of the Regional Administrator.

44. By signing this Consent Agreement, Respondent acknowledges that this CAFO will be available to the public and agrees that this CAFO does not contain any confidential business information or personally identifiable information.

45. By signing this Consent Agreement, the undersigned representative of Complainant and the undersigned representative of Respondent each certify that he or she is fully authorized to execute and enter into the terms and conditions of this CAFO and has the legal capacity to bind the party he or she represents to this CAFO.

46. By signing this Consent Agreement, both Parties agree that each party's obligations under this CAFO constitute sufficient consideration for the other party's obligations.

47. This CAFO applies to and is binding upon Respondent and its officers, directors, employees, agents, trustees, servants, authorized representatives, successors, and assigns .

48. Any change in the legal status of Respondent, or change in ownership, partnership, corporate or legal status relating to the Facility, will not in any way alter Respondent's obligations and responsibilities under this CAFO.

49. Each party shall bear its own costs and attorneys' fees in connection with the action resolved by this CAFO.

50. In accordance with 40 C.F.R. § 22.5, the individuals below are authorized to receive service related to this proceeding:

For Complainant:

Mr. Nathan Stopper  
Associate Regional Counsel  
U.S. Environmental Protection Agency, Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303-8960  
(404) 562-9581

For Respondent:

Mr. Richard E. Glaze, Esq.  
30 Ivan Allen, Jr. Blvd., N.W., Suite 700  
Atlanta, GA 30308  
(404) 962-3566

51. The parties acknowledge and agree that this CAFO is subject to the requirements of 40 C.F.R. § 22.45(c)(4), which provides a right to petition to set aside a proposed CAFO based on comments received during the public comment period.

52. Pursuant to Section 309(g) of the CWA, 33 U.S.C. § 1319(g), and 40 C.F.R. § 22.38(b), the Complainant represents that the State of Georgia was provided a prior opportunity to consult with the Complainant regarding this matter.

53. Effective upon signature of this CAFO by Respondent, Respondent agrees that the time period commencing on the date of its signature and ending on the date the EPA receives from Respondent the payment required by this CAFO shall not be included in computing the running of any statute of limitations potentially applicable to any action brought by the EPA related to the matters addressed in this CAFO and that, in any action brought by the EPA related to the matters addressed, Respondent will not assert, and may not maintain, any defense or claim based upon principles of statute of limitations, waiver, laches, estoppel, or other defense based

on the passage of time during such period. If the EPA gives notice to Respondent that it will not make this CAFO effective, the statute of limitations shall begin to run again commencing ninety (90) days after the date such notice is sent by the EPA.

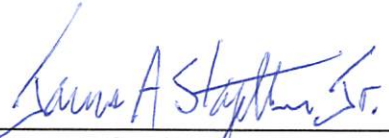
54. It is the intent of the parties that the provisions of this CAFO are severable. If any provision or authority of this CAFO or the application of this CAFO to any party or circumstances is held by any judicial or administrative authority to be invalid or unenforceable, the application of such provisions to other parties or circumstances and the remainder of the CAFO shall remain in force and shall not be affected thereby.

**VI. Effective Date**

55. The effective date of this CAFO shall be the date on which the CAFO is filed with the Regional Hearing Clerk.

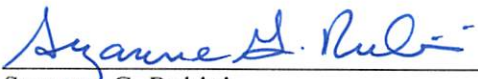
**AGREED AND CONSENTED TO:**

**For Respondent, HABERSHAM METAL PRODUCTS COMPANY:**

  
\_\_\_\_\_  
Mr. James A. Stapleton Jr., P.E.  
President & Chief Executive Officer

Date: 6/7/19

**For the Complainant, U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION 4:**

  
\_\_\_\_\_  
Suzanne G. Rubini  
Acting Director  
Enforcement and Compliance Assurance Division  
U.S. EPA, Region 4

Date: 9/9/19

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4


IN THE MATER OF: )  
 )  
HABERSHAM METAL PRODUCTS ) FINAL ORDER  
COMPANY )  
CORNELIA, GEORGIA, )  
 ) DOCKET NO. CWA-04-2019-4503(b)  
RESPONDENT. )  
\_\_\_\_\_ )

**FINAL ORDER**

In accordance with the *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders and the Revocation, Termination or Suspension of Permits*, 40 C.F.R. Part 22, and authorities delegated to me, the foregoing Consent Agreement is hereby approved and incorporated by reference into this Final Order. Pursuant to Section 309(g)(2)(B) of the CWA, 33 U.S.C. § 1319(g)(2)(B), and 40 C.F.R. § 22.18(b), Respondent is hereby ordered to comply with the terms of the foregoing Consent Agreement. This Final Order disposes of this matter pursuant to 40 C.F.R. §§ 22.18 and 22.31.

U.S. ENVIRONMENTAL PROTECTION AGENCY

Date: 9/23/19

  
\_\_\_\_\_  
Mary S. Walker  
Regional Administrator

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the attached **CONSENT AGREEMENT AND FINAL ORDER** in the matter of **Habersham Metal Products Company**, Docket No. CWA-04-2019-4503(b) (filed with the Regional Hearing Clerk on 9, 24, 2019) was served on 9, 24, 2019, in the manner specified to each of the persons listed below.

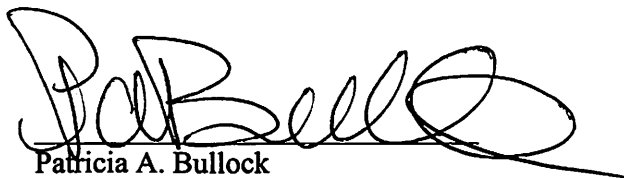
By hand-delivery:

Mr. Nathan Stopper  
Associate Regional Counsel  
U.S. Environmental Protection Agency, Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303-8960

By certified mail,  
return receipt requested:

Habersham Metal Products Company  
c/o: Mr. Richard E. Glaze, Esq.  
30 Ivan Allen, Jr. Blvd., N.W., Suite 700  
Atlanta, GA 30308

Mr. Lewis Hays  
Watershed Compliance Program  
Watershed Protection Branch  
Georgia Environmental Protection Division  
2 Martin Luther King, Jr. Dr.  
Suite 1152 East  
Atlanta, Georgia 30334



Patricia A. Bullock  
Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303-8960  
(404) 562-9511