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BEFORE THE ADMINISTRATOR

In the Matter of)
Klein Metal Finishing, Inc.) Docket No. CWA-V-97-027
Respondent)

ORDER ON MOTIONS

This order is entered by agreement of Complainant and Respondent:


It is hereby found that there is no genuine issue of material fact regarding Respondent's liability for the violations alleged in the Complaint, filed in this action on September 24, 1997, and, as a matter of law, Respondent is liable for those violations. Therefore, Complainant's Motion for Accelerated Decision on Liability, filed May 15, 1998, is granted, and Respondent is found liable for all violations alleged in the Complaint.

Without objection from Respondent, Complainant's Motion for Further Discovery is granted in the following particulars:

- A. That Respondent is hereby ordered to submit to Complainant all information identified in items (1) and (2) of the motion.
B. That Respondent is hereby ordered to submit to Complainant detailed general ledgers, identified at (C), under General Financial Records, in the Appendix to the motion, for the time period of the last six months.
C. That Respondent is hereby ordered to submit to Complainant the amount and costs of all chemicals used to pretreat their waste stream, including caustic soda or other bases used to neutralize the acidity of the waste stream, and any flocculants or polymers, if they use them, for the last 5 years, reporting the costs of the chemicals on an annualized basis.
D. All discovery described above is to be completed no later than 30 days after service of this Order on the parties. The hearing will not be scheduled to be held until at least 60 days after the completion of this discovery.

This order resolves all motions of Complainant, identified herein, in their entirety.

Dated this 6th day of September 1998.



Original signed by undersigned

Spencer T. Nissen
Administrative Law Judge

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