

ALABAMA DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF

SLOSS INDUSTRIES CORPORATION  
ARITON, ALABAMA

ORDER NO. 88-079-WP

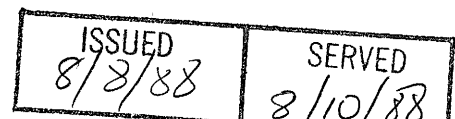
FINDINGS OF FACT

Pursuant to the provisions of the Alabama Environmental Management Act, Code of Alabama 1975, §§ 22-22A-1 through 22-22A-16 (1984 and 1987 Cum. Supp.) and the Alabama Water Pollution Control Act, Code of Alabama 1975, §§ 22-22-1 through 22-22-14 (1984 and 1987 Cum. Supp.), the Alabama Department of Environmental Management (hereinafter "the Department") makes the following Findings Of Fact:

1. Sloss Industries (hereinafter "Sloss") operates a facility located in Arifton, Alabama (hereinafter "the Arifton site") which is engaged in the manufacture of polyols, surfactants, potassium octoate and organic sulfonates.

2. Code of Alabama 1975, § 22-22-9(i)(3) (1987 Cum. Supp.) provides that "every person, prior to discharging any new or increased pollution into any waters of this state, shall apply to the [Department] in writing for a permit and must obtain such permit before discharging such pollution."

3. Sampling performed by the Department's staff at the Arifton site on October 22, 1987 and January 28, 1988 has revealed that



pollutants have been discharged from the Ariton site to groundwater beneath the Ariton site and have contaminated said groundwater.

4. Pollutants found to be present in the groundwater beneath the Ariton site include, but are not limited to: toluene; 1, 2, 4-trichlorobenzene; 2, 4-dimethylphenol; benzene; chlorobenzene; and acetone.

5. Information submitted to the Department by Jim Walter Resources, Inc. indicated that toluene and trichlorobenzene have been and/or are presently used as raw materials at the Ariton site.

6. Sampling performed at the Ariton site indicated the presence of toluene, 1, 2, 4-trichlorobenzene, benzene, chlorobenzene, acetone and 2, 4-dimethylphenol in the wastewater holding pond at the Ariton site.

#### ORDER

Based upon the foregoing Findings Of Fact and pursuant to Code of Alabama 1975, §§ 22-22A-5(10), 22-22-9(i), and 22-22-9(k) (1987 Cum. Supp.), Sloss is hereby ORDERED:

A. That not later than September 12, 1988 Sloss shall submit to the Department a plan for a groundwater quality investigation which shall be sufficient to:

1. Define the horizontal and vertical extent of groundwater contamination both on-site and off-site. Said

plan shall include provisions for determining the location of additional monitoring wells and the sampling of such wells for the following:

pH

Chlorides

Total dissolved solids

Conductivity

Acid extractable priority pollutants

Base neutral priority pollutants

Volatile priority pollutants

Chromium, total

Chlorobenzene

Acetone

2-Ethyl-hexanoic acid

Xylenes

Following initial sampling of all wells for the above parameters, the Department may approve the use of indicator parameters but may also require analyses for all of the above parameters on a periodic basis. Such approval shall be provided to Sloss by the Department in writing. All analyses shall be according to EPA approved analytical methods.

2. Establish in greater detail through the collection of additional groundwater elevation data the direction of groundwater flow for all aquifers identified

by the Department to have been affected by contamination at the Ariton site. Said plan shall include preparation of potentiometric contour maps and contour maps representing contaminant concentrations.

Sloss shall address any comments made by the Department with regard to the plan no later than 10 days after receiving said comments.

B. That not later than March 27, 1989 Sloss shall submit to the Department a report detailing the results of the investigation described in paragraph A above together with a corrective action plan which shall provide for the remediation of groundwater contamination both on-site and off-site. Said plan shall describe in detail the methods by which the contaminated groundwater shall be returned to a quality comparable to its original state as demonstrated by analyses of an upgradient well, shall be prepared in accordance with ADEM Admin. Code R. 6-3-.01 through 6-3-.09, and shall include a corrective action monitoring plan to evaluate the progress of corrective actions. Sloss shall address any comments made by the Department with regard to the corrective action plan no later than 30 days after receiving such comments and shall not commence implementation of said plan until the Department's comments have been addressed.

C. That not later than November 6, 1989 Sloss shall have implemented the corrective action plan and shall continue remedial

action until the Department releases Sloss from this requirement in writing.

D. That not later than 30 days from receipt of notice of this Order Sloss shall commence monthly reporting verbally to the Department its progress toward compliance with the provisions of this Order and shall continue said monthly reporting until it is released from this requirement by the Department in writing.


E. That not later than 90 days from receipt of notice of this Order Sloss shall commence reporting in writing to the Department its progress toward compliance with the provisions of this Order and shall continue said reporting at 90-day intervals until it is released from this requirement by the Department in writing.

F. That if delays should occur which are caused solely by circumstances beyond the control of Sloss Industries, the time for performance for the actions required herein will be extended by the Director for a period equal to such delays resulting from such circumstances.

G. That the failure to comply with the provisions of this Order shall constitute cause for the commencement of legal action for the recovery of civil penalties, criminal fines, or other appropriate relief by the Department or others against Sloss.

H. That the issuance of this Order does not preclude the Department or others from seeking criminal fines, or other appropriate relief against Sloss for the violations stated herein.

ORDERED and ISSUED this 8 day of August, 1988.

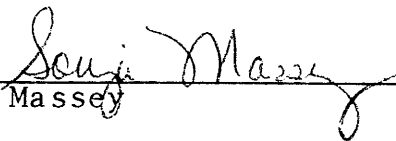
  
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Leigh Pegues, Director  
Alabama Department of  
Environmental Management  
1751 Cong. W. L. Dickinson Drive  
Montgomery, Alabama 36130  
(205) 271-7700

CERTIFICATE OF SERVICE

I, Sonja Massey, hereby certify that I have served Order No. 88-079-WP upon Sloss Industries Corporation by sending the same postage paid, through the U.S. Mail, as Certified Mail No. P-627 011 684, with instructions to forward and return receipt requested to:

Mr. Dorrence Wedell, President  
Sloss Industries Corporation  
3500 35th Avenue North  
Birmingham, Alabama 35207

Done this 8 day of August, 1988.

  
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Sonja Massey