

COURT OF COMMON PLEAS

HAMILTON COUNTY, OHIO

STATE OF OHIO, ex rel.
LEE FISHER
ATTORNEY GENERAL OF OHIO

Plaintiff

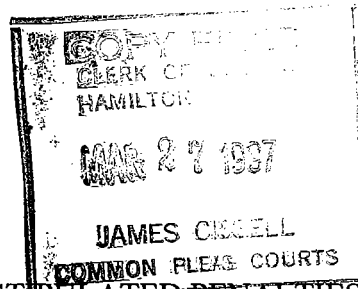
v.

MASCO INDUSTRIES, INC.
STEELCRAFT MANUFACTURING
COMPANY DIVISION

Defendant

Case No. A92002449

Judge Nurre



JOINT MOTION TO TERMINATE STIPULATED PENALTIES

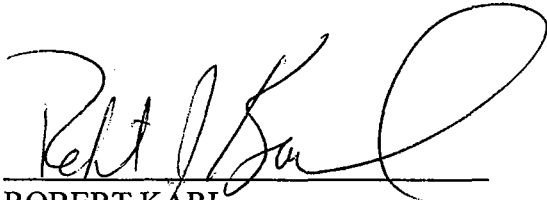
The parties herein respectfully request that the Court enter an Order terminating the stipulated penalties provisions of paragraphs 13 and 14 of the Consent Order entered in this case on March 16, 1992 ("Consent Order"). A draft Order is attached for the Court's consideration.

The Consent Order provided, in paragraph 15, that the stipulated penalties provisions in paragraphs 13 and 14 shall terminate if "Steelcraft has achieved and maintained compliance at Plant #1 with the applicable discharge limitations on discharges into the MSD Mill Creek wastewater treatment plant for a period of twelve (12) consecutive months, beginning on or after the date of entry of this Consent Order, and has paid all penalties required pursuant to this Consent Order." The Consent Order further provides that termination of these stipulated penalties provisions "shall be effected only by Order of the Court upon application by any party and a demonstration that the two (2) conditions set forth in this paragraph have been met, or upon filing of a joint motion to terminate stipulated penalties."

Steelcraft has met the conditions required for termination of the stipulated penalties provisions by achieving compliance with the applicable discharge limitations for twelve (12) consecutive months and paying all penalties required pursuant to the Consent Order.

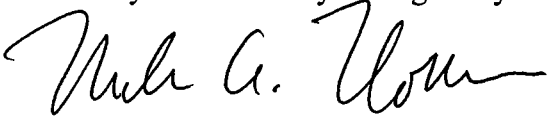
As a result, it is appropriate that the Court enter an Order terminating the stipulated penalties provisions of paragraphs 13 and 14 of the Consent Order.

Respectfully submitted,



ROBERT KARL
Assistant Attorney General
Environmental Enforcement Section
30 East Broad Street
Columbus, Ohio 43266-0410

Attorney for State of Ohio,
Attorney General Betty Montgomery



MARK A. NORMAN (0012033)
WILLIAM D. HAYES (0037240)
Vorys, Sater, Seymour and Pease
Suite 2100, Atrium Two
221 E. Fourth Street
P.O. Box 0236
Cincinnati, Ohio 45201-0236
(513) 723-4000

Attorneys for Masco Industries, Inc.,
Steelcraft Manufacturing Company Division

COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

ENTER

STATE OF OHIO, ex rel.
LEE FISHER
ATTORNEY GENERAL OF OHIO

Case No. A92002449

MAR 27 1997

THOMAS C. NURRE, JUDGE

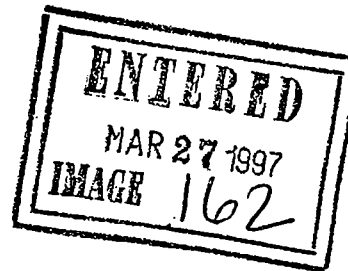
Plaintiff

Judge Nurre

v.

MASCO INDUSTRIES, INC.
STEELCRAFT MANUFACTURING
COMPANY DIVISION

Defendant



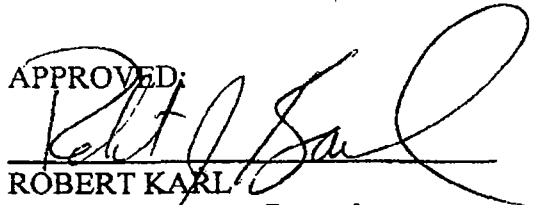
ORDER TERMINATING STIPULATED PENALTIES

This matter having come before the Court upon the joint motion of the parties, and for good cause shown, it is hereby ORDERED, ADJUDGED AND DECREED as follows:

The provisions of the Consent Order entered in this case on March 16, 1992, set forth in paragraphs 13 and 14 requiring payment of stipulated penalties are hereby terminated.

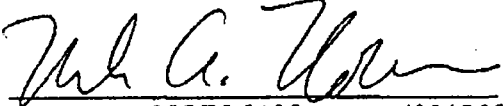
IT IS SO ORDERED.

APPROVED:


ROBERT KARL
Assistant Attorney General
Environmental Enforcement Section
30 East Broad Street
Columbus, Ohio 43266-0410

Hon. Thomas C. Nurre

Attorney for State of Ohio,
Attorney General Betty Montgomery


MARK A. NORMAN (0012033)
WILLIAM D. HAYES (0037240)
Vorys, Sater, Seymour and Pease
Suite 2100, Atrium Two
221 E. Fourth Street
P.O. Box 0236
Cincinnati, Ohio 45201-0236
(513) 723-4000

Attorneys for Masco Industries, Inc.,
Steelcraft Manufacturing Company Division
01/29/97 - 0156088.01