

Minute Order 81-87 which was passed on September 25, 1981 suspended the revocation of Permit No. S-0179 for so long as the Permittee, Jerry Miller, adhered to the terms and conditions which were set out in the order.

Based on the evidence submitted this day, the Commission finds that \_\_\_\_\_ of the conditions as set out in Minute Order 81-87 have not been met.

Wherefore, the Commission hereby directs that Jerry Miller immediately cease the operation of the Miller Construction Sanitary Landfill and to immediately proceed to bring Miller Construction Sanitary Landfill into compliance with the requirements of the terms of Permit No. S-0179 and the conditions outlined in the Minute Order 81-87 and under the supervision of the Arkansas Department of Pollution Control and Ecology staff.

The Commission amended this order to include the following:

If the representatives of the Commission find the permittee to be in compliance that the Department be authorized to allow reopening of the facility and further conduct a formal inspection of the premises no less than once a week. Whenever the premises are not found to be in compliance the Department be authorized to suspend the operation until such time as the landfill is once more in compliance with the conditions of the permit and Minute Order 81-87. In the event the permittee fails to suspend his operation when a determination of noncompliance is made, then the Department is authorized to pursue criminal actions.

COMMISSIONERS

[Signature] - NO  
[Signature]  
J.B.  
[Signature] - NO  
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John P. Sayers  
CHAIRMAN

SUBMITTED BY Cheryl J. Terai

DATE PASSED 11-20-81