

Whereas, the Commission on Pollution Control and Ecology (Commission) reinstated a prohibition of the construction of any private sewage disposal systems in the area of the Pleasant Hills District in Garland County, Arkansas; and

Whereas, Mr. John G. Anthony owns certain property within the area of Pleasant Hills District located at 110 Colt Drive, and has requested that the Commission allow him to construct a sewer line into an existing line which is part of the Hot Springs Regional Sewer System; and

Whereas, the property contains one residence, Mr. Anthony's family home, with an existing septic system which will not satisfactorily perform its intended function because of an existing geological condition, and which cannot be moved because of existing proximities to neighbors' wells, with the result that at present sewage runs straight to the surface of Mr. Anthony's back yard; and

Whereas, there now exists a main of the aforesaid Hot Springs System running on Mr. Anthony's property and in his easement, within 50 feet from the front of his residence; and

Whereas, Mr. Anthony has consulted with professionals on this matter and has been advised by such professionals that his only feasible alternative is to connect into the aforesaid sewer system;

Be it therefore resolved that the Commission finds that the construction of a sewer line from the Anthony property at 110 Colt Drive, Hot Springs, Arkansas, would not be consistent with the intent and spirit of the Commission's Order of December 8, 1983; and

Be it resolved that the prohibition is therefore modified to permit the construction of the sewer line and necessary appertinences from the aforesaid property to lines operated by the aforesaid Hot Springs Regional Sewer System.

COMMISSIONERS

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CHAIRMAN

SUBMITTED BY: Bob Blanz DATE PASSED: 5/24/85



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ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY

MEMORANDUM

TO: Arkansas Pollution Control and Ecology Commission
FROM: Cheryl J. Terai, Hearing Officer *CJT*
DATE: May 20, 1985
SUBJECT: Order of Suspension - Mining Permit No. 173A-2

A hearing was held at the Arkansas Department of Pollution Control and Ecology on March 29, 1985, at 10:00 a.m. in the matter of Frank E. Sims Construction Company - A Joint Venture, Mining Permit number 173A-2. The permittee appeared and was represented by Mr. Sam Sexton. The Arkansas Department of Pollution Control and Ecology appeared and was represented by Ms. Martha Adcock. From the evidence submitted at the hearing which was received and reviewed by me as hearing officer in this matter, it is my recommendation that the attached Order of Suspension for Mining Permit number 173A-2 be approved by this Commission. Thank you.

attachment

CJT/lms