ARKANSAS DEPARTMENT OF POLLUTION CONTROL & ECOLOGY

LOCATION - SUBJECT Granting of Diaz Refinery, Inc. Motion to Dismiss Requests for Administrative Hearing

MINUTE ORDER NO. 91-32

PAGE _____ OF _____

This matter comes before the Commission upon ADPC&E's Motion to Dismiss Requests for Administrative Hearing With Supporting Authorities filed May 30, 1991, requesting that the Commission enter a Minute Order dismissing the Requests for Administrative Hearing and finding that the North Little Rock School District (NLRSD) and Gannett are not entitled to an administrative hearing or an appeal on either the Administrative Notice (AN) or Consent Administrative Order (CAO) issued in this cause.

Upon review of the record in this matter, the Commission finds that the Motion to Dismiss Requests for Administrative Hearing With Supporting Authorities should be and is hereby granted.

The parties stipulate that the AN is not a determination of liability by ADPC&E, but simply a notification as to the potential liability of any identified PRP to the Diaz site remediation.

COMMISSIONERS

Chairman

SUBMITTED BY: Ann Faitz DATE PASSED: 6/28/91

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