

ARKANSAS DEPARTMENT OF POLLUTION
CONTROL & ECOLOGY

LOCATION - SUBJECT Motion to
Dismiss Responses to Administra-
tive Notice of Liability with
Supporting Authorities

MINUTE ORDER NO. 91- 33

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This matter comes before the Commission upon ADPC&E's Motion to Dismiss Responses to Administrative Notice of Liability with Supporting Authorities filed on June 18, 1991, requesting that the Commission enter a Minute Order dismissing the Responses to Administrative Notice of Liability and finding that Don Darr Ford dba Don Darr Ford Mazda, Revere Copper and Brass, Inc., and Evans-St. Clair, Inc. are not entitled to an administrative hearing or an appeal on either the Administrative Notice or the Consent Administrative Order issued by the Director.

After reviewing the records in this matter, the Commission finds that the Motion to Dismiss Responses to Administrative Notice of Liability, filed by the ADPC&E, is hereby granted and that Don Darr Ford dba Don Darr Ford Mazda, Revere Copper and Brass, Inc., and Evans-St. Clair, Inc. are not entitled to an administrative hearing or appeal on either the Administrative Notice or the Consent Administrative Order.

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

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Chairman

SUBMITTED BY: Ann Faltz DATE PASSED: 7-26-91