ARKANSAS DEPARTMENT OF
POLLUTION CONTROL & ECOLOGY

D. J. WEBSTER
AFFIRMATION OF
DECISION RECOMMENDATION

MINUTE ORDER NO. 91-57

D. J. Webster requested a Commission review of a Notice of Violation issued on October 5, 1991 which found D. J. Webster to be in violation of state law regarding the operation of an unpermitted dumpsite. A hearing was held in this matter on May 21, 1991 and continued on July 24, 1991 before the administrative law judge, the Honorable Judge Cloninger. Upon the review of the evidence and hearing testimony presented, Judge Cloninger rendered a Decision Recommendation finding D. J. Webster to be in violation of state law, requiring D. J. Webster to complete the remedial action at the unpermitted dumpsite within thirty (30) days of the date of the Decision Recommendation and in the event of D. J. Webster's failure to complete such remedial action within this time frame, assessing civil penalties against D. J. Webster in the amount of $8,200, and requiring ADPC&E to contract for remedial action. After a review of the administrative record, including transcript, and upon hearing arguments of ADPC&E and D. J. Webster, the Commission affirms the Decision Recommendation.

COMMISSIONERS

SUBMITTED BY: Pat Crossley DATE PASSED: 10/25/91

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