

ARKANSAS DEPARTMENT OF POLLUTION
CONTROL AND ECOLOGY

LOCATION/SUBJECT: B AND T
TRUCK AND PALLET COMPANY;
LIS NO. 92-105

MINUTE ORDER NO. 93 - 30


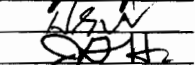
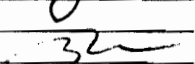

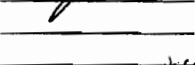
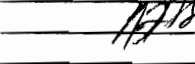
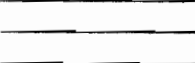
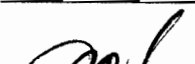
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On June 30, 1992, the Department issued a Notice of Violation to B and T Truck and Pallet Company ("Band T") for open burning of wooden pallets. The allegations set out that B and T had been warned that it should cease the activities of burning pallets as such was a violation of Arkansas law, and that the activities continued despite the notifications and warnings. This resulted in the issuance of the Notice of Violation and included a penalty of \$6000 for violation of the Arkansas Air Code.

A hearing was held where evidence and testimony were taken from both parties and the Administrative Hearing Officer found that B and T was in violation of the law for the activities on June 18 and 28, 1992. The hearing officer recommended that the full penalty of \$6000 be instated.

Upon motion by Commissioner Wilbourn, the fine will be suspended for 90 days to allow B and T a chance to show clear intent to install the chipper/grinder machine to dispose of the pallets. It is ordered that clear intent should be shown by at least a contract to purchase the machine. If at the end of ninety (90) days it is not shown to the satisfaction of the Commission that the machine has been purchased, then the fine will be reinstated in the full amount of \$6000.

COMMISSIONERS

	J. W. Looney
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_____	R. Wilbourn
	N. Williams
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_____	W. Wright
_____	R. Young


Chairman

SUBMITTED BY: Randy Wilbourn PASSED: 02/26/93
Commissioner