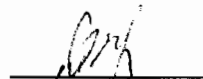
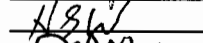
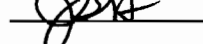
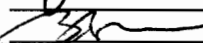

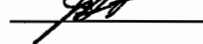
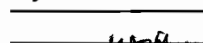
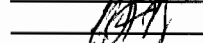
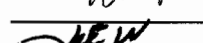
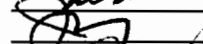


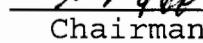



Permits for two liquid animal waste facilities were issued to Billy Graves and Jonathan Vaught. On January 5, 1993, a pleading entitled "Appeal" was filed by Bradley Johnson of Texarkana, Texas, within the time required for appeals. A Motion to Dismiss was filed by the Department based on the fact that the "Appeal" did not conform to the requirements of Regulation 8, that the petitioner did not have standing to appeal the permits, and that a response to the Motion to Dismiss was not filed on time.

During the prehearing the Hearing Officer heard arguments from both parties and from the permittees through their attorneys. The Hearing Officer found that the appeal should be dismissed on the grounds that the "Appeal" was a general statement requesting "public hearing" and not in conformance with Regulation 8, the petitioner did not have standing in that he is not only a resident of Texas but lives nowhere near the proposed facilities, and a response to the Motion to Dismiss was not filed on time.

The Commission finds that the Ruling and Recommendation of the Hearing Officer should be affirmed.

COMMISSIONERS

	J. W. Looney
	H. Watkins, III
	J. Hill
	C. King
	B. Mobley
	J. Mobley
	J. Pascale
	E. Waddell
	R. Wilbourn
	N. Williams
	S. Wilson
	W. Wright
	R. Young


Chairman
GRAVESVAUGHT

DATE
SUBMITTED BY: M. Eisele PASSED: 03-26-93