

ARKANSAS DEPARTMENT OF POLLUTION
CONTROL AND ECOLOGY

MINUTE ORDER NO. 93-98

LOCATION/SUBJECT: NATIONAL
DIESEL SALES;

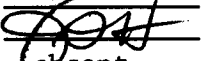
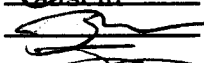
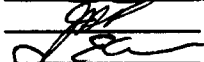


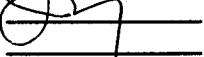
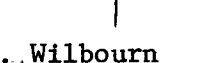

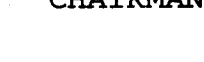

LIS NO. 93-052
PAGE 1 OF 1

On March 17, 1993, the Department issued a Notice of Violation to National Diesel Sales ("NDS") for open burning in violation of the Arkansas Air Pollution Control Act. The allegations set out that NDS had been warned that it should cease the activities of open burning 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 \$10,000 for violation of the Arkansas Air Code.

A hearing was held where evidence and testimony was taken from both parties and the Administrative Hearing Officer found that NDS was in violation of Section 5(a) of the Arkansas Air Pollution Control Code and that Richard Green d/b/a NDS be assessed a civil penalty of \$2,500.

After hearing the evidence and reviewing the Hearing Officer's Recommendation, the Commission affirms the Recommendation.

COMMISSIONERS:

absent	H. Watkins, Jr.
	J. Hill
absent	Crossley S. Nichols
	B. Mobley
	J. Mobley
	J. Pascale
	E. Waddell
	R. Wilbourn
	N. Williams
	S. Wilson
	W. Wright
	R. Young

R. Wilbourn

SUBMITTED BY: Crossley

PASSED: AUG 27, 1993

CHAIRMAN