

ARKANSAS POLLUTION CONTROL  
AND ECOLOGY COMMISSION

LOCATION - SUBJECT Hearing Officer  
Recommendation for Arkansas Medical  
Services Corp. Docket No. 93-232

MINUTE ORDER NO. 94 - 47

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On April 28, 1994, Administrative Hearing Officer, Michael O'Malley, entered Order No. 8, in Docket No. 93-232 which is No. 464-I. The Administrative Hearing Officer recommends that the Director's decision revoking the permit issued to Arkansas Medical Services, Corp. be reversed and the docket dismissed.

The Appeals Committee has reviewed the pleadings, relevant portions of the transcript, exhibits, and briefs, and considered oral arguments from the parties. The Appeals Committee recommends that the Commission refer and remand back to the Administrative Hearing Officer, Judge O'Malley, the Recommended Decision (Order No. 8), for the very limited purpose of considering the intent and conduct of the parties concerning the April 6, 1992, document which is Department Exhibit No. 9, and any and all other issues relevant to the intent and conduct of the permittee, Arkansas Medical Services Corp.

The Commission adopts the recommendation of the Appeals Committee and hereby refers and remands this matter to the Administrative Hearing Officer for the reasons set out above.

COMMISSIONERS

<u>AC</u>	A. Carter
<u>MC</u>	M. Cooper
<u>BD</u>	B. Davis
<u>DH</u>	D. Hanby
<u>JH</u>	J. Hill
<u>JM</u>	J. Mobley
<u>JP</u>	J. Pascale
ABSENT	

<u>JShannon</u>	J. Shannon
<u>HW</u>	H. Watkins
<u>RW</u>	R. Wilbourn
<u>NW</u>	N. Williams
ABSENT	W. Wright
<u>RY</u>	R. Young

J. Wilbourn  
Chairman

SUBMITTED BY: Watkins/Cooper PASSED: 05-23-94  
and Hill