

ARKANSAS POLLUTION CONTROL
AND ECOLOGY COMMISSION

LOCATION - SUBJECT Recommended
Order of Administrative Hearing
Officer - Docket No. 94-071

MINUTE ORDER NO. 94- 69

PAGE 1 OF 1

On June 17, 1994, Saline County Rural Development Authority ("Saline RDA") filed a Request For De Novo Commission Review of Director's Decision and Request For Adjudicatory Hearing ("Request") with the Commission. The Request seeks review of the denial of a Section 401 water quality certification letter issued by the Director of the Arkansas Department of Pollution Control and Ecology.

Pursuant to A.C.A. §8-4-205 (Repl. 1993), the Administrative Hearing Officer, Michael O'Malley, held a preliminary hearing and determined that the parties qualify as proper parties, that the issues are properly raised, and that the pleading states the legal and factual objections to the certification action. The Administrative Hearing Officer entered Order No. 2, recommending that the request for hearing be granted.

The Commission hereby adopts and affirms, without modification, Order No. 2 entered on July 14, 1994, in Docket No. 94-071.

COMMISSIONERS

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SUBMITTED BY: O'MALLEY

PASSED: July 22, 1994

C. WILBOURN - CHAIRMAN