

ARKANSAS POLLUTION CONTROL
AND ECOLOGY COMMISSION

LOCATION - SUBJECT Mac Acquisition
L.P. d/b/a Boorhem-Fields;
Docket No. 94-107

MINUTE ORDER NO. 94-93

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On August 30, 1994, Robert Propst and Carolyn Propst filed a Third-Party Request For Commission Review and Adjudicatory Hearing ("Request"). The Request seeks review of an open-cut mining permit issued by the Arkansas Department of Pollution Control and Ecology which is Permit No. 455 § & GR.

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 Request states the legal and factual objections to the permit action. The Administrative Hearing Officer entered Order No. 2 recommending that the request for a hearing be granted.

The Commission hereby adopts and affirms, without modification, Order No. 2 entered on September 16, 1994, in Docket No. 94-107.

COMMISSIONERS

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SUBMITTED BY: M. O'Malley

PASSED: 9/23/94