

RESOLUTION

**WHEREAS**, in a case styled, In the Matter of Arkansas Medical Services Corp., Docket No. 93-232, the Arkansas Pollution Control and Ecology Commission ("Commission"), pursuant to its statutory authority, issued Commission Order Numbers 8 and 10 which reversed and dismissed a decision by the Director of the Arkansas Department of Pollution Control and Ecology ("Department") to revoke a permit issued by the Director to Arkansas Medical Services Corp.,; and

**WHEREAS**, the Department has filed an appeal of Commission Order Numbers 8 and 10 rendered in the Arkansas Medical Services Corp. case and the appeal is currently pending in the Pulaski County Circuit Court, Case Number 94-07988; and

**WHEREAS**, the Department currently acts as legal counsel for the Commission in cases which a party has appealed a Commission decision to a circuit court of Arkansas; and

**WHEREAS**, the Commission may have additional appeals filed to a circuit court in the future in which a Commission decision is contested and which may result in the Commission requesting the Department to act as its legal counsel in those appeals;



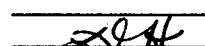




**THEREFORE, BE IT RESOLVED**, that the Arkansas Pollution Control and Ecology Commission recognizes the unique circumstances presented by the Department's appeal of a Commission decision while the Department simultaneously represents the Commission in other matters, and that the Commission has full confidence in the Department to represent the Commission in other cases during the time the Pulaski County Circuit Court or any appellate court of this State is considering the issues raised by the Department's appeal in the Arkansas Medical Services Corp. case.


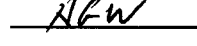




Dated this 23rd day of September, 1994.



R. H. Wilbourn, Chairman  
Arkansas Pollution Control and Ecology Commission

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SUBMITTED BY: H. R. Watkins PASSED: 09/23/94