

The Director of the Arkansas Department of Pollution Control and Ecology (ADPC&E) has determined that emergency conditions exist within the County of Pulaski, Arkansas, in that hazardous substances, including polychlorinated biphenyls (PCBs), have been released and continue to pose a threat to the environment, presenting an imminent and substantial endangerment to the public health, welfare, safety, and the environment. These conditions require immediate remedial actions to be taken to abate the potential threat.

On May 15, inspectors from the ADPC&E executed a search warrant at the Rixey Iron and Metals Company, 8300 Old Jacksonville Highway, North Little Rock, Arkansas 72117 and discovered a significant number of apparent unauthorized discharges, as well as an area, 250 feet by 75 feet, of oil-contaminated sludge. In subsequent actions, ADPC&E issued an Emergency Order and a Consent Administrative Agreement for stabilization of the Rixey site. The operator, Wendell Gathright, abandoned the site on or about July 14, 1995. Immediate response and removal actions by the Department are now necessary to abate the potential threat posed by contamination at Rixey Iron and Metals Company and to protect human health and the environment. The Department's investigation of the Rixey facility and costs of its remediation to date indicates that response pursuant to the Arkansas Remedial Action Trust Fund (A.C.A. §§ 8-7-501 et seq.) is appropriate.

Pursuant to the provisions of Regulation No. 8 (Administrative Procedures), §3.3, an emergency is declared to exist and the public notice and comment requirements of §3.1 and §3.2 are waived. The following revisions are made to Regulation No. 23 (Hazardous Waste Management), § 27(b)(2):

New paragraph (b)(2)(F) is added to read as follows:

Section 27.

HAZARDOUS SUBSTANCE REMEDIAL ACTION TRUST FUND PRIORITY LIST

(b) State Priority List (SPL) Sites:

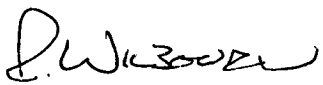
(1) ...

(2) Remediation Category

...

(F) Rixey Iron and Metals Company, North Little Rock

PROMULGATED THIS 28th DAY OF JULY, 1995, BY ORDER OF THE ARKANSAS POLLUTION CONTROL
AND ECOLOGY COMMISSION

By: 
Chairman

ATTEST: [Signature]
Director

APPROVED: [Signature]
Governor

COMMISSIONERS:

<u>[Signature]</u>	H. Watkins, III
<u>[Signature]</u>	J. Hill
<u>[Signature]</u>	A. Carter
<u>[Signature]</u>	J. Mobley
<u>[Signature]</u>	M. Cooper
<u>[Signature]</u>	J. Pascale
<u>[Signature]</u>	D. Hanby

<u>[Signature]</u>	B. Davis
<u>[Signature]</u>	R. Wilbourn
<u>[Signature]</u>	W. Bush
<u>[Signature]</u>	J. Shannon
<u>[Signature]</u>	W. Wright
<u>[Signature]</u>	R. Young

[Signature] Chairman

SUBMITTED BY: Mike Bates

DATE PASSED: 07/28/95