

ARKANSAS POLLUTION CONTROL  
AND ECOLOGY COMMISSION

LOCATION - SUBJECT \_\_\_\_\_  
Fort Smith Railroad Company  
Docket No. 96-002-NOV

MINUTE ORDER NO. 96-53

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On October 2, 1996, Administrative Hearing Officer ("AHO") B. W. Sanders, entered a Recommended Decision (Order No. 3) in the matter of Fort Smith Railroad Company, Docket No. 96-002-NOV.

The Commission considered this matter at its December 6, 1996 Commission meeting. The record compiled by the AHO and the Recommended Decision were presented to and accepted by the Commission.

The Recommended Decision granted the oral motion to adjourn and dismiss this matter conditioned upon the approval of a Consent Administrative Order. The Commission has reviewed the record compiled by the AHO and has reviewed the Recommended Decision. The Commission finds that the Recommended Decision should be adopted.

The Commission adopts and affirms, without modification, as its final order the Recommended Decision (Order No. 3) entered on October 2, 1996, in Docket No. 96-002-NOV.

COMMISSIONERS

<u>MB</u>	B. Bush
<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

ABSENT	J. Pascale
<u>JS</u>	J. Shannon
<u>HW</u>	H. Watkins
<u>RW</u>	R. Wilbourn
<u>W</u>	W. Wright
<u>RY</u>	R. Young

Michael P. Kelly  
Chair

SUBMITTED BY: O'Malley

PASSED: DEC 6, 1996