

ARKANSAS POLLUTION CONTROL
AND ECOLOGY COMMISSION

LOCATION - SUBJECT _____
Northwest Arkansas Recovery, Inc.
Docket No. 97-007-P

MINUTE ORDER NO. 97-59
97-59

PAGE 1 OF 1

On October 21, 1997, Administrative Hearing Officer ("AHO") Michael O'Malley, entered Order No. 5 in the matter of Northwest Arkansas Recovery, Inc., Docket No. 97-007-P. Order No. 5 denied a Motion to Dismiss filed by the Arkansas Department of Pollution Control and Ecology ("Department"). The Department requested Commission review of the AHO's decision.

The Appeals Committee considered this matter at its meeting on November 7, 1997. The Committee recommended that Order No. 5 be upheld.

The Commission considered this matter at its December 5, 1997 meeting. The Commission finds that AHO's decision to deny the Department's Motion to Dismiss, as set out in Order No. 5, should be, and is, affirmed.

COMMISSIONERS

WMB
ABSENT
LOA
ABSENT
JPP

B. Bush
C. Coleman
D. Hanby
J. Hill
J. Mobley
J. Pascale

CEC
JTS
AGW
ABSENT
WEL
SEC

T. Schueck
J. Shannon
H. Watkins
R. Wilbourn
W. Wright
S. Yaich
R. Young

Julia P. Mobley
Chair

SUBMITTED BY: T. Watkins PASSED: 12/5/97