

98-35

ARKANSAS POLLUTION CONTROL
AND ECOLOGY COMMISSION

LOCATION - SUBJECT
R & P Electroplating, Inc.
Fayetteville, AR; LIS 98-124

MINUTE ORDER NO. 98 - 35

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Pursuant to the authority provided by the Emergency Response Fund Act, Act 452 of 1985, as amended, codified as A.C.A. § 8-7-401 et seq., an Emergency Order (LIS No. 98-124) was issued verbally on August 25, 1998, by the Director of the Arkansas Department of Pollution Control and Ecology ("the Department"), to R & P Electroplating, Inc., and other parties. The verbal Order was followed by the issuance of a written Order as required by A.C.A. § 8-7-409. The Order was issued to provide for an immediate response action to control the release or potential release of various hazardous substances at the R & P Electroplating, Inc. site located at 2000 Pump Station Road, Fayetteville, Arkansas. The site was reported to be vandalized on August 22, 1998, and an undetermined amount of various hazardous substances were released. Such a release, or threat of future release, of these hazardous substances may present an imminent and substantial endangerment to public health, safety, or welfare to the environment.

The Department has determined that R & P Electroplating, Inc. has failed to secure the necessary response services to address the release of the various hazardous substances as required by the Emergency Order. In response and pursuant to the provisions A.C.A. § 8-7-408(a), the Department secured the response services of HAZ-Mert Inc. on August 25, 1998. HAZ-Mert Inc. has indicated to the Department that it will take in excess of Sixty Thousand Dollars (\$60,000) to complete the response services.

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The Commission hereby authorizes the Director to expend funds in excess of Sixty Thousand Dollars (\$60,000), not to exceed Two Hundred Ten Thousand Dollars (\$210,000), to complete the response action as described in the Emergency Order.

SO ORDERED.

COMMISSIONERS

<u>MB</u>	B. Bush
<u>CC</u>	C. Coleman
<u>AD Goodhart</u>	J. Goodhart
<u>D Hanby</u>	D. Hanby
<u>ABSENT</u>	J. Hill
<u>S</u>	J. Mobley

<u>JMP</u>	J. Pascale
<u>SC</u>	L. Sickel T. Schwarz
<u>ABSENT</u>	J. Shannon
<u>S</u>	L. Sickel
<u>S Varnell</u>	S. Varnell
<u>ABSENT</u>	W. Wright
<u>J Young</u>	R. Young

Julia P. Mobley
Chair

SUBMITTED BY: Mike Bates PASSED: 8/28/98