

98-45

ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION

LOCATION - SUBJECT CYPRESS CREEK/James S. Taylor
DOCKET NO. 98-001-P

MINUTE ORDER NO. 98 -45

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On July 24, 1998, Administrative Hearing Officer ("AHO"), Michael O'Malley, entered a Recommended Decision (Order No. 2) in the matter of Cypress Creek/James S. Taylor, Docket No. 98-001-P. This case concerns an appeal of a denial of water quality certification pursuant to Section 401 of the Clean Water Act.

The Recommended Decision grants the Department's Motion to Dismiss and closes the docket.

The record compiled by the AHO and the Recommended Decision came before the Commission at its August 28, 1998 meeting. After considering the matter, the Commission adopts and affirms without modification the Recommended Decision (Order No. 2) entered on July 24, 1998, in Docket No. 98-001-P.

COMMISSIONERS

<u>WB</u>	B. Bush
<u>[Signature]</u>	C. Coleman
<u>[Signature]</u>	J. Goodhart
<u>[Signature]</u>	D. Hanby
<u>ABSENT</u>	J. Hill
<u>[Signature]</u>	J. Mobley

<u>[Signature]</u>	J. Pascale
<u>[Signature]</u>	T. Schueck
<u>ABSENT</u>	J. Shannon
<u>[Signature]</u>	L. Sickel
<u>RECUSE</u>	S. Varnell
<u>ABSENT</u>	W. Wright
<u>[Signature]</u>	R. Young

Julia P. Mobley
Chair

SUBMITTED BY: O'Malley PASSED: 08/28/98