

ARKANSAS POLLUTION CONTROL
AND ECOLOGY COMMISSION

SUBJECT Pyramid Rock & Timber, Inc.
Request for Relief of Stay
Docket No. 99-004-P

MINUTE ORDER NO. 99 - 16

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In January 1999, the Arkansas Department of Pollution Control and Ecology issued Air Permit No. 1790-A to Pyramid Rock & Timber, Inc. ("Pyramid").

On February 18, 1999, Hanford D. Monroe filed a request for an Adjudicatory Hearing and Commission Review of the air permit issued to Pyramid. This appeal is Docket No. 99-004-P.

Arkansas Code Annotated §8-4-205(c)(6)(B) provides that a permit which is the subject of an appeal shall be stayed.

Arkansas Code Annotated §8-4-205(c)(6) provides:

(C) Notwithstanding subdivisions (6)(A) and (B) of this section, upon application by any party, the commission may provide for a stay, modify the terms of a stay, or terminate a stay under appropriate circumstances to avoid substantial prejudice to any party.

On March 17, 1999, Pyramid filed a Motion for Stay.

On March 26, 1999, the Commission considered Pyramid's request and heard from all parties.

The Commission finds and determines as follows:

1. Pyramid Rock & Timber, Inc., has established that it will suffer substantial prejudice if the automatic stay continues in effect.

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2. Therefore, the Commission lifts the stay so Pyramid Rock & Timber, Inc., can operate five days a week during the daylight hours.

COMMISSIONERS

	B. Bush		J. Pascale
	C. Coleman		T. Schueck
	J. Goodhart	ABSENT	J. Shannon
	D. Hanby		L. Sickel
ABSENT	J. Hill		S. Varnell
	J. Mobley	ABSENT	W. Wright
			R. Young


Chair

SUBMITTED BY: O'Malley PASSED: 03/26/99