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Washington County Landfill/Expansion: Arkansas Pollution Control and Ecology Commission Addresses Motion for Release from Automatic Stay

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The Arkansas Pollution Control & Ecology Commission (“Commission”) addressed in an April 18th Minute Order a request by Eco-Vista Landfill (“Eco-Vista”) pursuant to Rule 8.612(B) a Motion for Relief from Automatic Stay (“Motion”) addressing the issuance of a permit for a landfill expansion in or near the City of Tontitown, Washington County, Arkansas. See Minute Order No. 23-10. See Docket No. 23-009-P.

As previously noted in [April 18th](#) and [April 19th](#) blogs, the Mayor of Tontitown and certain individuals filed separate requests for an adjudicatory hearing and Commission review (collectively, “Petition”) challenging the Arkansas Department of Energy & Environment – Division of Environmental Quality’s (“DEQ”) issuance of a permit for the Eco-Vista Landfill.

The permit is described by the Petitions as authorizing an additional 12.2 acres expansion of Eco-Vista’s existing Class 4 landfill.

The Petitions challenging the issuance of the permit imposed an automatic stay pursuant to Commission Rule 8.612(A)(2). Eco-Vista requested that the Commission lift the stay, submitting certain arguments. See April 25th [blog](#) post.

The Commission granted the request. The Minute Order stated that the Commission considered the filings on the dockets, the evidence, and the arguments of Counsel. It ruled that:

1. Eco-Vista, LLC’s Motion for Relief from Automatic Stay in Docket No. 23-008-P is granted.
2. Eco-Vista, LLC’s Motion for Relief from Automatic Stay in Docket No. 23-009-P is granted.
3. Permit No. 0290-S4-R2 shall remain in full force and effect pending the outcome of further proceedings before this Commission.

A copy of the Minute Order can be downloaded [here](#).