

Washington County Landfill/Expansion: Motions for Summary Judgment Filed by All Parties



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07/17/2023

As previously noted in an [April 18th](#) and [April 19th](#) blog posts, the Mayor of Tontitown and certain individuals filed (two) Requests for Adjudicatory Hearing and Commission Review (collectively, “Petitions”) before the Arkansas Pollution Control & Ecology Commission (“Commission”) challenging the Arkansas Department of Energy & Environment – Division of Environmental Quality’s (“DEQ”) issuance of a permit for the expansion of the Eco-Vista Landfill (“Eco-Vista”). See Docket No. 23-008-P and 23-009-P.

The permit has been described as involving the expansion of Eco-Vista which is located near the City of Tontitown, Washington County, Arkansas.

Each of the parties has filed a Motion for Summary Judgment (“Motion”).

A summary judgment filing asks a Court (or in this case the Administrative Law Judge [“ALJ”]) to issue summary judgment on at least one issue. Typically, the motion must show that no issue of material fact exists, and that the opposing party loses on that claim even if all its allegations are accepted as true.

Summary Judgment Motions were filed by:

- Mayor Russell and the City of Tontitown’s Brief in Support of Motion for Summary Judgment
- Individual Petitioners
- Arkansas Department of Energy & Environment – Division of Environmental Quality
- Eco-Vista, LLC

The Motions will be reviewed by ALJ Charles Moulton and a Recommended Decision presented to the Commission.

A copy of three Briefs in Support of Motion for Summary Judgment and a Motion of Summary Judgment can be found [here](#).