

IN THE MATTER OF : *APPLICATION NO. 200301803*

DAVID FRANKEL : *AUGUST 23, 2004*

FINAL DECISION

I have reviewed the hearing officer's *Proposed Final Decision* adopting the *Agreed Draft Decision* of the parties. I affirm her decision and accept her recommendation to issue the requested permit incorporating the terms and conditions set forth in the draft permit, attached to her decision as Attachment "B".

August 23, 2004
Date

/s/ Arthur J. Rocque, Jr.
Arthur J. Rocque, Jr.
Commissioner