

From: [Heather Ferguson](#)
To: [ImpairedWaterbodies_Comments](#)
Cc: [James Malcolm](#); "Ray Wieda"
Subject: Umetco Minerals Corporation's Comments on the Proposed 2016 List of Impaired Waterbodies
Date: Wednesday, March 09, 2016 5:17:43 PM
Attachments: [image001.png](#)
[L-J Wise 2016-03-09.pdf](#)

Good afternoon Mr. Wise,

On behalf of Umetco Minerals Corporation and Jim Malcolm of FTN Associates, Ltd., please find attached for your consideration our comments on the proposed 2016 List of Impaired Waterbodies. We will hand-deliver a hard copy of the attached letter tomorrow for your records.

If you have any questions or comments regarding these comments, please do not hesitate to call Jim Malcolm or Ray Wieda, PE, at (501) 225-7779.

Respectfully submitted,
HLF





March 9, 2016

Mr. Jim Wise
Ecologist Coordinator, Water Division
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118-5317

RE: Comments on Proposed Arkansas 2016 List of Impaired Waterbodies
FTN No. R05108-0636-001

Dear Mr. Wise:

On behalf of Umetco Minerals Corporation (Umetco), please accept the following comments regarding the Arkansas Department of Environmental Quality's (ADEQ's) proposed 2016 List of Impaired Waterbodies (303(d) List):

1. **Indian Springs Creek** (US Geological Survey [USGS] hydrologic unit code [HUC] 08040101, reach 902) in Garland County is listed as impaired due to **dissolved oxygen (DO)** based on measurements taken at four ADEQ monitoring stations (OUA0184A, B, C, and D). Indian Springs Creek is located in the Ouachita Mountains ecoregion and has a drainage area of less than 10 square miles. The DO standard according to Regulation 2.505 is 6 mg/L during the primary season (i.e., stream temperature less than or equal to 22°C) and 2 mg/L during the critical season (i.e., stream temperature greater than 22°C). According to ADEQ's 2016 Assessment Methodology, a stream is considered impaired for DO if the number of observed data below the criteria exceed 10% of the total number of observed values rounded up to the next whole number. A total of 25 samples were collected at the four ADEQ stations during the primary season, meaning that four or more observed DO values below the criterion indicated impairment. The stream was listed because four of the 25 samples collected during the primary season were below the criterion.

Indian Springs Creek is an intermittent stream fed by shallow groundwater. The stream's surface flow begins at the OUA0184A station. DO levels in groundwater are typically low but gradually increase as the groundwater is exposed to ambient air. This is evident as DO values observed on the same day are uniformly higher downstream at OUA0184B than OUA0184A. Due to the proximity of OUA0184A to the emerging surface flow at the headwaters of Indian Springs Creek, the DO values observed at OUA0184A are more

representative of groundwater than the surface water in the stream. As such, data collected at OUA0184A are not representative of overall water quality in the stream and should not be used to assess DO impairment. Considering DO values observed at OUA0184B, OUA0184C, and OUA0184D, only two of 20 total values are below the standard during the primary season, which would result in classifying Indian Springs Creek as unimpaired according to ADEQ's 2016 Assessment Methodology.

Since Indian Springs Creek is an intermittent stream and has a relatively small drainage area, there are periods where there is no flow in the stream. During these periods, naturally occurring pools that are typically low in DO may exist along the stream channel due to low flow and minimal natural aeration. The DO values observed at OUA0184C below standards for the primary season were collected during periods of extended dry weather. It is likely that the samples were collected from these pools and are not representative of the overall water quality in the stream during normal flow.

Based on the above information, Umetco requests that the DO impairment for Indian Springs Creek be removed from the proposed 2016 List of Impaired Waterbodies.

2. **Wilson Creek** (USGS HUC 08040101, reach 901) in Garland County is listed as impaired due to **sulfates** based on (a) data submitted to ADEQ during a use attainability analysis (UAA) study performed prior to 2010 and (b) data from the WILL station submitted to ADEQ on monthly discharge monitoring reports (DMRs). According to Appendix A of Regulation No.2, Wilson Creek has a site-specific standard of 250 mg/L for sulfates from the Umetco northern property line continuing downstream of Umetco Outfall 001 to the mouth of Wilson Creek. Section 6.10 of the 2016 Assessment Methodology states that waters with site-specific standards will be listed as non-support when greater than 25% of the total samples within the period of record (April 2010 to March 2015 for the 2016 list) exceed applicable criteria. Data submitted by Umetco (monthly WILL data from April 2010 to March 2015) show that 11 of a total of 99 samples (11 %) exceeded the site-specific criteria for sulfates. Based on the assessment methodology, the Wilson Creek sulfate data do not support listing Wilson Creek as an impaired waterbody. According to ADEQ, Wilson Creek was included on the 2016 303(d) list because it was listed on the 2014 list and there was insufficient justification for delisting. ADEQ based the 2014 listing and the decision against delisting from the 2016 list on the drinking water standard (250 mg/L) and the listing methodology for waters without site-specific standards. Since Wilson Creek has a designated use as a water supply, ADEQ used the more stringent listing methodology, although Wilson Creek is not used as a water supply due to intermittent flows. However, since Wilson Creek has a site-specific standard for sulfates, the listing methodology for waters with site-specific standards should apply.

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According to Section 6.10 of the 2016 Assessment Methodology, the delisting methodology for waters with site-specific standards states that a segment will be listed as support when 25% percent or less of the total samples within the period of record exceed the applicable criteria. Therefore, the sulfate data from the WILL station on Wilson Creek for the period of record for the 2016 list support delisting Wilson Creek as impaired for sulfates.

Based on the above information, Umetco requests that the sulfate impairment for Wilson Creek be removed from the proposed 2016 List of Impaired Waterbodies.

We appreciate the opportunity to provide comments on the proposed 2016 List of Impaired Waterbodies. If you have questions regarding these comments, please do not hesitate to call Jim Malcolm or Ray Wieda, PE, at (501) 225-7779.

Respectfully submitted,
FTN ASSOCIATES, LTD.



Jim Malcolm *for*
Vice President

JTM/hlf

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