

# ADEQ

ARKANSAS  
Department of Environmental Quality

October 10, 2008

Greg Withrow  
El Dorado Chemical Company  
4500 Northwest Ave.  
El Dorado, AR 71730

RE: NPDES Permit AR0000752, AFIN 70-00040  
**Quarterly reports required by CAO LIS 98-119**

Dear Mr. Withrow:

Vince Blubaugh asked us, on your behalf, to determine if El Dorado Chemical Company could cease submitting the quarterly progress reports required by Paragraph 2(l) of the Order and Agreement section of Consent Administrative Order LIS 98-119. That provision orders submittal of reports each quarter "until [EDCC] has achieved compliance with the final effluent limits for six (6) consecutive months." ADEQ has determined EDCC has met this prerequisite and is therefore no longer required to submit these quarterly reports.

Though there have been no violations for Outfalls 002 and 003, recently the limits for TDS at Outfall 001 have been exceeded. Thus, an explanation of why EDCC is considered to be in compliance for the purposes of Paragraph 2(l) is in order. The violations listed in CAO LIS 98-119 were of the ammonia and nitrate limits, and those parameters were the subject of the corrective action in that order. Compliance for the purposes of Paragraph 2(l) is therefore appropriately limited to ammonia and nitrate. EDCC achieved compliance with the ammonia and nitrate limits by the June 1, 2007 deadline in the permit.

Should you have any questions, feel free to contact me by phone at 501-682-0632 or e-mail at [robertsa@adeq.state.ar.us](mailto:robertsa@adeq.state.ar.us). In any written correspondence to this Department, please refer to NPDES Permit AR0000752.

Sincerely,



Anne Roberts  
Enforcement Administrator  
Water Enforcement Section

**From:** Garner, Cindy  
**Sent:** Tuesday, September 09, 2008 2:35 PM  
**To:** Roberts, Anne  
**Subject:** RE: EDCC request for discontinuation of quarterly reports  
Anne,

Go ahead and draft a letter to send to Vince.

Cindy

-----Original Message-----

**From:** Roberts, Anne  
**Sent:** Tuesday, September 09, 2008 11:37 AM  
**To:** Garner, Cindy  
**Subject:** EDCC request for discontinuation of quarterly reports

Cindy,  
I've looked at the information you gave me and the CAO, and I believe EDCC should be released from its quarterly reporting requirements. I concur with the analysis of the issues Vince Blubaugh gave in his email. Do we need to talk about this before I let Vince know? And do you want me to write EDCC a letter formally releasing them from the reporting?

*Anne Roberts*  
Enforcement Administrator  
Water Division  
Arkansas Dept. of Environmental Quality (ADEQ)  
5301 Northshore Drive  
North Little Rock, AR 72118  
Telephone: (501) 682-0632  
Fax: (501) 682-0910

**Garner, Cindy**

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**From:** Vince Blubaugh [vblubaugh@gbmcassoc.com]  
**Sent:** Tuesday, August 26, 2008 9:00 AM  
**To:** Garner, Cindy  
**Cc:** John Carver  
**Subject:** RE: Re: FW: EDCC CAO

Cindy: Have you had the opportunity to look at this issue?

>>> "Garner, Cindy" <GARNER@adeq.state.ar.us> 8/13/2008 9:10 AM >>>

Vince,

I've been out of the office. I have the information sitting on my desk. I'll get to it as soon as I have the time and get back to you. Hopefully, in the next couple of days.

Cindy

-----Original Message-----

**From:** Vince Blubaugh [mailto:vblubaugh@gbmcassoc.com]  
**Sent:** Tuesday, August 12, 2008 8:52 AM  
**To:** Garner, Cindy  
**Subject:** Fwd: Re: FW: EDCC CAO

Cindy:

Have you had an opportunity to think about this?

>>> Vince Blubaugh 8/4/2008 3:43 PM >>>

Cindy:

Here is our rationale for looking at the report requirement of the old CAO and requesting a cessation of the quarterly reports.

1. The violations in the original CAO for Outfall 001 were for ammonia and nitrate. That was the focus of the improvements and the facility achieved compliance with those by the June 1, 2007 deadline in its current NPDES permit.

2. TDS was not a parameter listed for Outfall 001 under the old CAO. We are interpreting compliance being the outfalls and the parameters listed in the CAO. Those are the violations addressed in the old CAO.

3. Outfall 001 TDS concentrations for the last 6 discharge months (October 07 - June 08) are substantially less than limits based on the rulemaking which are contained in the new CAO. The highest concentration over that period of record has been 350 mg/L while the interim limits under the CAO are 1382 mg/L monthly average and 2072 mg/L daily maximum. The highest value for that timeframe is approximately 25 % of the monthly average limit and 17% of the daily maximum. Those interim limits are needed only because of the delays in the rulemaking process and the pipeline permit appeal issues which delayed the modification/renewal of EDCC's permit. Otherwise they would have a modified or renewed NPDES permit in place with either no TDS limits or limits identical to those in the new CAO with which the facility would be in compliance.

4. Outfall 002 has not discharged in quite a while and they do not anticipate it discharging. However, I do not see how an outfall with no discharge can be determined to be in non-compliance for the purpose of this request which is timeframe specific. In my opinion the test for compliance is whether permit limits are being met and a no discharge situation does that. They certainly are not violating the permit limits by **not** having a discharge.

Based on this information we would appreciate your reconsideration of the issue. We greatly appreciate your attention.

Vince

>>> "Garner, Cindy" [GARNER@adeq.state.ar.us](mailto:GARNER@adeq.state.ar.us) > 7/31/2008 3:56 PM >>

-----Original Message-----

**From:** Garner, Cindy  
**Sent:** Thursday, July 31, 2008 3:49 PM  
**To:** 'Vince Blubaugh'  
**Cc:** Drown, Steve  
**Subject:** RE: EDCC CAO

Vince,

9/4/2008

According to our records outfall 001 has been out of compliance with TDS March, April, May, and June, 2008. There has been no discharge from outfall 002 so I really don't believe that we can consider this as "In compliance". Outfall 003 has had no instances of non-compliance for at least the past year. Based on this information I don't believe that cessation of the reports is warranted with the exception of outfall 003.

Thank you,

Cindy

-----Original Message-----

**From:** Vince Blubaugh [mailto:vblubaugh@gbmcassoc.com]

**Sent:** Wednesday, July 30, 2008 11:30 AM

**To:** Garner, Cindy

**Subject:** RE: EDCC CAO

We are talking about CAO LIS 98-119. It looks to me that under Order and Agreement 2I (page 14) that only Outfalls 001, 002 and 003 were covered by the Order in terms of effluent limitations ( Findings of Facts 15 and 17 on page 9). So if those Outfalls are in compliance (which I believe they are) the facility would be in a position to request the cessation of the reports.

Let me know if that's your interpretation.

Thanks,

Vince

>>> "Garner, Cindy" <GARNER@adeq.state.ar.us> 7/30/2008 11:23 AM >>>

Vince,

I will check on compliance and let you know. I'll try to let you know before weeks end.

Cindy

-----Original Message-----

**From:** Vince Blubaugh [mailto:vblubaugh@gbmcassoc.com]

**Sent:** Wednesday, July 30, 2008 9:39 AM

**To:** Drown, Steve

**Cc:** Garner, Cindy

**Subject:** RE: EDCC CAO

Thanks. I will get with her on it.

>>> "Drown, Steve" <DROWN@adeq.state.ar.us> 7/30/2008 9:38 AM >>>

Vince,

Yes, Cindy would be the appropriate contact.

Steve

-----Original Message-----

**From:** Vince Blubaugh [mailto:vblubaugh@gbmcassoc.com]

**Sent:** Wednesday, July 30, 2008 8:45 AM

**To:** Drown, Steve

**Subject:** EDCC CAO

Steve:

The old CAO that EDCC is under has a provision in it that they can discontinue their quarterly reports at such time as certain outfalls have been in compliance for 6 consecutive months . We think they have met that requirement and would like the Water Division's concurrence before they discontinue sending them. Is Cindy Garner the right person to contact on that issue?

I trust things are going well with you.

ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY

9  
57,000. - JL  
ac-ab-dru

IN THE MATTER OF:

EL DORADO CHEMICAL COMPANY  
EL DORADO, ARKANSAS 71731-0231  
EPA ID No. ARD001700657  
NPDES PERMIT No. AR0000752

LIS 98-119

CONSENT ADMINISTRATIVE ORDER

This Consent Administrative Order (hereinafter "Order") is issued pursuant to the authority of the Arkansas Water and Air Pollution Control Act (Act 472 of 1949, as amended; A.C.A. § 8-4-101 et seq.), the Arkansas Hazardous Waste Management Act (Act 406 of 1979, as amended; A.C.A. §8-7-201 et seq.), the Arkansas Remedial Action Trust Fund Act, A.C.A. § 8-7-501 et seq. as amended, the Arkansas Pollution Control and Ecology Commission (hereinafter "APC&EC") Regulation 7: Civil Penalties, and APC&EC Regulation 23: Hazardous Waste Management (hereinafter "Regulation No. 23").

Pursuant to the authority of A.C.A. §8-4-207(1)(B), the Director of the Arkansas Department of Pollution Control & Ecology (hereinafter "ADPC&E") is authorized to set schedules of compliance for facilities permitted under the Arkansas Water Pollution Control Act necessary to assure compliance with both applicable state and federal effluent limitations.

Connection btw TDS  
and corr. axn?  
no

CAO LIS  
98-119

the effective date of this Order. However, there is no intent by the parties to duplicate the work required by CAO 95-070. Any work required by this Order which has already been accomplished by the Respondent may be deemed satisfaction of that requirement of this Order provided the requirement has been approved in writing by ADPC&E.

2. The Respondent shall complete a comprehensive evaluation of all plant processes which contribute to the wastewater and stormwater effluent and undertake a facility-wide wastewater evaluation and pollutant source control program and wastewater minimization program consisting of the following milestone components:

(a) The Respondent shall complete dye testing of the plant drain system to identify the sources of each effluent stream, and to characterize the volume and constituents of the influent streams.

(b) Upon completion of the source control activities, the Respondent shall characterize the flow and constituents of the various wastewater and stormwater streams and compare the results to applicable water quality criteria. At a minimum this characterization shall be in accordance with Attachment

"A." — Does this incl. TDS? no

(c) The Respondent is authorized to modify Stormwater Outfalls 006 through 009 for the purpose of reducing the number of sampling locations. Stormwater runoff from areas which drain to new Stormwater Outfalls 007, 008, and 009 may be redirected to existing Stormwater Outfall 006. The runoff will be rerouted along the railroad tracks, prior to commingling with non-industrial runoff. With this modification, stormwater discharges from the northern portions of the facility will drain to Stormwater Outfall 006. All other industrial runoff will be monitored at Stormwater Outfall 005.



CAO LIS  
98-119

ADPC&E to issue a draft NPDES permit. Due to the fact that there are several factors beyond ADPC&E's control regarding the issuance of a final permit, (i.e., public comments, facility comments, requests for hearing, etc.), ADPC&E cannot commit to issue a final NPDES permit. ADPC&E shall follow the procedures outlined in APC&EC Regulation 8 and shall make every effort to expedite the process where possible. However, it is contemplated that it will take approximately 60 days from the date of issuance of a draft NPDES permit to issue a final NPDES permit for this facility.

(i) The Respondent shall submit final design plans for the additional wastewater treatment component(s) to ADPC&E for approval on or before August 1, 2000. The final design shall include plans to either line Lake Lee to meet a hydraulic conductivity standard of  $1.0 \times 10^{-7}$  cm/sec or to close Lake Lee within 180 days after the substitute treatment/neutralization system is in place.

(j) The Respondent shall construct and have operational the additional treatment system component(s) on or before August 1, 2001.

(k) The Respondent shall be in compliance with final effluent limits of the applicable NPDES permit on or before February 1, 2002.

(l) The Respondent shall submit quarterly reports of its progress in completing this project to the NPDES Enforcement Section of the Water Division. The first report shall be due on or before July 15, 1998, and subsequent reports shall be due on or before the 15th day of the month following the end of each subsequent calendar quarter until the Respondent has achieved compliance with the final effluent limits for six (6) consecutive months. The quarterly reports shall identify the work completed

during the prior quarter and the results achieved, the work planned for the coming quarter, and a projected schedule for completion of the project.

3. Until final agency decision regarding the issuance of the revised NPDES permit, the Respondent shall comply with the terms and conditions of the NPDES permit which became effective July 1, 1990.

4. The Respondent shall implement Interim Measures designed to reduce the concentration of nitrates in the shallow groundwater. Such Interim Measures shall consist of the following:

(a) Implementation of the pollutant source control, wastewater minimization and enhanced wastewater treatment measures required by Paragraph 2 of the Order and Agreement; and

(b) In situ bioremediation in the existing groundwater monitoring wells which have exhibited nitrate concentrations in excess of 10 mg/L.

The Respondent shall submit a work plan within sixty (60) days of the effective date of this Order for in situ bioremediation for all the existing groundwater monitoring wells which have exhibited nitrate concentrations in excess of 10 mg/L. This work plan shall include a description of activities, including a schedule of significant dates for initiation of bioremediation, sampling the groundwater and submission of the sample analysis to ADPC&E, and preparation of annual reports evaluating the effectiveness of the Interim Measure. Respondent shall implement the work plan upon receiving written approval from ADPC&E, and shall continue bioremediation activities until the nitrate concentration is less than 10 mg/L, or for twelve (12) months after completion of the wastewater improvements required by Paragraph 2 of the Order and

CAO  
LIS 98-116

## ATTACHMENT "A"

### **Outfall 001-treated process streams:**

Monitor and report quarterly for:

Cadmium, Total\*  
Chromium, Hex\*  
Copper, Total\*  
Lead, Total\*  
Mercury, Total\*  
Nickel, Total\*  
Selenium, Total\*  
Silver, Total\*  
Zinc, Total\*  
Cyanide\*  
Chloride

### **Outfall 004-stormwater from ammonium nitrate area:**

Monitor and report quarterly for:

Nitrate Nitrogen  
Cadmium, Total\*  
Chromium, Hex\*  
Copper, Total\*  
Lead, Total\*  
Mercury, Total\*  
Nickel, Total\*  
Selenium, Total\*  
Silver, Total\*  
Zinc, Total\*  
Cyanide\*  
Chlorides  
Sulfates

Acute Biomonitoring (follow requirements of general permit ARR00A000, Part 5.C.1 and 2)

**All other outfalls which include stormwater:**

At least three (3) representative samples during the conditions necessary to perform the waste characterization and at a minimum monitor for:

Ammonia Nitrogen  
Nitrate Nitrogen  
Cadmium, Total\*  
Chromium, Hex\*  
Copper, Total\*  
Lead, Total\*  
Mercury, Total\*  
Nickel, Total\*  
Selenium, Total\*  
Silver, Total\*  
Zinc, Total\*  
Cyanide\*  
Chlorides  
Sulfates

Acute Biomonitoring (follow requirements of general permit ARR00A000, Part 5.C.1 and 2.)

**Influent to Lake Killdeer:**

At least two (2) representative samples during the conditions necessary to perform the waste characterization and at a minimum monitor for:

pH  
Ammonia Nitrogen  
Nitrate Nitrogen  
Cadmium, Total\*  
Chromium, Hex\*  
Copper, Total\*  
Lead, Total\*  
Mercury, Total\*  
Nickel, Total\*  
Selenium, Total\*  
Silver, Total\*  
Zinc, Total\*  
Cyanide\*  
Chloride  
Sulfates

Chronic Biomonitoring (follow requirements of Part III, Section 8 of NPDES Permit No. AR000752)

- \* If any individual analytical test results is less than the minimum quantification level (MQL) listed below, a value of zero (0) may be used for that individual result for the Discharge Monitoring report (DMR) calculations and reporting requirements.

Pollutant	EPA Method	MQL (µg/l)
Cadmium	213.2	1
Chromium H	218.4	10
Copper	220.2	10
Lead	239.2	5
Mercury	245.1	0.2
Nickel	200.7	40
Selenium	270.2	5
Silver	272.2	2
Zinc	200.7	20
Cyanide	335.2	10

The permittee may develop a matrix specific method detection limit (MDL) in accordance with Appendix B of 40 CFR Part 136. For any pollutant for which the permittee determines a site specific MDL, the permittee shall send to ADPC&E, NPDES Permits Branch, a report containing QA/QC documentation, analytical results, and calculations necessary to demonstrate that a site specific MDL was correctly calculated. A site specific minimum quantification level (MQL) shall be determined in accordance with the following calculation:

$$\text{MQL} = 3.3 \times \text{MDL}$$

Upon written approval by the NPDES Permits Branch, the site specific MQL may be utilized by the permittee for all future Discharge Monitoring Report (DMR) calculations and reporting requirements.



ARKANSAS  
Department of Environmental Quality

September 15, 2008

Greg Withrow, Plant Manager  
El Dorado Chemical Company, Inc.  
P.O. Box 231  
El Dorado,, AR 71731

RE: Compliance Inspection

AFIN: 70-00040

NPDES Permit No.: AR0000752

Dear Mr. Withrow:

On 9/12/2008, I performed an inspection of the El Dorado Chemical Company, Inc. facility in response to a complaint. The complaint alleged that the facility had pumped excess storm water into a warehouse basement onsite. This inspection was performed in accordance with the provisions of the Federal Clean Water Act, the Arkansas Water and Air Pollution Control Act, and the regulations promulgated there under. This inspection revealed the following:

**The facility had two unpermitted discharges from the 004 storm water collection area due to heavy rainfall within the last month, both of which were reported. Because of the excess storm water, the facility had pumped around 6.2 million gallons of storm water into the "Gas Engine Building's" basement to prevent further unpermitted discharges from the 004 storm water containment area.**

The above item requires your immediate attention. Please submit a written response to these findings to the Water Division Enforcement Section of this Department at the following address:

Water Division Enforcement Section  
Arkansas Department of Environmental Quality  
5301 Northshore Drive  
North Little Rock, AR 72118-5317


Since the facility has had two unpermitted discharges within the last month from the 004 storm water containment area due to excessive rain, (both of which were reported), this response should contain a Corrective Action Plan (CAP). This CAP should describe in detail the course of action taken to eliminate future unpermitted discharges from the 004 storm water collection area as well as written documentation on the future use or treatment of the water in the basement of the Gas Engine Building. This corrective action should be completed as soon as possible, and the written response is due by October 06, 2008.

Page 2

For additional information you may contact the enforcement section by telephone at 501-682-0639 or by fax at 501-682-0910.

If I can be of any assistance, please contact me at 870-862-0680.

Sincerely,

A handwritten signature in black ink that reads "John W. Lamb". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

John W. Lamb  
District 8 Field Inspector  
Water Division

cc: Water Division Enforcement Branch  
Water Division Permits Branch



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Washington, D.C. 20460

## NPDES Compliance Inspection Report

Form Approved  
OMB No. 2040-0003

### Section A: National Data System Coding

Transaction Code	NPDES	Yr/Mo/Day	Inspec. Type	Inspector	Fac. Type				
1 <input type="text" value="N"/> 2 <input type="text" value="5"/> 3 <input type="text" value="A"/> <input type="text" value="R"/> <input type="text" value="0"/> <input type="text" value="0"/> <input type="text" value="0"/> <input type="text" value="0"/> <input type="text" value="7"/> <input type="text" value="5"/> <input type="text" value="2"/> 11 <input type="text" value="0"/> <input type="text" value="8"/> <input type="text" value="0"/> <input type="text" value="9"/> <input type="text" value="1"/> <input type="text" value="2"/> 17 <input type="text" value="R"/> 19 <input type="text" value="S"/> 20 <input type="text" value="2"/>	Remarks								
Inspection Work Days		Facility Evaluation Rating		BI		QA		Reserved	
67 <input type="text"/> <input type="text"/> <input type="text"/> 69		70 <input type="text" value="N"/>		71 <input type="text" value="N"/> 72 <input type="text" value="N"/>		73 <input type="text"/> <input type="text"/> <input type="text"/>		74 <input type="text"/> <input type="text"/> <input type="text"/> 75 <input type="text"/> <input type="text"/> <input type="text"/> 80	

### Section B: Facility Data

Name and Location of Facility Inspected ( <i>For industrial users discharging to POTW, also include POTW name and NPDES permit number</i> ) <b>El Dorado Chemical Company, Inc.</b> <b>4500 Northwest Ave.</b> <b>El Dorado, AR</b>	Entry Time/Date <b>15:05/9/12/2008</b>	Permit Effective Date <b>7/1/2002</b>
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) <b>Brent Parker, Environmental Coordinator, 870-863-1400</b> <b>David Sartain, Environmental Coordinator, 870-863-1400</b>	Exit Time/Date <b>16:38 /9/12/2008</b>	Permit Expiration Date <b>6/30/2007</b>
Name, Address of Responsible Official/Title/Phone and Fax Number <b>Greg Withrow, Plant Manager 870-863-1400</b> <b>El Dorado Chemical Company, Inc.</b> <b>P.O. Box 231</b> <b>El Dorado,, AR 71731</b>	Contacted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Other Facility Data

### Section C: Areas Evaluated During Inspection

(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

M	Permit	N	Flow Measurement	M	Operations & Maintenance	N	Sampling
N	Records/Reports	N	Self-Monitoring Program	N	Sludge Handling/Disposal	N	Pollution Prevention
M	Facility Site Review	N	Compliance Schedules	N	Pretreatment	N	Multimedia
N	Effluent/Receiving Waters	N	Laboratory	M	Storm Water		Other:

### Section D: Summary of Findings/Comments (Attach additional sheets if necessary)

See below for further details.

Name(s) and Signature(s) of Inspector(s)  John W. Lamb	Agency/Office/Telephone/Fax Arkansas Department of Environmental Quality 3400 West. Hillsboro, El Dorado, AR 71730 870-862-0680/ Fax 870-862-3509	Date <b>15 September 2008</b>
Signature of Reviewer	Agency/Office/Phone and Fax Numbers	Date



## NPDES Compliance Inspection Report Further Explanation

This inspection was performed in response to a complaint which alleged that the facility had pumped water into a basement at the facility due to excessive rain and this water was still there.

On the date of the inspection, I met with Mr. David Sartain of EDCC. I informed him of the complaint. He stated that the facility had indeed pumped water from the 004 Storm Water Collection Area into the basement of the “Gas Engine Building”. This was done because of the extremely heavy rainfall that the area has been receiving to try and prevent an unpermitted discharge of the 004 Storm Water Collection Area. (The facility has reported two unpermitted discharges from the 004 collection area within the last month.) According to Mr. Sartain, the pumping to the basement gave them some added capacity in collection area to hold more of the anticipated rainfall.

Mr. Sartain showed me the 004 containment area which consist a long collection basin which collects storm water from the Southwest side of the facility, including parts of the prill plant area. The collection area has a pump which normally pumps the storm water back to the prill plant to be used as makeup water. The collection area also has a diesel pump for standby use. Excess storm water overflows to “Lake Lee” which is part of the facility’s wastewater treatment facility. The wastewater from “Lake Lee” discharges to “Lake Killdeer” thence thru NPDES Outfall 001. Excess water in “Lake Lee” can also be discharged thru NPDES Outfall 002.

According to Mr. Sartain, during the unpermitted discharges from the 004 Collection area, the facility was discharging at capacity from “Lake Lee” to both “Lake Killdeer” and also thru Outfall 002. When the collection area could not be discharged thru a permitted outfall fast enough to keep up with the rain event, the 004 collection area overflowed resulting in an unpermitted discharge. This happened twice, both time were reported to the ADEQ and the NRC.

Mr. Sartain next showed me the Gas Engine Building. According to Mr. Sartain, this building is approximately 120,000 square feet and has a concrete basement under the entire building and the facility has pumped approximately 6.2 million gallons of storm water from the 004 collection area into the basement. The basement varies in depth, but the average depth of water was around 8.5 feet deep, according to EDCC estimates. The Gas Engine Building once housed large gas engines used to manufacture ammonia, but they have long been removed and the building is use as a parts storage area.

According to Mr. Sartain, the facility plans on pumping the storm water from the basement back to the 004 containment area once the water is needed in the prill plant for makeup water or sending the water thru the wastewater treatment process (Lake Lee) at a metered rate as not to upset the WWTP operations. Due to continued rainfall and threatened rain the facility has not been able to pump the water to either place.

Since the facility has had two unpermitted discharges from the 004 containment area within the last month, the facility should submit a Corrective Action Plan to ADEQ to address plans to eliminate these discharges.

<b>Water Division NPDES Photographic Evidence Sheet</b>							
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<b>Location:</b>	El Dorado Chemical Company, Inc.						
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<b>Photographer:</b>	John W. Lamb	<b>Witness:</b>	None			
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<b>Photo #</b>	1	<b>Of</b>	5	<b>Date:</b>	12 Sept 2008	<b>Time:</b>	15:38
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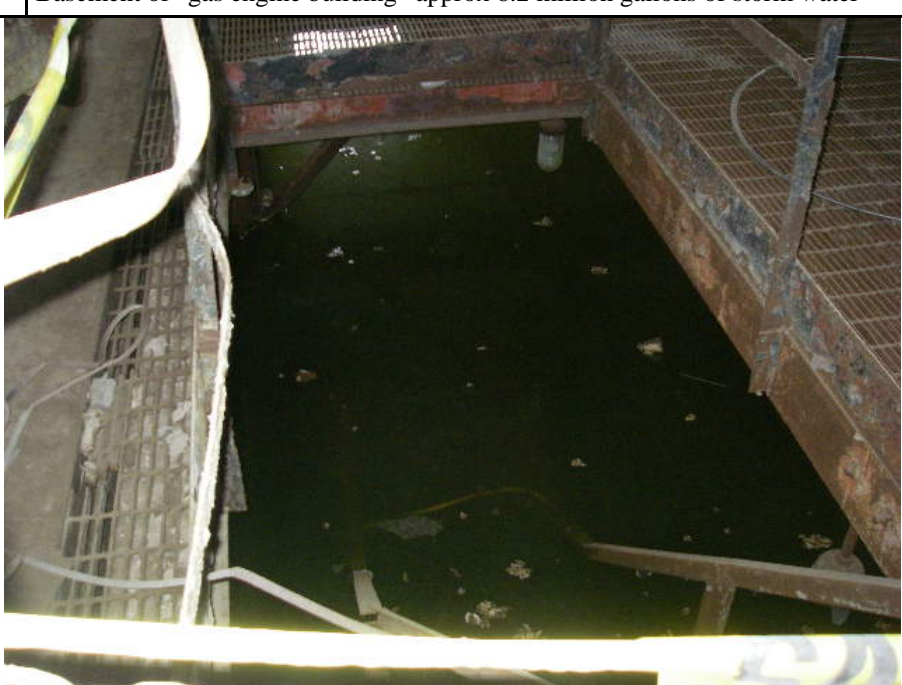
<b>Description:</b>	Inside the "gas engine building" used only as a warehouse						
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<b>Photographer:</b>	John W. Lamb	<b>Witness:</b>	None			
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<b>Photo #</b>	2	<b>Of</b>	5	<b>Date:</b>	12 Sept 2008	<b>Time:</b>	15:39
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<b>Description:</b>	Basement of "gas engine building" approx 6.2 million gallons of storm water						
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**Water Division NPDES Photographic Evidence Sheet**

**Location:** El Dorado Chemical Company, Inc.

**Photographer:** John W. Lamb      **Witness:** None

**Photo #** 3    **Of** 5      **Date:** 12 Sept 2008    **Time:** 15:26

**Description:** Pump at the 004 area which pumps back to prill plant for reuse



**Photographer:** John W. Lamb      **Witness:** None

**Photo #** 4    **Of** 5      **Date:** 12 Sept 2008    **Time:** 15:26

**Description:** Backup pump at 004 area used to pump storm water back to prill plant, containment area near capacity.



<b>Water Division NPDES Photographic Evidence Sheet</b>
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<b>Location:</b>	El Dorado Chemical Company, Inc.
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<b>Photographer:</b>	John W. Lamb	<b>Witness:</b>	None
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<b>Photo #</b>	5	<b>Of</b>	5	<b>Date:</b>	12 Sept 2008	<b>Time:</b>	15:27
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<b>Description:</b>	This is the location of the overflows from area 004. (These overflows were reported)
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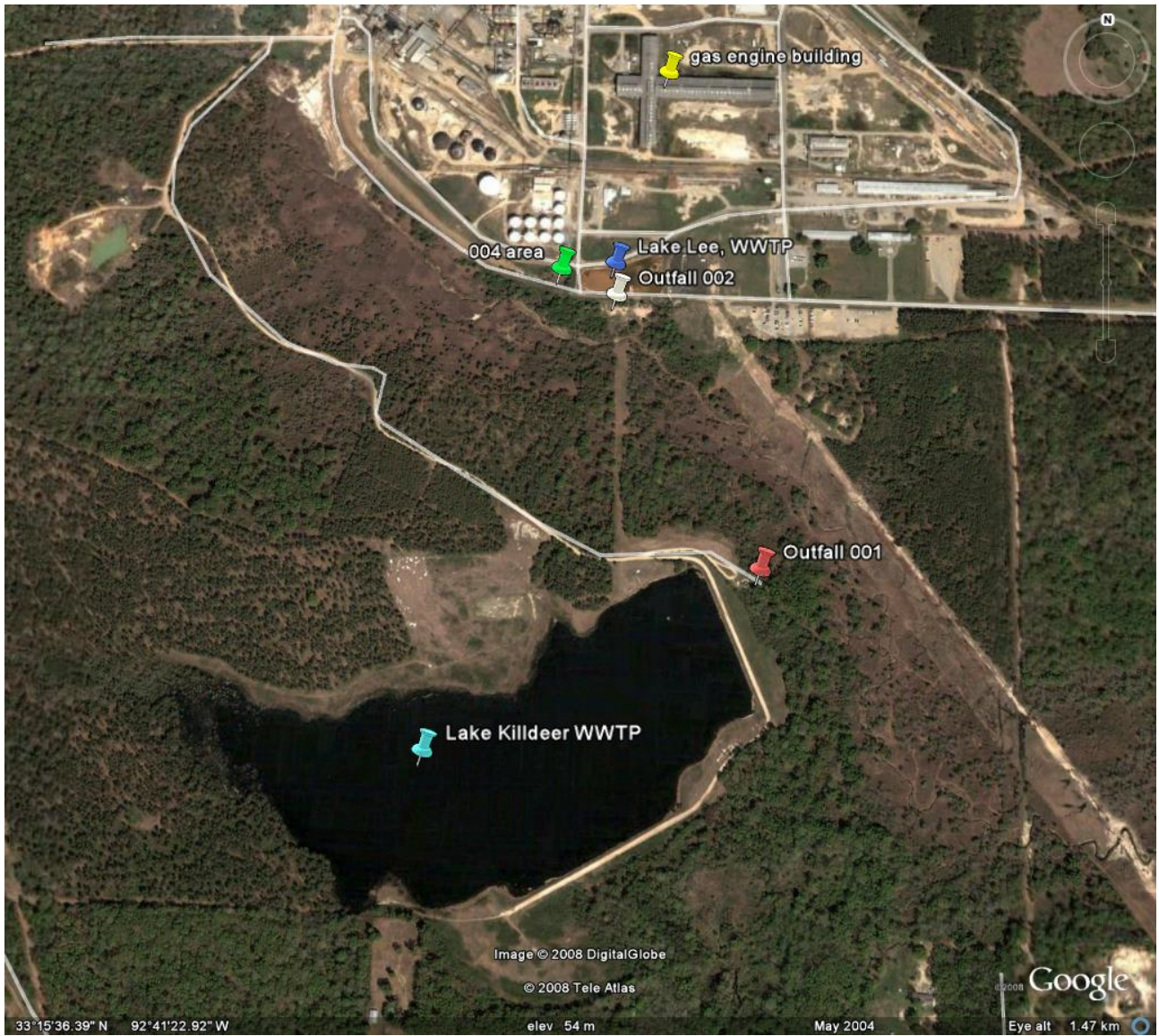


<b>Photographer:</b>		<b>Witness:</b>	
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<b>Photo #</b>		<b>Of</b>		<b>Date:</b>		<b>Time:</b>	
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<b>Description:</b>	
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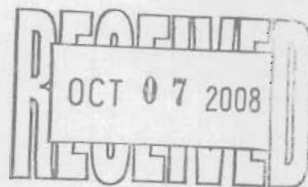




CHEMICAL COMPANY

October 6, 2008

Ms. Cindy Garner  
Water Division Enforcement Section  
Arkansas Department of Environmental Quality  
5301 Northshore Drive  
North Little Rock, AR 72118-5317



Re: El Dorado Chemical Company  
Response to Compliance Inspection 9-12-08; NPDES Permit No. AR0000752

Dear Ms. Garner:

This letter serves as the written response requested by Mr. Lamb's Compliance Inspection letter dated September 15, 2008. We greatly appreciate the opportunity to provide background information regarding the situation and our proposed Corrective Action Plan (CAP).

### **Background Information**

As you may be aware, south central Arkansas received a tremendous amount of rain during the time period of August 11 – September 4, 2008. The El Dorado Chemical Company (EDCC) plant site was no exception and during that period it received over 19 inches of rain, with almost 8 inches falling over the three day period of September 2 – 4, 2008 in relation to Hurricane Gustav. The amount of rainfall received for that 25 day period represents approximately 38% of the historical average yearly rainfall for the location.

This excessive rainfall resulted in EDCC notifying ADEQ of two discharge events of storm water from the drainage area on the south side of the plant site which was related to the former location of Outfall 004. In the normal course of operations, the storm water from this drainage area is directed for recycling in our manufacturing operations or directed to the "Day Pond" which is the pretreatment unit for our overall wastewater treatment system. However, during these excessive rainfall events, this simply was not possible due to the overwhelming volume of storm water.

In addition, as described in the compliance letter, in order to minimize the quantity of storm water discharging, the site pumped storm water into the basement of the Gas Engine Building. We intended to retain the storm water at that location until such time as

it could be directed to manufacturing use or to the Day Pond once storm water flow conditions were normalized at the plant site.

### **Corrective Action Plan**

In order to minimize the possibility of future discharges from the south side drainage area, we are proposing to make site grading changes in such a manner so that storm water from that area will be diverted by gravity to the Day Pond. There, dependent on the volume received, it will proceed to Lake Killdeer for further treatment or be discharged through NPDES permitted Outfall 002.

The specifics of the site grading changes are as follows:

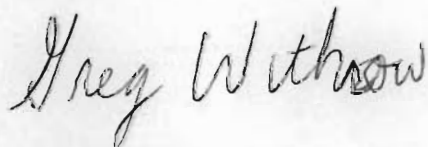
EDCC will raise a 250 foot long by 10 foot wide section of the south side storm water drainage area a total of 18 inches. The section of the levee that is being raised is the area where the two discharges occurred. By raising this portion of the levee 18 inches, the storm water will gravity flow to the day pond. (Please see enclosed drawings)

We anticipate initiating the south side drainage area grading project in October of 2008 and completing it within 90 days.

In addition, we will pump the water accumulated in the Gas Engine Building to our manufacturing process or to the Day Pond as quickly as practical depending on factors such as rainfall.

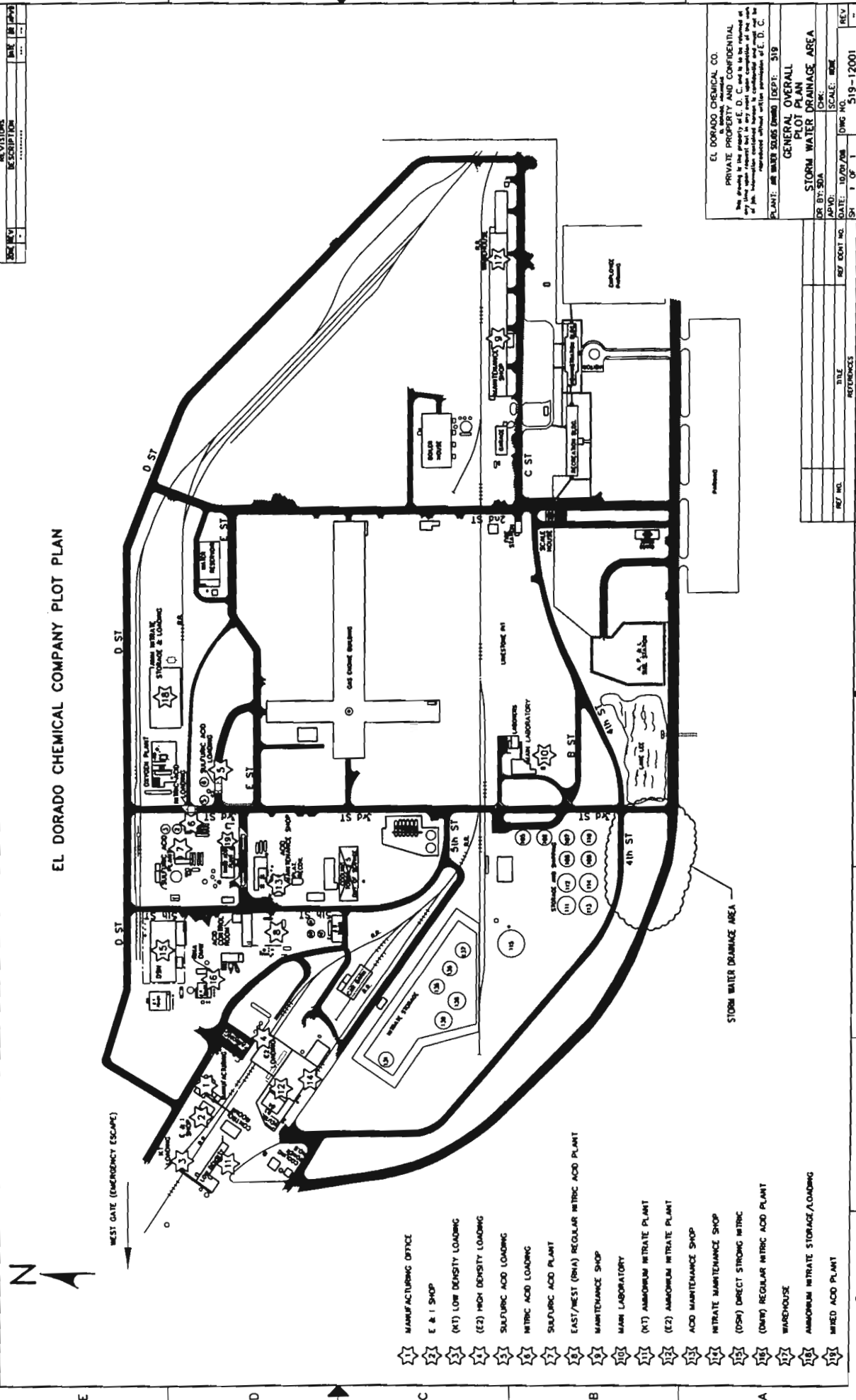
Hopefully this letter has clearly explained the circumstances leading up to these atypical discharges and our intended actions to minimize the possibility of reoccurrence. If you have any questions or concerns, do not hesitate to contact me.

Sincerely

A handwritten signature in cursive script that reads "Greg Withrow". The signature is written in dark ink and is positioned above the printed name.

Greg Withrow

# EL DORADO CHEMICAL COMPANY PLOT PLAN



- 1 MANUFACTURING OFFICE
- 2 E & I SHOP
- 3 (N1) LOW DENSITY LOADING
- 4 (E2) HIGH DENSITY LOADING
- 5 SULFURIC ACID LOADING
- 6 NITRIC ACID LOADING
- 7 SULFURIC ACID PLANT
- 8 EAST/WEST (SHA) REGULAR NITRIC ACID PLANT
- 9 MAINTENANCE SHOP
- 10 MAIN LABORATORY
- 11 (N1) AMMONIUM NITRATE PLANT
- 12 (E2) AMMONIUM NITRATE PLANT
- 13 ACID MAINTENANCE SHOP
- 14 NITRATE MAINTENANCE SHOP
- 15 (OSH) DIRECT STRONG NITRIC
- 16 (OSH) REGULAR NITRIC ACID PLANT
- 17 WAREHOUSE
- 18 AMMONIUM NITRATE STORAGE/LOADING
- 19 MIXED ACID PLANT

EL DORADO CHEMICAL CO.  
 PRIVATE PROPERTY AND CONFIDENTIAL  
 This drawing is the property of E. D. C. and is to be returned at the time of completion of the work. Any unauthorized reproduction or use of this drawing without written permission of E. D. C. is prohibited.

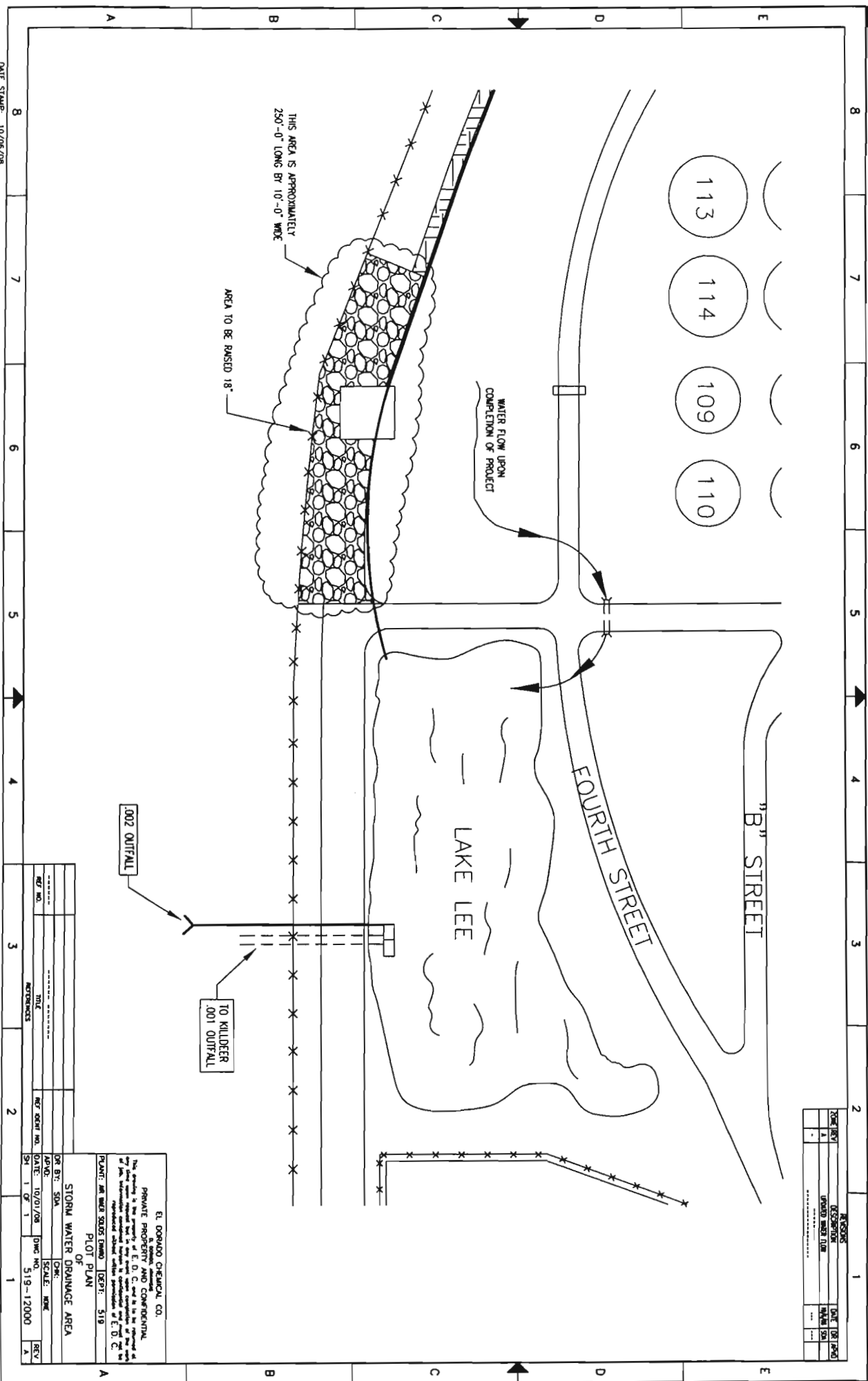
PLANT: AMMONIUM NITRATE DEPT: 519  
 GENERAL OVERALL  
 PLOT PLAN  
 STORM WATER DRAINAGE AREA

DR BY: SDA  
 APVD: [Signature]  
 DATE: 10/01/08  
 SCALE: AS SHOWN  
 SHEET NO. 1 OF 1  
 DWG NO. 519-12001  
 REV

REV NO.	REV DATE	REV BY	REV DESCRIPTION



NO.	DATE	DESCRIPTION
1	10/01/08	ISSUED FOR PERMITS
2		
3		



THIS AREA IS APPROXIMATELY  
250'-0" LONG BY 10'-0" WIDE

AREA TO BE RASSED 18"

WATER FLOW UPON  
COMPLETION OF PROJECT

.002 OUTFALL

TO KILLDEER  
.001 OUTFALL

EL DORADO CHEMICAL CO.  
PRIVATE PROPERTY  
This drawing is the property of E. D. Clark & Co. and is to be returned to them upon request. No part of this drawing may be reproduced without the written permission of E. D. Clark & Co.

PLANT: 481 519-12000 [SEPT: 519]

STORM WATER DRAINAGE AREA  
PLOT PLAN

DR. BY: SDA  
DATE: 10/01/08  
SCALE: 1"=100'

REV	DATE	DESCRIPTION
1	10/01/08	ISSUED FOR PERMITS

DATE STAMP: 10/06/08

SUB DIR \ 519

FILE NAME: 51912000

# ADEQ

A R K A N S A S  
Department of Environmental Quality

October 20, 2008

Greg Withrow  
El Dorado Chemical Company  
4500 Northwest Ave.  
El Dorado, AR 71730

RE: NPDES Permit AR0000752, AFIN 70-00040  
**Response to Compliance Inspection of 9/12/08**

Dear Mr. Withrow:

ADEQ has received your response to the recent inspection of your facility by our District Field Inspector, John Lamb. Your letter appears to adequately address the discrepancies identified during the visit. Keep in mind, however, that should EDCC disturb more than one acre in making the site grading changes, it will need to comply with ADEQ's stormwater construction permitting requirements.

ADEQ will keep the inspection and response on file. We will consider the inspection and response as required by Pollution Control and Ecology Commission Regulation No. 7, Civil Penalties. This regulation requires ADEQ to consider the past compliance history of your company and how expeditiously the violations were addressed, in determining any civil penalty that may be necessary for any violations.

Thank you for your attention to this matter. If we need further information, we will contact you. Should you have any questions, feel free to contact me by phone at 501-682-0632 or e-mail at [robertsa@adeq.state.ar.us](mailto:robertsa@adeq.state.ar.us). In any written correspondence to this Department, please refer to NPDES Permit AR0000752.

Sincerely,



Anne Roberts  
Enforcement Administrator  
Water Enforcement Section

041442

219 Brown Lane

Bryant, AR 72022

(501) 847-7077

(501) 847-7943 fax



October 30, 2008

70-00040  
ORIGINAL DUE DATE 10/6/08

Ms. Cindy Garner  
Water Division Enforcement Section  
Arkansas Department of Environmental Quality  
5301 Northshore Drive  
North Little Rock, AR 72118-5317

Re: El Dorado Chemical Company, Inc.  
Regulatory Analysis of the Corrective Action Plan  
NPDES Permit No. AR0000752  
GBMc No. 2042-99-010

Dear Ms. Garner:

Subsequent to your phone conversation with Mr. Withrow of El Dorado Chemical Company (EDCC), he directed us to conduct a regulatory assessment of the site grading changes to the south side drainage area as discussed in his letter to you dated October 6, 2008. The purpose of this letter is to provide documentation concerning the regulatory status of the proposed raising of the levee related to the south side drainage area.

In our regulatory determination we looked at whether the requirements for a State Wastewater Treatment Construction Permit would be applicable and/or whether the activity would fall under the Arkansas General Permit for Storm Water Associated with Construction Activities. Based upon our assessment of the situation we determined that neither was applicable as discussed in the following sections.

#### **State Wastewater Treatment Construction Permit**

As the grading change to the south side drainage area does not constitute a change or addition to EDCC's wastewater treatment system we determined that no State Wastewater Treatment Construction permit is required prior to raising the levee. The project is designed only to effectuate the flow of storm water from an existing source (the south side drainage area) during high flow events.

#### **Arkansas General Permit for Storm Water Associated with Construction Activities**

As discussed in Mr. Withrow's letter to you, EDCC will be disturbing a 250 foot long by 10 foot wide portion of the levee which equates to the disturbance of .057 acre of surface area. Due to the small amount of disturbed area involved, this permit does not apply as it becomes effective when construction activities disturb an area of greater than one acre.

Ms. Cindy Garner  
October 30, 2008  
Page 2

Even though there are no regulatory mandates, we have recommended to EDCC that best management practices be implemented throughout the project to minimize any potential impacts from the raising of the levee.

Hopefully this letter has adequately addressed any questions you may have in regards to the grading of the south side drainage area as proposed in the CAP. If not, do not hesitate to contact me or Russell McLaren at (501) 847-7077.

Sincerely,  
GBMC & ASSOCIATES



Vince Blubaugh  
Principal

original due date 10/6/08

041442

70-00040

4500 NORTH WEST AVE. • P. O. BOX 231 • EL DORADO, AR 71731 • (870) 863-1400

EL DORADO

CHEMICAL COMPANY

January 15, 2009

Ms. Cindy Garner  
Water Division Enforcement Section  
Arkansas Department of Environmental Quality  
5301 Northshore Drive  
North Little Rock, AR 72118-5317

RECEIVED  
JAN 16 2008

Re: El Dorado Chemical Company  
Response to Compliance Inspection - NPDES Permit No. AR0000752

Dear Ms. Garner:

On October 6, 2008, El Dorado Chemical Company (EDCC) submitted a Corrective Action Plan in response to Mr. John Lamb's Compliance Inspection letter dated September 15, 2008. This letter is to inform the Arkansas Department of Environmental Quality that all actions of the submitted Corrective Action Plan have been completed.

EDCC has raised the levee at the south side storm water drainage area where the two discharges occurred. A 275 foot long by 11 foot wide section of the levee has been raised. By making the grading changes storm water from this area will be diverted by gravity to the EDCC day pond. It will then proceed to Lake Killdeer for further treatment or be discharged through NPDES permitted Outfall 002. (Please see attached photo)

The excess storm water that was accumulated in the Gas Engine Building is being closely monitored and sent to our Day Pond.

Thank you for your attention to this matter. Should you have any questions or concerns, do not hesitate to contact me at (870) 863-1400.

Sincerely

*Gregory Withrow*

Greg Withrow

RECEIVED  
JAN 16 2008

# EDCC South Side Storm Water Drainage Area

(Before grading changes)



RECEIVED  
JAN 16 2008

# EDCC South Side Storm Water Drainage Area

(After grading changes)



# ADEQ

A R K A N S A S  
Department of Environmental Quality

January 30, 2009

Gregory Withrow  
El Dorado Chemical Co.  
P.O. Box 231  
El Dorado, AR 71731

RE: NPDES Permit: AR0000752, AFIN 70-00040  
Response to Inspection

Dear Mr. Withrow:

The Department has received your response to the September 15, 2008 inspection of your facility by our District Field Inspector, John Lamb. Your letter appears to adequately address the discrepancies identified during the visit. The Department assumes the corrective actions taken will be maintained to ensure consistent compliance with the requirements of the permit. Acceptance of this response by the Department does not preclude any future enforcement action deemed necessary at this site or any other site.

The Department will keep the inspection and response on file. If future violations occur that require enforcement action, the Department will consider the inspection and response as required by the Pollution Control and Ecology Commission Regulation No. 7, Civil Penalties. This regulation requires the Department to consider the past history of your company and how expeditiously the violations were addressed in determining any civil penalty that may be necessary for any future violations.

If we need further information concerning this matter, we will contact you. Thank you for your attention to this matter. Should you have any questions, feel free to contact me at 501-682-0667 or you may e-mail me at [blaket@adeq.state.ar.us](mailto:blaket@adeq.state.ar.us).

Sincerely,



Tracey Blake  
Enforcement Administrator  
Water Division