



September 26, 2018

CERTIFIED MAIL: 9489009000276022240673

Delmar Reppond, General Mgr.
El Dorado Chemical Company
P.O. Box 1414
El Dorado, Arkansas 71731

Email: dreppond@edc-ark.com

**RE: NPDES Permit Number AR0000752, AFIN 70-00040
PROPOSED CONSENT ADMINISTRATIVE ORDER**

Mr. Reppond:

Attached is a proposed Consent Administrative Order (CAO) for violations of the Arkansas Water and Air Pollution Control Act, Ark. Code Ann. § 8-4-201 et seq., at a site located at 4500 North West Avenue, El Dorado, Arkansas. The Arkansas Department of Environmental Quality (ADEQ) has determined that this CAO is necessary to ensure compliance with the Act.

The enclosed CAO enumerates the violation in the "Findings of Fact" section, and outlines the steps required to achieve compliance in the "Order and Agreement" section of the CAO. Additionally, a civil penalty in the amount of One Hundred Twenty Four Thousand Dollars (\$124,000.00) is proposed by ADEQ to settle the violations outlined in this CAO. If you choose to accept the terms of the CAO, please sign, date, and **return the original, embossed copy** to the address below within **twenty (20) calendar days** of receipt of this letter. Subsequently, the Director of ADEQ will sign the CAO and you will be provided a copy, including information on the public notice process and the effective date of the CAO.

In addition, you may have the option of directing a portion of your penalty toward a Supplemental Environmental Project (SEP) to advance environmental interests. Generally a SEP will not reduce the recommended administrative civil penalty by more than thirty-five percent (35%); however, the ADEQ Director has the final authority to establish the level of mitigation of a penalty. If you are interested in a SEP as part of your negotiated settlement, please refer to ADEQ's SEP Policy and Proposal Guidelines at <http://www.state.ar.us/legal/sep.htm> for additional information.

Failure to contact the ADEQ Water Division Enforcement Branch in response to this CAO within **twenty (20) calendar days** of receipt of this letter will constitute rejection of the settlement offer and unilateral enforcement action may proceed through a Notice of Violation (NOV). Should you wish to discuss this matter further, or schedule a meeting, you may contact me at (501) 682-0664, or via e-mail pemberton@adeq.state.ar.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Layne Pemberton". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Layne Pemberton
Enforcement Analyst
Office of Water Quality, Enforcement Branch

CC: David Sartain, Env. Manager (dsartain@edc-ark.com)
Basil Hicks, ADEQ Attorney (hicks@adeq.state.ar.us)