

# ADEQ

ARKANSAS  
Department of Environmental Quality

January 15, 2008

**CERTIFIED MAIL: RETURN RECEIPT REQUESTED (7005 1160 0000 3832 5924)**

Dan Peterson  
Ash Grove Cement Company  
P.O. Box 130  
Foreman, AR 71836

Re: State Construction Permit Number AR0042846C

Dear Mr. Peterson:

Enclosed is the public notice, Statement of Basis, and a copy of the draft construction permit that the Arkansas Department of Environmental Quality has prepared, as required by Act 163 of 1993.

All draft construction permits prepared by this Department must complete a 30 day public notice period. The enclosed public notice will be published by ADEQ in a newspaper of general circulation. Act 163 of 1993 requires the permit applicant to bear the expense of the notice's publication. Therefore, an invoice for the cost of publishing the public notice and proof of publication will be sent to you by the advertising newspaper. The permittee must send proof of publication and payment to:

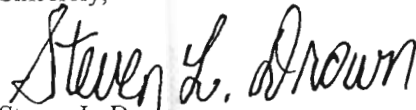
Arkansas Department of Environmental Quality  
NPDES-Water Division  
5301 Northshore Drive  
North Little Rock, AR 72118-5317  
501-682-0622 Fax: 501-682-0910

Until this Department receives proof of publication of the public notice, no further action will be taken on the issuance of your construction permit.

Comments must be received at ADEQ prior to the close of the public comment period as shown in the enclosed public notice. Under the provisions of Act 163, all persons, including applicants, who believe any condition of a draft permit is inappropriate must raise all reasonably ascertainable issues and submit all reasonably available arguments supporting their position by the close of the public comment period.

Should you have any questions concerning any part of the draft permit, please contact the Arkansas Department of Environmental Quality, NPDES Branch, at (501) 682-0622.

Sincerely,



Steven L. Drown  
Chief, Water Division

SD:ag

Enclosure

NPDES PERMIT FILE  
NPDES # AR0042846C  
AFIN # 41-00001  
Permit PN  
Correspondence  
Technical Backup  
Date Scanned  
11/9/08 vH

**PUBLIC NOTICE OF DRAFT CONSTRUCTION PERMIT  
CONSTRUCTION PERMIT NUMBER AR0042846C, AFIN 41-00001**

January 15, 2008

This is to give notice that Permits Branch of Water Division of the Arkansas Department of Environmental Quality (ADEQ), 5301 Northshore Drive, North Little Rock, Arkansas 72118-5317 at telephone number (501) 682-0622, proposes a draft construction permit for which an application was received on 10/9/2007 in accordance with Regulation No. 6.

Applicant: Ash Grove Cement Company. Location: 4457 Highway 108W, Foreman, AR 71836, approximately two miles southwest of Foreman, AR on Highway 108 West.; Latitude: 33° 41' 45.16"; Longitude: 94° 25' 24.06" in Little River County, Arkansas.

The discharge from this existing facility is made through Internal Outfall 003B (new) to the process pond and eventually through External Outfall 003 (existing) to an unnamed tributary of French Creek, thence to French Creek, thence to Walnut Bayou, and thence to the Red River in Segment 1B of the Red River Basin. The new internal outfall will be located at the following coordinates: Outfall 003B: Latitude: 33° 41' 22.8"; Longitude: 94° 25' 26.7". The external outfall is located at the following coordinates: Outfall 003: Latitude: 33° 41' 10"; Longitude: 94° 25' 30". The receiving stream is not listed on the 303(d) list.

Under North American Industry Classification System (NAICS) code of 32731, the applicant's activities are the manufacturing of cement.

ADEQ's contact person for submitting written comments, requesting information regarding the draft permit, or obtaining copy of the draft permit and the Statement of Basis or Fact Sheet is Amanda Gallagher, at the above address and telephone number. For those with Internet access, a copy of the proposed draft permit may be found on the ADEQ's website at: [http://www.adeq.state.ar.us/water/branch\\_npdes/pn\\_permits/pnpermits.asp](http://www.adeq.state.ar.us/water/branch_npdes/pn_permits/pnpermits.asp).

The last day of the comment period is 30 days after the above date. The permit will become effective approximately two weeks after the close of the comment period unless comments are received and/or a public hearing is requested prior to February 14, 2008 requiring a delay of the effective date. Comments and public hearing procedures may be found at 40 CFR Parts 124.10 through 124.12 and APCEC Regulation No. 8. All persons, including the permittee, who wish to comment on ADEQ's draft permitting decision must submit written comments to ADEQ, along with their name and mailing address. After the public comment period, and public hearing, if one is held, ADEQ will issue a final permitting decision. A Public Hearing will be held when ADEQ finds a significant degree of public interest. ADEQ will notify the applicant and each person who has submitted written comments or requested notice of the final permitting decision. Any interested person who has submitted comments may appeal a final decision by ADEQ in accordance with the APCEC Regulation No. 8 (Administrative Procedures).

DRAFT STATE CONSTRUCTION PERMIT  
Permit Number: AR0042846C

TO:

Ash Grove Cement Company  
4457 Highway 108E  
Foreman, AR 71836

Consulting Engineer:

ECCI  
415 North McKinley Street, Suite 1180  
Little Rock, AR 72205

This permit is your authority to construct the wastewater treatment system in accordance with the permit application and plans and specifications which were received on 10/9/2007. This permit is issued subject to the provisions of the Arkansas Water and Air Pollution Control Act (Act 472 of 1949, as amended, Ark. Code Annotated § 8-4-101 et seq.), and the following terms and conditions:

1. The permittee shall **notify** the Department when construction **begins**. The treatment/disposal system shall be constructed or modified in accordance with the final plans and specifications as approved by the Arkansas Department of Environmental Quality (ADEQ). In case any statement or representation in the aforementioned documents is found to be incorrect, this Approval may be revoked.
2. Within **thirty (30)** days of completion of construction, a Professional Engineer (PE) registered in Arkansas shall submit written certification to the Department (Enforcement Section of the Water Division) that the facility has been constructed or modified in accordance with the approved plans and specifications.
3. This permit is issued in reliance upon the statements and representations made in the application and the plans and specifications. The Department has no responsibility for adequacy or proper functioning of the disposal system. Approval of the plans and specifications by the Department does not constitute assurance that the disposal system will achieve the effluent limitations required by the final NPDES discharge permit, or that a NPDES discharge permit will be issued.
4. If the construction site will disturb in excess of one (1) acre, the permittee must comply with the terms of ARR150000 prior to the start of construction.
5. This facility is located as follows: Latitude: 33° 41' 45.16" Longitude: 94° 25' 24.06"; approximately two miles southwest of Foreman, AR on Highway 108 West in Section 28, Township 32 West, Range 12 South in Little River County, Arkansas.
6. The receiving waters named: through Internal Outfall 003B to the process pond and eventually through External Outfall 003 to an unnamed tributary of French Creek, thence to French Creek, thence to Walnut Bayou, and thence to the Red River in Segment 1B of the Red River Basin. The internal outfall is located at the following coordinates: Outfall 003B: Latitude: 33° 41' 22.8"; Longitude: 94° 25' 26.7". The external outfall is located at the following coordinates: Outfall 003: Latitude: 33° 41' 10"; Longitude: 94° 25' 30".
7. Proposed Construction associated with the Internal Outfall 003B will include an Aeromix extended aeration package plant which includes a grinder lift station, bar screen, aeration basin, clarification, and chlorination with a design flow of 0.005 MGD. This is a new internal outfall for sanitary wastewater.

Issue Date:

Effective Date:

Steven L. Drown  
Chief, Water Division  
Arkansas Department of Environmental Quality

## **STATEMENT OF BASIS**

for issuance of a draft State Construction Permit Number AR0042846C.

The issuing office is:

Arkansas Department of Environmental Quality  
5301 Northshore Drive  
North Little Rock, Arkansas 72118

The applicant is:

Ash Grove Cement Company  
P.O. Box 130  
Foreman, AR 71836

### **1. CONSTRUCTION PERMITTING AUTHORITY**

This permit is your authority to construct or modify the wastewater treatment system in accordance with the permit application and plans and specifications which were received on 10/9/2007. This permit is issued subject to the provisions of the Arkansas Water and Air Pollution Control Act (Act 472 of 1949, as amended, Ark. Code Annotated § 8-4-101 et seq.) and Section 6.202 of Arkansas Pollution Control and Ecology Commission (APCEC) Regulation No. 6.

### **2. DISCLAIMER**

This permit is issued in reliance upon the statements and representations made in the application and the plans and specifications. The Department has no responsibility for adequacy or proper functioning of the disposal system. Approval of the plans and specifications by the Department does not constitute assurance that the disposal system will achieve the effluent limitations required by the final NPDES permit, or that the discharge permit will be issued.

### **3. CONSTRUCTION PROPOSED IN APPLICATION**

The following is a general description of the construction to be permitted, as described in the construction permit application. The proposed construction associated with the Internal Outfall 003B will include an Aeromix extended aeration package plant which includes a grinder lift station, bar screen, aeration basin, clarification, and chlorination with a design flow of 0.005 MGD. This is a new internal outfall for sanitary wastewater.

### **4. RECEIVING STREAM SEGMENT AND DISCHARGE LOCATION**

The receiving waters are named: through Internal Outfall 003B to the process pond and eventually through External Outfall 003 to an unnamed tributary of French Creek, thence to French Creek, thence to Walnut Bayou, and thence to the Red River in Segment 1B of the Red River Basin. The internal outfall is located at the following coordinates: Outfall 003B: Latitude: 33° 41' 22.8"; Longitude: 94° 25' 26.7". The external outfall is located at the following coordinates: Outfall 003: Latitude: 33° 41' 10"; Longitude: 94° 25' 30".

**5. PUBLIC NOTICE**

In accordance with Arkansas Pollution Control and Ecology Commission (APCEC) Regulation No. 8, the public notice will be published by ADEQ in a newspaper of general circulation for one (1) day only. The public comment period will begin on the date of publication and will end no sooner than 30 days from that date. Comments must be received at ADEQ prior to the close of the public comment period.

**6. CONTACT PERSON**

The ADEQ contact person for submitting written comments, requesting information, or obtaining copies of the application, permit, and the Statement of Basis is:

Amanda Gallagher  
NPDES Branch, Water Division  
Arkansas Department of Environmental Quality  
5301 Northshore Drive  
North Little Rock, Arkansas 72118-5317  
(501) 682-0617