

ADEQ

ARKANSAS
Department of Environmental Quality

SEP 6 2013

Greg Withrow
El Dorado Chemical Company
1000 McHenry Ave.
El Dorado, AR 71730

via U. S. Postal Service and e-mail (Gwithrow@edc-ark.com)

RE: NPDES Permit No. AR0000752, AFIN 70-00040

Dear Mr. Withrow:

The Department received notification from GBMc & Associates dated August 29, 2013, that construction of the joint pipeline is functionally complete for the connecting branch from El Dorado Chemical Company and is ready for operation. The Department also received the notification required under Part III, Condition No. 2 of NPDES Permit No. AR0000752 that discharge to the joint pipeline would begin on September 5, 2013.

Part II.D.11 of the permit requires that all reports and information submitted to the Department be signed by the responsible official or duly authorized representative. The reports and information must also be certified in accordance with Part II.D.11.c. The report received under NPDES Permit No. AR0000752 was not signed or certified. Please sign and certify the notification and resubmit it to the Department no later than September 9, 2013.

Please be advised that in a letter to Mr. Mark Smith of El Dorado Water Utilities dated August 30, 2013, the Department stated that notification of the changes to the approved plans and specifications was not received until August 29, 2013. Due to the extent of the changes, the Department determined that a major modification of State Construction Permit No. AR0049743C is required. A copy of the August 30th letter was e-mailed to all entities involved in the joint pipeline. A hard copy of that letter has been enclosed for your convenience.

If you have any questions, please contact John Bailey, P.E., Permits Branch Manager, at bailey@adeq.state.ar.us or by phone at (501) 682-0629.

Sincerely,



Mo Shafii
Assistant Chief, Water Division

cc: Chuck Campbell, P.E., GBMc & Associates (ccampbell@gbmcassoc.com)
Chuck Hammock, Lion Oil Company (Chuck.Hammock@lionoil.com)
Steven Cousins, Lion Oil Company (Steven.Cousins@lionoil.com)
Mark Smith, El Dorado Water Utilities (mark@eldoradowater.com)
Randall Whitmore, Great Lakes Chemical Corporation (Randall.Whitmore@chemtura.com)
Pete Howard, Great Lakes Chemical Corporation (Pete.Howard@chemtura.com)
Craig Uyeda, Enforcement Branch Manager
Jason Bolenbaugh, Field Services Branch Manager

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AUG 30 2013

Mark A. Smith, General Manager
El Dorado Water Utilities
P.O. Box 1587
El Dorado, AR 71731

RE: State Construction Permit No. AR0049743C, AFIN 70-00341

Dear Mr. Smith:

The Department has reviewed the information submitted by Chuck Campbell, P.E. on August 29, 2013. This submittal was intended to fulfill the requirement in Condition No. 2 of State Construction Permit No. AR0049743C. The submittal had to contain a Professional Engineer's written certification that the pipeline was constructed in accordance with the approved plans and specifications.

Ark. Code Ann. § 8-4-203(a)(3) grants the Department the authority to issue permits for the installation, modification, or operation of disposal systems. Ark. Code Ann. §8-4-217(b)(d)(1) states that it shall be unlawful for any person to construct or use any new outlet for the discharge of any wastes into the Waters of the State without first having obtained a written permit from the Department. Arkansas Pollution Control and Ecology Commission Regulation No. 6 is the regulation which implements those portions of the code. State Construction Permit No AR0049743C was issued on February 28, 2007, to allow for the construction of the pipeline using High Density Polyethylene pipe (HDPE) below ground and carbon steel pipe above ground.

The August 29th submittal stated that the types of pipe used were ductile iron, PolyVinyl Chloride (PVC), and HDPE. The submittal also stated that the diameters of the pipe were not always identical to what was included in the approved plans and specifications. The Department has determined that the changes require a major modification, as defined in Reg. 8.103(V), to the state construction permit. Therefore, an application to modify State Construction Permit No. AR0049743C must be submitted to the Department as soon as possible but no later than September 16, 2013. The application must consist of the design calculations, plans, and specifications which have been signed and stamped by a Professional Engineer licensed in the State of Arkansas. A copy of ADEQ Form 1 must also be submitted and has been enclosed for your convenience.

If you have any questions, please contact John Bailey, P.E., Permits Branch Manager at bailey@adeq.state.ar.us or by phone at (501) 682-0629.

Sincerely,



Mo Shafii
Assistant Manger, Water Division

cc: Chuck Campbell, P.E., GBMc & Associates (ccampbell@gbmcassoc.com)
Chuck Hammock, Lion Oil Company (Chuck.Hammock@lionoil.com)
Steven Cousins, Lion Oil Company (Steve.Cousins@lionoil.com)
Greg Withrow, El Dorado Chemical Company (Gwithrow@edc-ark.com)
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Craig Uyeda, Enforcement Branch Manager