SEP 2 3 2013

CERTIFIED MAIL: RETURN RECEIPT REQUESTED (7012 3050 0001 6504 5359)

Ryan Benefield
Deputy Director
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118-5317

Re: General Objection to Draft Permit
     El Dorado Chemical Company (Permit No. AR0000752)

Dear Mr. Benefield:

Thank you for the opportunity to review the Arkansas Department of Environmental Quality (ADEQ) draft National Pollutant Discharge Elimination (NPDES) permit for the El Dorado Chemical Company, which we received electronically on August 23, 2013. Pursuant to § 402 of the Clean Water Act (CWA), 33 U.S.C. § 1342, and 40 CFR §123.44, EPA generally objects to ADEQ's issuance of the permit as drafted.

The draft permit establishes NPDES requirements and conditions for minerals in accordance with Act 954 of the 89th General Assembly of the State of Arkansas. These minerals requirements and conditions are inconsistent with the minimum requirements for NPDES permits established under the CWA and its implementing regulations. Minerals criteria are important to the health of waterbodies and to the beneficial uses of those waterbodies.

EPA welcomes the opportunity to work with you and your staff to resolve these concerns. However, if we are unable to resolve our concerns regarding the draft permit within 90 days of EPA's receipt of the draft permit, EPA will provide its specific objection to the permit pursuant 40 CFR § 123.44(b)(2) and Section III.B.9 of the Memorandum of Agreement between ADEQ and EPA.

If you have any questions regarding this issue, or should ADEQ wish to provide additional information regarding these permits, please contact me at (214) 665-7101 or your staff may contact Claudia Hosch, Associate Director, at (214) 665-6464 (email: hosch.claudia@epa.gov).

Sincerely,

William K. Honker
Director
Water Quality Protection Division

cc: El Dorado Chemical Company (Greg Withrow)