

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY****REGION 6  
1445 ROSS AVENUE  
DALLAS, TEXAS 75202-2733**

FEB 03 2006

P07

CERTIFIED MAIL: RETURN RECEIPT REQUESTED (7004 1160 0003 0355 9699)

Mr. Martin Maner, P.E.  
Chief, Water Division  
Arkansas Department of Environmental Quality  
P. O. Box 8913  
Little Rock, AR 72219-8913

Re: Specific Objection to Preliminary Draft Permit  
El Dorado Chemical Company  
NPDES Permit Number AR0000752

Dear Mr. Maner:

We have reviewed the draft National Pollutant Discharge Elimination System (NPDES) permit for El Dorado Chemical Company ("the Permit") transmitted via e-mail from Morteza (Mo) Shafii, ADEQ, to Evelyn Rosborough, EPA, on December 15, 2005. As a result of our review, we believe that the following changes need to be made in order to meet the guidelines and requirements of the Clean Water Act.

**SPECIFIC OBJECTION**

In accordance with 40 CFR 122.44(d)(6), all NPDES permits must include conditions to ensure consistency with the requirements of any Water Quality Management Plan (WQMP) approved by EPA under section 208(b) of the CWA. A total maximum daily load (TMDL) has been prepared for Flat Creek and incorporated into Arkansas' approved WQMP, and therefore any permits issued for discharge to Flat Creek must be consistent with the TMDL. Because El Dorado's permit provides for discharge to Flat Creek, the permit must be changed to include mass and concentration limits for ammonia, chloride, sulfate, and total dissolved oxygen consistent with the TMDL.

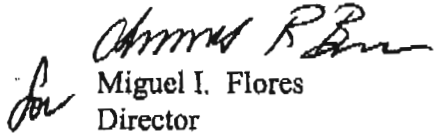
**RECOMMENDATIONS:**

We also would like to offer the following recommendations:

1. Please include language in the permit which limits and identifies the conditions under which the permittee is authorized to switch discharging from the pipeline and the old discharge point.
2. It is unclear how the permits which discharge to the pipeline, having various effective dates, will be managed for compliance. Revoking and reissuing the permits for El Dorado Chemical, El Dorado Utilities, Great Lakes Chemical and Lion Oil will synchronize the effective and expiration dates with all the permits associated with the El Dorado Pipeline.

We will be happy to work with you and your staff to clarify or resolve the concern which initiated our objection. If we may help your office achieve its permitting goals, please call me at 214-665-7170 or have your staff contact Monica Burrell at VOICE: 214-665-7530, FAX: 214-665-2191, or EMAIL: [burrell.monica@epa.gov](mailto:burrell.monica@epa.gov).

Sincerely yours,

  
Miguel I. Flores  
Director  
Water Quality Protection Division

cc: Morteza (Mo) Shafii, ADEQ