

IN RE:REQUEST BY GREAT LAKES CORPORATION
FOR THIRD PARTY RULEMAKING TO
AMEND REGULATION NO. 2

DOCKET NO.02-004-R

STATEMENT OF BASIS AND PURPOSE

1. The Arkansas Pollution Control and Ecology Commission ("Commission") entered Minute Order No.02-06 granting Great Lake's request to initiate rulemaking on the proposed rule change.
2. Great Lakes's petition requests that the Commission amend Regulation Establishing Water Quality Standards for Surface Waters of the State of Arkansas (hereafter "Regulation No. 2"), as follows.
3. Specifically, the proposed rule change would increase the maximum water temperature as follows:

In Bayou de Loutre from the discharge point of Great Lakes Chemical Corp. to its confluence with Loutre Creek, maximum water temperature to increase from 86°F to 96°F

4. Great Lakes Chemical Corp. owns a facility located near El Dorado, Arkansas in Union County. The facility is a commercial manufacturer of speciality chemicals including halogenated organic and inorganic compounds. It discharges reactor jacket water, treated storm water, non-contact cooling water, treated sanitary wastewater and boiler blow down from outfall 001 as authorized under its NPEDS Permit.
5. Great Lakes Chemical has submitted documentation in accordance with the requirements of Section 2.306 of Regulation No. 2, along with additional documentation required pursuant to the Administrative Guidance Document.
6. In particular, Great Lakes' modification request is supported by the following:

a. The requested water quality standards (WQS) modifications are needed to bring the WQS in line with conditions that have existed in the receiving streams for several years.

b. No petition for an increase in water temperatures above historical levels is being proposed.

c. In-stream studies indicate that all designated uses in the affected stream segment will be maintained.

RESPONSIVENESS SUMMARY

A public hearing was held in El Dorado, Arkansas on May 16, 2002, to receive comments concerning these proposed changes to the water quality standards, and the public comment period extended until May 31, 2002.

One comment was received.

Comment - Objected to the increase in water temperature standard, stating that this would cause algae to grow and encourage stagnant conditions. Also expressed a concern about other pollution in Bayou de Loutre causing fish deformities.

Response - The new discharge from Great Lakes will be more intermittent than in the past due to the transfer of the water to Lion Oil Company. The discharges will occur very infrequent, but when they occur they will be of a large volume and therefore will not result in stagnant pools but in a flowing stream. The Department is not aware of any contaminants discharged into Bayou de Loutre that would cause the fish deformities mentioned, nor are we aware of any such deformities existing in this stream segment. The fish community was sampled as a part of the request by Great Lakes Chemical; no deformities were reported.