

## **Attachment C**

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# **Timeline and Actions to Develop Selenium and Dissolved Minerals Criteria**

## **Time line and Actions to Develop Selenium and Dissolved Minerals Criteria**

10/27/2006	Lion Oil initiates 3 <sup>rd</sup> party rulemaking process for dissolved minerals for Loutre Creek and Bayou de Loutre by submitting duly executed minute order before the Arkansas Pollution Control & Ecology Commission (APCEC). The minute order initiating the rulemaking was approved by the Commission.
12/19/2006	Public hearing regarding the 3 <sup>rd</sup> party rulemaking for dissolved minerals held in El Dorado, Arkansas.
6/21/2007	Commission provides final approval of the 3 <sup>rd</sup> party rulemaking petition for dissolved minerals modifying the water quality standards for sulfates, chlorides and total dissolved solids in Loutre Creek and Bayou de Loutre.
1/3/2008	EPA sends letter to ADEQ expressing its initial indication that it had concerns over the documentation supporting the dissolved minerals rulemaking. On 1/14/2008, ADEQ sent EPA's letter to Lion Oil, El Dorado Chemical Company (EDCC) and Great Lakes Chemical Company (GLCC) (the "Permittees").
1/28/2008	Permittees met with ADEQ to address EPA's concerns.
2/7/2008	Conference call with EPA/ADEQ/Permittees to clarify intent of EPA's 1/3/2008 letter and to clarify additional information requested by EPA. No additional information provided by EPA. ADEQ requested that Permittees communicate with ADEQ and that EPA would have no direct communication with 3 <sup>rd</sup> party petitioners.
5/5/2008	Lion Oil submits draft letter to ADEQ responding to EPA's 1/3/2008 letter for ADEQ review, comment and submittal to EPA
6/27/2008	ADEQ responds to EPA's 1/3/2008 letter. .
7/21/2008	ADEQ requests Permittees to prepare letters to EPA identifying how Permittees plan to address issues raised in EPA's 1/3/2008 letter; ADEQ agrees to forward those letters to EPA.
7/29/2008	Lion Oil sends letter to ADEQ responding to EPA initial concerns of 3 <sup>rd</sup> party rulemaking for dissolved minerals.
8/14/2008	ADEQ sends letter to EPA responding to EPA issues of concern with the Commission's approval of the 3 <sup>rd</sup> party rulemaking; in letter, ADEQ concurs that EPA's outstanding issues have been addressed in previous responses and also supports the information in Lion Oil's letter dated 7/29/2008.

11/04/08	Lion Oil submits initial draft of Quality Assurance Project Plan (QAPP) to ADEQ for Use Attainability Analyses (UAA) to address selenium in Loutre Creek.
12/22/2008	Lion Oil submits revised sampling plan for collecting selenium field data, including revised QAPP to address ADEQ comments.
1/22/2009	Meeting with ADEQ to discuss the draft Loutre Creek selenium QAPP.
3/12/2009	EPA provides comments to ADEQ on sampling plan for selenium field data; comments forwarded to Lion Oil on 3/23/2009.
3/17/2009	Lion Oil provides responses to ADEQ in relation to EPA comments on Loutre Creek selenium QAPP.
3/19/2009	EPA issues what appears to be draft record of decision (ROD) denying dissolved minerals rulemaking .
3/25/2009	Lion Oil submits to ADEQ revised Loutre Creek selenium QAPP.
4/3/2009	Conference call between ADEQ/Permittees to discuss EPA's draft ROD regarding dissolved minerals rulemaking.
4/14/2009	EPA disapproves the site-specific chloride, sulfate, and TDS criteria and attaches what appears to be its final ROD regarding same.
4/23/2009	Conference call between EPA/ADEQ/Permittees to present Permittees proposed plan of action to address ROD, including collecting additional aquatic life community field data.
6/15/2009	Lion Oil submits Supplemental Aquatic Life Study Plan to ADEQ to address EPA ROD; ADEQ subsequently submits this Plan to EPA.
7/2/2009	Lion Oil provides follow up information to ADEQ regarding Supplemental Aquatic Life Study Plan.
1/22/2010	EPA sends to ADEQ comments on the Supplemental Aquatic Life Study Plan.
1/7/2011	Lion Oil sends to ADEQ the Aquatic Life Supplemental Report.

3/10/2011	EPA provides to ADEQ initial comments on Aquatic Life Supplemental Report; ADEQ forwards comments to Lion Oil on 3/29/10.
6/24/2011	ADEQ sends letter to EPA to transmit Lion Oil responses to EPA's initial comments on the Aquatic Life Supplemental Report.
8/31/2011	EPA sends letter to ADEQ with second set of comments on the Aquatic Life Supplemental Report and in response to 6/24/2011 letter regarding same.
2012	Lion Oil prepares third party rulemaking documentation for selenium and dissolved minerals.