

## **Attachment E**

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# **Arkansas Pollution Control & Ecology Commission Minute Order Approving Lion Oil 3<sup>rd</sup> Party Rulemaking**

Lion Oil Company (Lion) filed a Petition to Initiate Third Party Rulemaking to Amend Regulation No. 2, "Regulation Establishing Water Quality Standards for Surface Waters of the State of Arkansas." (Petition No. 06-011-R.)

Arkansas Pollution Control and Ecology Commission Minute Order No. 06-40 authorized the initiation of rulemaking. One public hearing and a 45-day public comment period were held. In accordance with Regulation No. 8, a Statement and Basis and Purpose as well as a Responsiveness Summary were prepared for Commission review.

It is therefore, ORDERED:

1. That Regulation No. 2 be amended to change the water quality standards in the following waters as described below:

- a. modify the dissolved minerals criteria for Loutre Creek from Hwy South to the confluence with Bayou de Loutre

TDS from 123 mg/L to 1756 mg/L  
sulfate from 31 mg/L to 997 mg/L  
chloride from 14 mg/L to 256 mg/L, and

- b. modify the dissolved minerals criteria for Bayou de Loutre from Loutre Creek to the discharge location for the City of El Dorado South facility as follows:

TDS from 500 mg/L to 1236 mg/L  
Sulfate from 90 mg/L to 635 mg/L  
Chloride from 250 mg/L to 264 mg/L, and

- c. modify the dissolved minerals criteria for Bayou de Loutre from the discharge from the City of El Dorado South facility downstream to the mouth of Gum Creek as follows:

TDS from 500 mg/L to 966 mg/L  
Sulfate from 90 mg/L to 431 mg/L  
Chloride : No Change

- d. modify the dissolved minerals criteria for Bayou de Loutre from the

mouth of Gum Creek downstream to Boggy Creek as follows:

TDS from 750 mg/L to 780 mg/L  
Sulfate from 90 mg/L to 345 mg/L  
Chloride : No Change

- e. modify the dissolved minerals criteria for Bayou de Loutre from the mouth of Boggy Creek downstream to the mouth of Hibank Creek as follows:

TDS: No Change  
Sulfate from 90 mg/L to 296 mg/L  
Chloride : No Change

- f. modify the dissolved minerals criteria for Bayou de Loutre from the mouth of Hibank Creek downstream to the mouth of Mill Creek as follows:

TDS: No Change  
Sulfate from 90 mg/L to 263 mg/L  
Chloride : No Change

- g. modify the dissolved minerals criteria for Bayou de Loutre from the mouth of Mill Creek downstream to the mouth of Buckaloo Branch as follows:

TDS: No Change  
Sulfate from 90 mg/L to 237 mg/L  
Chloride : No Change

- h. modify the dissolved minerals criteria for Bayou de Loutre from the mouth of Buckaloo Branch downstream to the mouth of Bear Creek as follows:

TDS: No Change  
Sulfate from 90 mg/L to 216 mg/L  
Chloride : No Change

- i. modify the dissolved minerals criteria for Bayou de Loutre from the mouth of Bear Creek to the final segment of Bayou DeLoutre as follows:
    - TDS: No Change
    - Sulfate from 90 mg/L to 198 mg/L
    - Chloride : No Change
  - j. modify the dissolved minerals criteria for Bayou de Loutre (final segment) to the Arkansas/Louisiana State Line as follows:
    - TDS: No Change
    - Sulfate from 90 mg/L to 171 mg/L
    - Chloride : No Change
  - k. remove the designated domestic water supply use for Loutre creek from Hwy South to the confluence with Bayou de Loutre.
  - l. remove the designated domestic water supply for Bayou de Loutre from Loutre Creek to the discharge location for the City of El Dorado South Facility
  - m. remove the designated domestic water supply use for Bayou de Loutre from the discharge from the City of El Dorado South facility downstream to the mouth of Gum Creek.
2. That the Statement of Basis and Purpose and the Responsiveness Summary submitted by LION and the Statement of Basis and Purpose and Responsiveness Summary submitted by ADEQ are adopted by the Commission as part of this rulemaking proceeding.
  3. That the ADEQ staff is directed to make these changes to Regulation No. 2.

ARKANSAS POLLUTION CONTROL  
AND ECOLOGY COMMISSION


SUBJECT-Regulation No. 2  
Water Quality Standards  
Third-Party Rulemaking  
LION OIL COMPANY  
El Dorado, AR

DOCKET NO. 06-011-R

MINUTE ORDER NO. 07- 20

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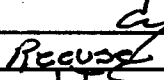



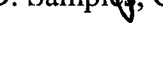
PROMULGATED THIS 22<sup>ND</sup> DAY OF JUNE, 2007, BY ORDER OF THE ARKANSAS  
POLLUTION CONTROL AND ECOLOGY COMMISSION


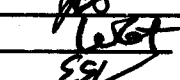
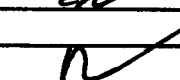



BY:   
Dana Samples, Chairman


ATTEST:   
Teresa Marks, Director

APPROVED:   
Mike Beebe, Governor

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Submitted by: Ann P. Faltz DATE PASSED: 06/22/07