

Memorandum of Understanding
Oil, Gas & Mining / Bureau of Water Pollution Control
Intra-agency Correspondence Form

0034

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TO: Mike Herkimer (DEH)
FROM: Harold G. Sandbeck (DOGM)

DATE February 1, 1989

TO: _____ (DOGM)
FROM: _____ (DEH)

DATE _____

SUSPECTED ENVIRONMENTAL/NPDES PERMIT VIOLATION

Mine Name: Price River Complex/Castle Gate Coal Company

NPDES Permit Identification: UT0024678

The above referenced permit limits discharge of the following
PARAMETERS TO: DOGM SAMPLING HAS DELINEATED

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

A copy of the sample results is attached for your information.

For the above referenced permit, describe the concern:

An unpermitted point source discharge was found at the Castle Gate Preparation Plant facility. During the pumping process from the raw water pond, leakage is discharged from the pump house via a sump (drain) which discharges into an undisturbed drainage. A map is attached which shows the pump house location. No oil and grease was detected within the pump house or in the undisturbed drainage.

Following are concerns which need to be addressed:

- * Include this discharge point in the NPDES permit?
- * Does DEH require water samples and analyse from the operator to make a final determination?

Reference: MOU DOGM/DEH, DATE LAST REVISED December 22, 1988

(RESPONSE TO DOGM BY DEH WITHIN 10 DAYS OF RECEIPT BY DEH)

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SUSPECTED ENVIRONMENTAL/NPDES PERMIT VIOLATION

Mine Name: Price River Complex / Castle Gate Coal Company

NPDES Permit Identification: UT 0024678

By return copy of this memo, DEH advises DOGM that this concern

Does Does not

INDICATE:

- Two (2) non-valid upsets (exceeded monthly average within a six (6) month period
- Third (3rd) non-valid upset following the above mentioned six (6) month period (Exceeded monthly average within a three (3) month period)
- Insignificant - Danger to health or the environment
- Chronic - Danger to health or the environment
- Seriously endangers health, safety of the public or environment
- Imminent environmental harm to land air or water resources

OTHER:

Visual air emission observed at source _____
on _____.

DEH RECOMMENDATION:

See attached sheet.

Reference: MOU DOGM/DEH, DATE LAST REVISED December 22, 1988

(RESPONSE TO DOGM BY DEH WITHIN 10 DAYS OF RECEIPT BY DEH)

DEH Recommendations:

This response regards discharge of water from a pump house associated with the Castle Gate Coal Preparation Facility. If water from Price River is withdrawn and no chemicals are added and the water is returned to the river, a permit would probably not be needed. According to R448-1-3.4, "a user of surface water diverted from waters of the state will not be required to remove any pollutants which such user has not added before returning the diverted flow to the original water course, provided there is no increase in concentration of pollutants in the diverted water". However, where there is concern that chemicals may be added either intentionally as part of treatment or inadvertently as a result of a leak or spill a Best Management Practice Plan is more likely to be required than a permit, depending upon the circumstance involved in the situation. In the case of Castle Gate Coal we are not sure whether any chemicals are being added particularly since the pump leaks, which may inadvertently cause a leaking of oil into the water.

Because we are unsure of exactly what is happening at that pump house, and we are not sure why the company does not fix the pump, we are unable to say whether a permit would be needed. However, we would require that the company fix the pump and until the pump is repaired monitor the water discharged for oil and grease by sampling or by visual observation. The sampling results or results of visual observations must be recorded such that inspectors can review the data. If there is any indication, as a result of the monitoring, of an oil leak, the discharge from the pump house should be discontinued until the oil discharge is stopped.

MDH:pa
1571k

We should implement a field amendment to the MRP that ensures oil and grease from the pump is contained on site. No need to require an NPDES/UPDES permit for this pump at this time based on Health's position.

Sue: I'm uncomfortable on this one. Health says no, but typically the more stringent regulatory requirement prevails. Can we require berming of the pump house to contain leaking oil & grease in the event of a pump failure, but follow Health's lead of not requiring a UPDES permit? How do we handle pump houses at other sites: Easy deep? I'd think we're on solid ground if we treat the pump house the way we do Transformers, substations & generators.
LMB 2-20