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Betty

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STATE OF UTAH

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ATTORNEY GENERAL

March 13, 1986

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DEPUTY ATTORNEY GENERAL

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Governmental Affairs Division

PAUL M. WARNER, CHIEF
Litigation Division

A01/007/005
#8

Glen Zumwalt
Vice President and General Manager
Utah Fuel Company
P.O. Box 719
Helper, Utah 84526

Dear Glen:

Enclosed is an addendum to the March 7, 1986 finalized assessment for N85-2-19-2, 2 of 2. I inadvertently failed to attach the text of the rules that I had cited in the opinion for that violation. I had initially thought to avoid causing the reader the effort of searching for the various rules, but, of course, I did not achieve that purpose. I would now, however, like to add the text for future convenience.

I hope that I have not created confusion due to this oversight.

Sincerely,

Barbara

BARBARA W. ROBERTS
Conference Officer

BWR/cwc

Enclosure

FILE COPY

RULES

UMC 784.14 Reclamation Plan: Protection of Hydrologic Balance

***

(b) The description shall include-

(1) A plan for the control, in accordance with UMC 817, of surface and ground water drainage into, through, and out of the proposed mine plan area;

(2) A plan for the treatment, where required under Subchapter K of this Chapter and the regulatory program, and surface and ground water drainage from the area to be affected by the proposed activities, and proposed quantitative limits on pollutants in discharges subject to UMC 817.42, according to the more stringent of the following:

(i) Subchapter K of this Chapter and the regulatory program; or

(ii) Other applicable State and Federal laws.

817.42 Hydrologic Balance: Water Quality Standards and Effluent Limitations

(a)(1) All surface drainage from the disturbed area, including disturbed areas that have been graded, seeded, or planted, shall be passed through a sedimentation pond, a series of sedimentation ponds, or a treatment facility before leaving the permit area. Any discharge of water from underground workings to surface waters which does not meet the effluent limitations of this Section shall also be passed through a sedimentation pond, a series of sedimentation ponds, or a treatment facility before leaving the permit area.

***

(b) Discharges of water from areas disturbed by underground mining activities shall be made in compliance with all applicable State and Federal water quality laws and regulations and with the effluent limitations for coal mining promulgated by the U.S Environmental Protection Agency set forth in 40 CFR Part 434.

UMC 817.50 <u>Hydrologic Balance: Underground Mine Entry and Access Discharges</u>

***

(b) Gravity discharge of water from an underground mine, other than a drift mine subject to Paragraph (c) of this Section, may be allowed by the Division, if it is demonstrated that-

(1)(i) The discharge, without treatment, satisfies the water effluent limitations of UMC 817.42 and all applicable State and Federal water quality standards; and

(ii) That discharge will result in changes in the prevailing hydrologic balance that are minimal and approved postmining land uses will not be adversely affected; or,

(2)(i) The discharge is conveyed to a treatment facility in the permit area in accordance with Section UMC 817.42(a);

(ii) All water from underground mine discharged from the treatment facility meets the effluent limitations of Section UMC 817.42 and all other applicable State and Federal statutes and regulations; and

(iii) Consistent maintenance of the treatment facility will occur throughout the anticipated period of gravity discharge.

RULES

UMC 784.14 Reclamation Plan: Protection of Hydrologic Balance

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