



0014

State of Utah

DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER QUALITY

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Executive Secretary

March 13, 2001

Mr. Chris Hansen, Environmental Coordinator
Canyon Fuel Company, LLC
Skyline Mines
HC 35 Box 380
Helper, Utah 84526

Dear Chris:

Subject: Compliance with UPDES permit UT0023540

Incoming
3/13/01
Cozy Mike S.
FAX PFO.

On March 12th I had a long phone conversation with Gary Taylor regarding compliance with your UPDES permit. As a result I am writing this letter to document the current compliance status of Skyline Mine, and any actions the State may take as a result of your compliance status.

We are concerned regarding the number of UPDES permit violations that Skyline has had over the last year. A summary of most of your violations are attached.

From the summary attached and my knowledge of your compliance status the State is aware that you have had trouble with Whole Effluent Toxicity (WET), specifically with chronic tests on Ceriodaphnia. As a result Skyline has begun a Toxicity Identification Evaluation (TIE) to determine the cause of the toxicity. We support your TIE study and ask that you continue to keep us informed as you have in the past as to the status of the study. Please continue quarterly WET testing as required by your permit for all organisms and note on the cover page that a TIE is being completed.

You have had violations with TSS on a number of occasions and as a result moved you mine discharge out of your surface sediment pond in an attempt to prevent any future violations. However, sporadic violations have occurred after segregation of the mine water which was not enough to cause Skyline to be entered on the QNCR. However, we would hope these violations will cease.

There were significant violations for total iron in August and September of 2000 which Skyline indicated may have been caused from using older iron pipes. Please be advised, if one more significant total iron violations occur before the end of April 2001, an enforcement action will be

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taken by the State. If an enforcement action is taken by the State, it will include all violations over the last year for TSS, WET, TDS and total iron.

In my conversation with Gary we also discussed TDS. As I mentioned to Gary, the State will not allow dilution of TDS to meet a downstream concentration of 723 mg/L. However, if your effluent can remain at or below a concentration of 723 mg/L TDS, there will be no need for a tonnage limitation when your permit is modified. If Skyline cannot meet the 723 mg/L on a continuous basis, an intercepted groundwater study can be completed or updated if one was previously completed, or an economic study can be done. As long as Skyline is actively working on solving the TDS problem and no environmental damage or loss of beneficial use is caused, no enforcement action will be taken for TDS violations.

If you have any questions regarding this letter please give me a call at (801) 538-6058.

Sincerely,



Michael D. Herkimer, Environmental Scientist
Permits & Compliance Section

MDH:cc

Enclosure

cc: Pam Grubaugh-Littig, DOGM (W/encl)
Donna Inman, US EPA, Region VIII (W/encl)
Claron Bjork, S.E. Utah Health District (W/encl)
David Ariotti, Regional Engineer (W/encl)

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FILE:

DMR VIOLATIONS - SKYLINE MINE

FY 1999

July 1999 30-day TSS average 2.5 above limit (reported 27.5 mg/L)
7-day average TSS 6 mg/L above limit (reported 41 mg/L)

FY 2000 All at 001

January 2000 Exceeded 7-day average by 1 mg/L (36 mg/L)

March 2000 WET failure - chronic ceriodaphnia (everything else passed)

May 2000 Exceeded 30-day TSS average by 4 mg/L (reported 29 mg/L)
Exceeded 7-day average TSS by 1 mg/L (reported 36 mg/L)

August 2000 SNC (exceeded TRC criteria) for iron, 1.4 mg/L above permit limit
(reported 2.4 mg/L with limit of 1.0 mg/L)

September 2000 SNC for iron, 2.1 mg/L above permit limit (reported 3.1 mg/L)

October 2000 Exceeded 30-day TSS by 2.25 mg/L (reported 27.25 mg/L)
SNC for TSS exceeded 7-day average TSS by 15 mg/L (reported 50 mg/L)
Exceeded tons/day TDS by 0.94 tons (reported 8.04 and limit is 7.1)

November 2000 Exceeded iron by .1 mg/L (reported 1.1 mg/L)
Exceeded tons/day of TDS (reported 7.77)

December 2000 Exceeded tons/day of TDS (reported 8.14)

January 2001 Exceeded tons/day of TDS (reported 10.8)