



# Utah

Where ideas connect

## Department of Environmental Quality Division of Water Quality

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January 24, 2003

Mr. Daniel R. Meadors, General Manager  
Canyon Fuel Company, LLC  
Skyline Mines  
HC35 Box 380  
Helper, Utah 84526

Dear Mr. Meadors:

Subject: UPDES Permit No. UT0023540, Skyline Mine, Increased Flows

We appreciate Canyon Fuel staff coming to our office and discussing Skyline's present scenario as reflected in your January 16, 2003 letter. We understand that Skyline needs to temporarily (two months or less) discharge at higher flow rates and slightly higher total dissolved solids (TDS) concentrations to both ensure miner safety and enable production in new areas. We further understand that approximate TDS concentrations may increase from 500 mg/L to 700 mg/L and approximate flows could increase from 10,000 gpm to 13,000 gpm.

We have discussed the water quality impacts to Eccles Creek, Mud Creek and Scofield Reservoir and feel they will not be significantly adversely impacted. We have also discussed the Colorado River Salinity Control Forum guidelines pertaining to the increased salt load. As the increased discharge flow and concentration will be for only two months or less, we feel it would be allowable under the Forum's policies.

As you are aware, this proposed discharge would not be in conformance with your current permit nor do we believe the discharge can be accommodated by either the "upset" or "bypass" provisions, even though you have not formally made any claim for these. You also know that a permit modification will not be possible within the time constraints that you have imposed necessary to undertake this effort. You claim that unless the water is drawn off immediately, it is likely the Skyline Mine will be closed. Therefore, if you choose to proceed, you will need to do so at your own risk. We do have the ability to take the above facts and circumstances into account regarding any potential enforcement liability related to this matter. Furthermore, we remind you that Canyon

*Following OK*  
*C/007/005*  
*Copy to [unclear], Susan, Pam,*  
*[unclear], Mike,*  
*FAX PFO*

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Daniel Meadors  
January 24, 2003  
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Fuel will remain liable for any harm that might result from the increased discharge that is unforeseen at this time based on the information provided.

If you have any questions please contact either Gayle Smith or Mike Herkimer at (801) 538-6146.

Sincerely,

Utah Water Quality Board



Don A. Ostler, P.E.  
Executive Secretary

DAO:MDH:st/mc

cc: Donna Inman, EPA Region VIII  
Claron Bjork, Southeastern Utah Dist. Health Dept.  
David Ariotti, DEQ District Engineer  
Pam Grubaugh-Litting, DOGM