

ENVIRONMENT

Pollution could put energy firm in hot water

Fines may be levied after state assesses cleanup of contaminated stream.

By Brent Israelsen
Deseret News staff writer

An energy company in Carbon County has polluted a one-mile section of a small stream, prompting a state investigation that could result in fines or penalties.

In addition, at least one downstream user believes the company has violated his water rights.

"Nobody wants to see that stream contaminated," said Paul

Martinez, who claims year-round rights dating to 1869. "If there's no water in the creek, or if it's contaminated, our cows can't drink."

Sunnyside Cogeneration Associates, which operates a coal-fired power plant near Sunnyside in east Carbon County, drilled a well in a nearby canyon to get water to serve the 50-megawatt power plant, which gets its fuel from a huge pile of waste coal left over from earlier mining operations.

During the drilling, the company struck an artesian aquifer that discharged an overwhelming amount of water into the company's pollu-

tion-control ponds. The ponds were breached and spilled contaminants, such as drilling solution and silt, into Grassy Trail Creek, a small stream that runs out of the West Tavaputs Plateau.

In September, investigators with the Utah Division of Water Quality observed a large quantity of foam extending about 1 mile downstream, according to state documents.

Samples taken from the stream showed elevated levels of sediments and organic material that can deplete a stream of its oxygen. None of the contaminants were

toxic, division director Don Ostler said.

But the pollution has raised concerns among state wildlife biologists and the U.S. Bureau of Land Management, which last week advised Martinez to keep his cows away from the stream.

In November, the division cited Sunnyside Cogeneration with five water-quality violations, including water pollution and failure to have a permit to discharge pollution. The division also ordered the company to begin complying with water-quality laws and submit a full environmental report on the

pollution.

Ostler said Friday that Sunnyside has yet to comply with the order but is planning to begin cleanup this week.

"The goal is to clean the streambed before spring runoff occurs," Ostler said.

After that, the state will assess the cleanup and negotiate a settlement that may result in fines, depending on several factors, including the extent of the pollution, the number of days out of compliance and whether the company benefited economically for breaking the law, Ostler said.

Sunnyside officials could not be reached for comment Friday.

Ostler said one factor working in the company's favor is that the stream was dry last November, so there were no fish harmed. How-

ever, insect life on which fish and birds depend may have been affected by the contamination.

For Martinez, the pollution problem only aggravates a complicated, ongoing dispute he has with Sunnyside Cogeneration, the city of East Carbon and the giant ECDC Environmental landfill over water rights.

Martinez, a Price dentist who raises cattle on the side, said Sunnyside has been using up all of the water from Grassy Trail Creek.

"I had a real nice operation (before the power plant). The runoff would feed a huge aquifer. And it would feed the stream year-round. The six springs from the aquifer would give me different watering areas along the creek.

"The power plant has managed to dry up five of those springs."

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ACT/007/035

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Mine	Mine No.	Project No.	Project Name	Reviewers						Date		DOGMA Action	Response		Remarks	
				Admi	Soil	Bio	Eng	Geo	Hydro	Received	Lead		Due	Due		
Hiawatha	ACT/007/011	94C	Mid-Term Review (Bond?)			PB	WW		SJ				pb	02/10/95	03/13/95	Proposal
Soldier Canyon	ACT/007/018		Midterm review			PB	WW		SF				sf	12/06/94	02/05/95	
Banning	ACT/007/034		Newly Formatted Plan	PB	PB	PB	WW	JS	SJ	01/18/94			sj	12/13/94	03/08/95	
Sunnyside	ACT/007/007		Settlement Agreement DO						RH				rh	07/12/94		
Skyline	ACT/007/005	94H	ASCA/Exempt Areas						SJ	12/08/94			sj			on hold
Trail Canyon	ACT/015/021	95A	Catch Basin Removals						TM	02/15/95			tm			
Star Point	ACT/007/006	94F	Mid-Term (7/28)		HS	PB	WW	JS	TM				tm	12/08/94	05/15/95	
Huntington #4	ACT/015/004	95A	Permit Renewal	PGL						01/09/95			pgl			