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STATE OF UTAH
NATURAL RESOURCES & ENERGY
Oil Gas & Mining

Utah Power & Light

ACT/015/017

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MEMORANDUM

TO: Ronald W. Daniels, Assessment Officer
FROM: David Lof, Field Specialist & Wayne Hedberg, Reclamation Hydrologist
SUBJECT: NOV N82-4-1-1 *DL, DWA*
DATE: November 1, 1982

Ron, I have followed up on several items discussed during the October 27, 1982 assessment conference on NOV N82-4-1-1 and have compiled the following information in order to help clarify the violation:

- 1. Revised interim regulation MC 717.17(b)(1) states that:

"The permittee shall submit for approval by the regulatory authority a surface water monitoring program which meets the following requirements:

- (v) provides regular reports of all measurements to the regulatory authority within 60 days of sample collection unless violations of permit conditions occur, in which case, the regulatory authority shall be notified immediately after receipt of analytical results by the permittee. If the discharge is subject to regulation by a Federal or State permit issued in compliance with Section 301 of the Federal Water Pollution Control Act Amendment 1972 (33 USC MC-1311), a copy of the completed reporting form supplied to meet the permit requirements may be submitted to the regulatory authority to satisfy the reporting requirements if the data meet the frequency and other requirements of this paragraph.

It is the Division's hydrologist interpretation that an operator is required to submit regular reports to the Division of all measurements committed to in their approved surface water monitoring program within 60 days of sample collection. However, there are two exceptions to the 60 day reporting requirements: (A) when a violation of the permit conditions occur, in which case, regulatory authority shall be notified immediately after receipt of analytical results by the permittee; and (B) when a discharge is subject to regulation by a Federal or State permit issued in compliance with Section 301 of the Federal Water Pollution Control Act of 1972 (33 USC MC-1311). An operator may submit a copy of the completed reporting form supplied to meet the permit requirements (NPDES reports).

In other words, the two types of information mentioned above as the "two exceptions" are not bound by the 60 day reporting requirements, but all of the other measurements committed to in an approved surface water monitoring program fall under the 60 day reporting requirement.

2. The operator had made timely submittal of all quarterly NPDES reports to the Division.
3. The operator received approval from the Division on October 10, 1979 for their hydrologic monitoring plan. On page 25 of said plan, the operator states that "all flow data and water quality information gathered will be summarized at the end of each year." From this summary, a comprehensive report is to be prepared and submitted to the Division.

DL/btb