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Document Information Form

Mine Number: C/015/018

File Name: Incoming

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From:

Person N/A

Company N/A

Date Sent: N/A

Explanation:

Authorization to Discharge Under The National Pollutant Discharge Elimination System

cc:

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C/ 015 , 018 , **Incoming**
Refer to:
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ACT 015/018-A

RENEWAL

Permit No.: UT-0023604

Effective Date: Date of Issuance*

Expiration Date: December 31, 1986

AUTHORIZATION TO DISCHARGE UNDER THE

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Clean Water Act, as amended (33 U.S.C. 1251 et. seq.) (hereinafter referred to as "the Act"),

Utah Power and Light Company, Deer Creek Coal Mine,

is authorized by the United States Environmental Protection Agency,

to discharge from a facility located at Section 11, Township 17 South, Range 7 East, Emery County, Utah,

to receiving waters named Deer Creek, which is a tributary of Huntington Creek,

in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I, II, and III, hereof.

Authorized Permitting Official

Date

Title

File in:
- ☐ Confidential
- ☐ Shelf
- ☐ Expandable

Refer to Record No 0001 Date

In C/ 015, 018, Incoming

For additional information

*Thirty (30) days after the date of receipt of this permit by the Applicant.

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Active Mining Operations)

1. During the period beginning immediately and lasting through December 31, 1986 the permittee is authorized to discharge from all point sources associated with active mining operations indicated on the area maps submitted and approved pursuant to Part III, A.1. Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTIC	DISCHARGE LIMITATION a/			MONITORING REQUIREMENTS	
	Daily Average	7-Day Average	Daily Maximum	Measurement Frequency	Sample Type
Flow - M^3/Day, gpd	N/A	N/A	N/A	Monthly	Measured a/ c/
Total Suspended Solids	25 mg/l	35 mg/l	70 mg/l	Monthly	Grab
Total Iron	N/A	N/A	2.0 mg/l b/	Monthly	Grab
Total Dissolved Solids	N/A	N/A	650 mg/l	Monthly	Grab

Oil and Grease shall not exceed 10 mg/l and shall be monitored monthly by a grab sample.

The pH shall not be less than 6.5 standard units nor greater than 9.0 standard units and shall be monitored twice per month by grab sample.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

There shall be no discharge of sanitary wastes.

2. See Schedule of Compliance. Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): At any point which is representative of each discharge prior to its mixing with the receiving stream and as indicated by the solid triangles on the current area maps submitted pursuant to Part III, A.1.

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a/ See Part I, C.3.

b/ If any Iron analysis exceeds this limitation, the State of Utah and the permittee shall review the actions necessary to achieve compliance with the limitation and the continued appropriateness of the limitation. In no event shall the discharge exceed a daily maximum limitation for Total Iron of seven (7) milligrams per liter.

c/ For the intermittent discharges, the duration of the discharge shall be reported.

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (Active Mining Operations) (Continued)

3. Any overflow, increase in volume of a discharge or discharge from a bypass system caused by precipitation within any 24-hour period less than or equal to the 10-year, 24-hour, precipitation event (or snowmelt of equivalent volume) shall comply with the following limitation instead of the Total Suspended Solids limitations contained in Part I.A.1.:

Effluent Characteristic	Daily Maximum
Settleable Solids	0.5 ml/l

Settleable Solids shall be monitored weekly during periods of precipitation.

4. Any overflow, increase in volume of a discharge or discharge from a bypass system caused by precipitation within any 24-hour period greater than the 10-year, 24-hour, precipitation event (or snowmelt of equivalent volume) shall comply with the following limitations instead of the otherwise applicable limitations:

The pH shall not be less than 6.5 standard units nor greater than 9.0 standard units.

5. The alternate limitations provided in Parts I.A.3. and I.A.4., shall apply only if:

   a. The treatment facility is designed, constructed, operated and maintained to contain at a minimum the volume of water which would drain into the treatment facility during the 10-year, 24-hour, precipitation event (or snowmelt of equivalent volume);

   b. The treatment facility is designed, constructed, operated and maintained to consistently achieve the effluent limitations set forth in Part I.A.1., during periods of no precipitation (or snowmelt).

6. The operator shall have the burden of proof that the preceding conditions have been met in order to qualify for the alternate limitations in Parts I.A.3. and I.A.4. The alternate limitations in Parts I.A.3. and I.A.4. shall not apply to treatment systems that treat underground mine water only.

B. SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule:

   a. If the permittee has not previously submitted Area Map(s) described in Part III, A., such Area Map)s) shall be submitted within 30 days of the effective date of this permit.

   b. Revised Area Map(s) as described in Part III, A., must be submitted 60 days prior to commencement of the discharge.

2. No later than 14 calendar days following a date identified in the above Schedule of Compliance, the permittee shall submit either a report of progress or, in the case of specific actions being required by identified dates, a written notice to the permit issuing authority of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

C. MONITORING AND REPORTING

1. Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

2. Monitoring results obtained during the previous three (3) months shall be summarized for each discharge for each month and reported on a Discharge Monitoring Report Form (EPA No. 3320-1), postmarked no later than the 28th day of the month following the completed reporting period. The first report is due on April 28, 1982 . Duplicate signed copies of these, and all other reports required herein, (as required by Part II, A.9.) shall be submitted to the Regional Administrator and the Director of the State of Utah Water Pollution Agency at the following addresses:

U.S. Environmental Protection Agency Suite 103, 1860 Lincoln Street Denver, Colorado 80295 Attention: Water Division - Permits	Utah Department of Health Division of Environmental Health Bureau of Water Pollution Control P.O. Box 2500 Salt Lake City, Utah 84110

3. Definitions

a. The "daily average" means the arithmetic average of all the daily determinations made during a calendar month. Daily determinations made using a composite sample shall be the value of the composite sample. When grab samples are used, the daily determination shall be the arithmetic average of all the samples collected during the calendar day. Daily determinations of mass shall be determined by the daily determination of concentration multiplied by the volume of discharge for that day.

b. The "7-Day Average" limitation shall be determined by the arithmetic mean of a minimum of three (3) consecutive samples taken on separate days in a 7-day period (minimum total of three (3) samples).

c. The "daily maximum" concentration means the daily determination of concentration for any calendar day.

d. Measurement of flow shall be performed by a direct flow measurement technique such as a flow meter, weir, or gauge.

e. A "composite sample" shall consist of at least three grab samples which is representative of the discharge.

f. "Active mining area" means the areas on and beneath land used or disturbed in activity related to the extraction, removal, or recovery of coal from its natural deposits. This term excludes coal preparation plants, coal preparation plant associated areas and post-mining areas.

C. MONITORING AND REPORTING (Continued)

3. Definitions (Continued)

g. "Reclamation area" means the surface area of a coal mine which has been returned to required contour and on which revegetation (specifically, seeding or planting) work has commenced.

h. The term "10-year, 24-hour, precipitation event" shall mean the maximum 24-hour precipitation event with a probable reoccurrence interval of once in 10 years as defined by the National Weather Service and Technical Paper No. 40, "Rainfall Frequency Atlas of the U.S.," May 1961, and subsequent amendments or equivalent regional or rainfall probability information developed therefrom.

i. For additional definitions, see Part III, B.

4. Test Procedures

Test procedures for the analysis of pollutants shall conform to regulations published pursuant to Section 304(h) of the Act, under which such procedures may be required.

5. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

a. The exact place, date, and time of sampling;
b. The dates the analyses were performed;
c. The person(s) who performed the analyses;
d. The analytical techniques or methods used; and,
e. The results of all required analyses.

6. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report Form (EPA No. 3320-1). Such increased frequency shall also be indicated.

C. MONITORING AND REPORTING (Continued)

7. Records Retention

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, or longer, if requested by the Regional Administrator or the State of Utah water pollution control agency.

A. MANGEMENT REQUIREMENTS

1. Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to the environment resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

2. Noncompliance Notification

If, for any reason, the permittee does not comply with or will be unable to comply with any daily maximum effluent limitation specified in this permit, the permittee shall provide the Regional Administrator and the State of Utah with the following information, in writing, within five (5) days of learning or being advised of such condition:

a. A description of the discharge and cause of noncompliance; and,

b. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge. This written submission shall not be considered as excusing or justifying the failure to comply with the effluent limitations.

3. Change in Discharge

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit. Any anticipated facility expansions, production increases, or process modifications which will result in new, different, or increased discharges of pollutants must be reported by submission of a new NPDES application or, if such changes will not violate the effluent limitations specified in this permit, by notice to the permit issuing authority of such changes. Following such notice, the permit may be modified to specify and limit any pollutants not previously limited.

A. MANAGEMENT REQUIREMENTS (Continued)

4. Facilities Operation

a. The permittee shall at all times maintain in good working order and operate as efficiently as possible, all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit.

b. Dilution water shall not be added to comply with effluent requirements.

5. Bypass of Treatment Facilities

a. Definitions

(1) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.

(2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

b. Bypass Not Exceeding Limitations

The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs c and d of this Section.

c. Notice

(1) Anticipated Bypass

If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least ten (10) days before the date of the bypass.

(2) Unanticipated Bypass

The permittee shall submit notice of an unanticipated bypass as required in Part II, A.2.

A. MANAGEMENT REQUIREMENTS (Continued)

5. Bypass of Treatment Facilities (Continued)

d. Prohibition of Bypass

(1) Bypass is prohibited and the Director may take enforcement action against a permittee for bypass, unless:

(a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This conditions is not satisfied if the permittee could have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and,

(c) The permittee submitted notices as required under paragraph c of this Section.

(2) The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph d.(1) of this Section.

6. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of waste waters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the United States.

7. Power Failures

No later than 30 days after the effective date of this permit, the permittee shall certify in writing to the permit issuing authority either that:

a. An alternative mechanical or electrical power source sufficient to operate essential facilities utilized by the permittee to maintain compliance with the terms and conditions of the permit has been or will be installed or,

b. Upon reduction, loss or failure of one or more of the primary sources of electrical power to essential facilities utilized by the permittee to maintain compliance with the terms and conditions of this permit, the permittee shall halt, reduce, or otherwise control production and/or all discharges in order to maintain compliance with the terms and conditions of this permit.

A. MANAGEMENT REQUIREMENTS (Continued)

8. Delineated Discharges

Any discharge delineated in Part III (Other Requirements) (originating from operations covered by Standard Industrial Classification Codes 1211 and 1213) that commences after the effective date of this permit shall be in compliance with all effluent limitations, monitoring requirements, and other conditions contained herein upon initiation of discharge.

9. Signature Requirements

All reports or information submitted pursuant to the requirements of this permit must be signed and certified by a principal official or by a duly authorized representative of that person. Signatory regulations are established in 40 CFR 122.6.

B. RESPONSIBILITIES

1. Right of Entry

The permittee shall allow the head of the State of Utah water pollution control agency, the Regional Administrator, and/or their authorized representiatives, upon the presentation of credentials:

a. To enter upon the permittee's premises where a regulated facility or activity is located or in which any records are required to be kept under the terms and conditions of this permit; and,

b. At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any monitoring equipment or monitoring method required in this permit; and to sample any discharge of pollutants.

2. Transfer of Ownership or Control

In the event of any change in control or ownership of facilities from which the authorized discharges emanate, the permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Regional Administrator and the State of Utah water pollution control agency.

B. RESPONSIBILITIES (Continued)

3. Availability of Reports

Except for data determined to be confidential under Section 308 of the Act, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Regional Administrator and the State of Utah water pollution control agency. As required by the Act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the Act.

4. Permit Modification

After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:

a. Violation of any terms or conditions of this permit;

b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or,

c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

5. Toxic Pollutants

Notwithstanding Part II, B.4. above, if a toxic effluent standard or prohibition (including any Schedule of Compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be revised or modified in accordance with the toxic effluent standard or prohibition and the permittee so notified.

6. Civil and Criminal Liability

Except as provided in permit conditions on "Bypassing" (Part II, A.5.) and "Power Failures" (Part II, A.7.), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

B. RESPONSIBILITIES (Continued)

7. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act.

8. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulations under authority preserved by Section 510 of the Act.

9. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

10. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

11. Reapplication

If the permittee desires to continue to discharge, he shall reapply at least one hundred eighty (180) days before this permit expires using the application forms then in use. The permittee should also reapply if he desires to maintain a permit, even though there was not a discharge from the treatment facilities during the duration of this permit.

A. OTHER REQUIREMENTS

1. General Requirements

a. Area Maps (Acting Mining Operations, Coal Preparation Plant, and Associated Areas)

(1) Underground mines which have already identified the location of each discharge need not submit an area map.

(2) The permittee shall submit revised Area Map(s) to show any changes, corrections, or other modifications or adjustments of the location of the point source discharges. The purpose of this requirement is to assure that the Regional Administrator and the State of Utah are kept fully advised as to the current location of such discharges.

(3) The revised Area Map(s) shall be submitted in the form specified below and shall be made from USGS topographical maps (7.5 or 15-minute series) or other appropriate sources as approved by the Regional Administrator or his designee. Each revised Area Map shall be 8½ inches by 11 inches and shall be in black and white suitable to produce readable copies by rapid printing methods (Xerox, Dennison, Offset printing, etc.) or as approved by the Regional Administrator or his designee. Where additional 8½-inch by 11-inch maps are required to show the area of operation, they shall be numbered and a key shall be shown on the first map. The first map section shall have the company name, mine/job name, address, and NPDES number clearly printed thereon. Also, one line of latitude and one line of longitude shall be marked on each map section. The Area Map(s) shall delineate the following, using the graphics as indicated:

(a) Existing Area of Operation ———————— (Solid Outline)

(b) Existing point source ▲ (Solid Triangle)

(c) The projected area of operation for the next five years - - - - - - - - - - - - - - (Dashed Outline)

(d) Project point source for the next five years △ (Opened Triangle)

A. OTHER REQUIREMENTS

1. General Requirements (Continued)

(e) The monitoring reports must indicate the active-inactive status of all discharge points which are listed on the current area maps. These discharge points shall be assigned numbers 001, 002, 003, etc.

b. Monitoring of a discharge may be terminated if either:

(1) Sufficient data has been accumulated to show to the satisfaction of the Regional Administrator or his designee that the untreated discharge from an area where active mining has ceased will meet the limitations herein; or,

(2) The discharge emanates from an area on which the State of Utah has released the grading bond or has taken other similar action.

B. ADDITIONAL DEFINITIONS

1. The term "coal preparation plant" means a facility where coal is crushed, screened, sized, cleaned, dried, or otherwise prepared and loaded for transit to a consuming facility.

2. The term "coal preparation plant associated areas" means the coal preparation plant yards, immediate access roads, coal refuse piles, and coal storage piles and facilities.

3. The term "settleable solids" is that matter measured by the volumetric method specified below:

The following procedure is used to determine settleable solids:

Fill an Imhoff cone to the one-liter mark with a thoroughly mixed sample. Allow to settle undisturbed for 45 minutes. Gently stir along the inside surface of the cone with a stirring rod. Allow to settle undisturbed for 15 minutes longer. Record the volume of settled material in the cone as milliliters per liter. Where a separation of settleable and floating material occurs, do not include the floating material in the reading.