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State of Utah
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER QUALITY

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Orig mine file
ck L Brayton
Act 1015/018

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DEC 0 1 1992
DIVISION OF
OIL, GAS & MINING

November 19, 1992

Ms. Dianne Nielson, Director
Division of Oil, Gas and Mining
3 Triad Center Suite 350
Salt Lake City, Utah 84180-1203

RE: UP&L, Deer Creek Mine
UPDES Permit No. UT0023604.

Dear ~~Ms. Nielson~~ Dianne:

Thank you for your comments on the Deer Creek Mine UPDES permit No. UT0023604.

While we share your concerns, the temporary bypass of mine water was not included in the new permit for the following reasons:

Currently permitting Deer Creek's temporary bypass would violate the State's anti-degradation policy. We are currently in our tri-annual review and revision of the State water quality standards, etc. Included in these standards are the anti-degradation segments. One of the proposed revisions is a change in the anti-degradation policy. Under this proposed policy the bypass would not be in violation and could be permitted.

If we permit the Deer Creek's bypass now we would loose the option of requiring the construction of an effluent pipeline to a point outside of the current anti-degradation segment in order to be in compliance with the current anti-degradation policy.

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If you have any questions regarding this matter please feel free to contact Steve McNeal of my staff.

Sincerely,

Utah Water Quality Board

Don A. Ostler, P.E.
Executive Secretary

DAO:pk

cc: Judy Kobus-Fisk, EPA Region VIII, WMB
Timothy Provan, Division of Wildlife Resources
David Ariotti, Southeastern District Engineer
Claron Bjork, Southeastern Utah District Health Department

S:DEERCK.RES
FILE:UPDES