

PERMIT CHANGE TRACKING FORM

| | | | |
|--|---------|------------------------|----------------------|
| DATE RECEIVED | 7/19/93 | PERMIT NUMBER | ACT/015/025 |
| Title of Proposal: DISCHARGE PERMIT | | PERMIT CHANGE # | 93G |
| Description: | | PERMITTEE | CO-OP MINING COMPANY |
| | | MINE NAME | BEAR CANYON MINE |

| | DATE DUE | DATE DONE | RESULT |
|--|----------|-----------|---|
| <input type="checkbox"/> 15 DAY INITIAL RESPONSE TO PERMIT CHANGE APPLICATION | | | <input type="checkbox"/> ACCEPTED <input type="checkbox"/> REJECTED |
| <input type="checkbox"/> Notice of Review Status of proposed permit change sent to the Permittee. | | | Permit Change Classification |
| <input type="checkbox"/> Request additional review copies prior to Division/Other Agency review. | | | <input type="checkbox"/> Significant Permit Revision |
| <input type="checkbox"/> Notice of Approval of Publication. (If change is a Significant Revision.) | | | <input type="checkbox"/> Permit Amendment |
| <input type="checkbox"/> Notice of request to modify proposed permit change prior to approval. | | | <input type="checkbox"/> Incidental Boundary Change |

| REVIEW TRACKING | INITIAL REVIEW | | MODIFIED REVIEW | | FINAL REVIEW AND FINDINGS | |
|--|----------------|------|-----------------|------|---------------------------|------|
| DOGM REVIEWER | DUE | DONE | DUE | DONE | DUE | DONE |
| <input type="checkbox"/> Administrative _____ | | | | | | |
| <input type="checkbox"/> Biology _____ | | | | | | |
| <input type="checkbox"/> Engineering _____ | | | | | | |
| <input type="checkbox"/> Geology _____ | | | | | | |
| <input type="checkbox"/> Soils _____ | | | | | | |
| <input type="checkbox"/> Hydrology <u>HUGH</u> | | | | | | |
| <input type="checkbox"/> Bonding _____ | | | | | | |
| <input type="checkbox"/> AVS Check _____ | | | | | | |

| COORDINATED REVIEWS | DUE | DONE | DUE | DONE | DUE | DONE |
|---|-----|------|-----|------|-----|------|
| <input type="checkbox"/> OSMRE | | | | | | |
| <input type="checkbox"/> US Forest Service | | | | | | |
| <input type="checkbox"/> Bureau of Land Management | | | | | | |
| <input type="checkbox"/> US Fish and Wildlife Service | | | | | | |
| <input type="checkbox"/> US National Parks Service | | | | | | |
| <input type="checkbox"/> UT Environmental Quality | | | | | | |
| <input type="checkbox"/> UT Water Resources | | | | | | |
| <input type="checkbox"/> UT Water Rights | | | | | | |
| <input type="checkbox"/> UT Wildlife Resources | | | | | | |
| <input type="checkbox"/> UT State History | | | | | | |
| <input type="checkbox"/> Other | | | | | | |

| | |
|---|--|
| <input type="checkbox"/> Public Notice/Comment/Hearing Complete (If the permit change is a Significant Revision) | <input type="checkbox"/> Permit Change Approval Form signed and approved effective as of this date. <input type="checkbox"/> Permit Change Denied. |
| <input type="checkbox"/> Copies of permit change marked and ready for MRP. | <input type="checkbox"/> Notice of <input type="checkbox"/> Approval <input type="checkbox"/> Denial to Permittee. |
| <input type="checkbox"/> Special Conditions/Stipulations written for approval. | <input type="checkbox"/> Copy of Approved Permit Change to File. |
| <input type="checkbox"/> TA and CHIA modified as required. | <input type="checkbox"/> Copy of Approved Permit Change to Permittee. |
| <input type="checkbox"/> Permit Change Approval Form ready for approval. | <input type="checkbox"/> Copies to Other Agencies and Price Field Office. |

PERMIT AMENDMENT APPROVAL

| | |
|--------------------------------|-----------------------------|
| Title: DISCHARGE PERMIT | PERMIT NUMBER: ACT/015/025 |
| Description: | PERMIT CHANGE #: 93G |
| | MINE: BEAR CANYON MINE |
| | PERMITTEE: CO-OP MINING CO. |

WRITTEN FINDINGS FOR PERMIT APPLICATION APPROVAL

YES, NO or N/A

| | |
|---|--|
| 1. The application is complete and accurate and the applicant has complied with all the requirements of the State Program. | |
| 2. The proposed permit area is not within an area under study or administrative proceedings under a petition, filed pursuant to R645-103-400 or 30 CFR 769, to have an area designated as unsuitable for coal mining and reclamation operations, unless: | |
| A. The applicant has demonstrated that before January 4, 1977, substantial legal and financial commitments were made in relation to the operation covered by the permit application, or | |
| B. The applicant has demonstrated that the proposed permit area is not within an area designated as unsuitable for mining pursuant to R645-103-300 and R645-103-400 or 30 CFR 769 or subject to the prohibitions or limitations of R645-103-230. | |
| 3. For coal mining and reclamation operations where the private mineral estate to be mined has been severed from the private surface estate, the applicant has submitted to the Division the documentation required under R645-301-114.200. | |
| 4. The Division has made an assessment of the probable cumulative impacts of all anticipated coal mining and reclamation operations on the hydrologic balance in the cumulative impact area and has determined that the proposed operation has been designed to prevent material damage to the hydrologic balance outside the permit area. | |
| 5. The operation would not affect the continued existence of endangered or threatened species or result in destruction or adverse modification of their critical habitats, as determined under the Endangered Species Act of 1973 (16 U.S.C. 1531 et.seq.). | |
| 6. The Division has taken into account the effect of the proposed permitting action on properties listed on and eligible for listing on the National Register of Historic Places. This finding may be supported in part by inclusion of appropriate permit conditions or changes in the operation plan protecting historic resources, or a documented decision that the Division has determined that no additional protection measures are necessary. | |
| 7. The Applicant has demonstrated that reclamation as required by the State Program can be accomplished according to information given in the permit application. | |
| 8. The Applicant has demonstrated that any existing structure will comply with the applicable performance standards of R645-301 and R645-302. | |
| 9. The Applicant has paid all reclamation fees from previous and existing coal mining and reclamation operations as required by 30 CFR Part 870. | |
| 10. The Applicant has satisfied the applicable requirements of R645-302. | |
| 11. The Applicant has, if applicable, satisfied the requirements for approval of a long-term, intensive agricultural postmining land use, in accordance with the requirements of R645-301-353.400. | |

SPECIAL CONDITIONS OR STIPULATIONS TO THE PERMIT AMENDMENT APPROVAL

YES NO

| | | |
|---|--|--|
| 1. Are there any variances associated with this permit amendment approval? If yes, attach. | | |
| 2. Are there any special conditions associated with this permit amendment approval? If yes, attach. | | |
| 3. Are there any stipulations associated with this permit amendment approval? If yes, attach. | | |

The Division hereby grants approval for Permit Amendment to the Existing Permit by incorporation of the proposed changes described herein and effective the date signed below. All other terms and conditions of the Existing Permit shall be maintained and in effect except as superseded by this Permit Amendment.

Signed _____
 Director, Division of Oil, Gas and Mining

_____ EFFECTIVE DATE

APPLICATION FOR PERMIT CHANGE

Title of Change:

Discharge Permit

Permit Number: *ACT1 0151025*

Mine: *Bear Canyon*

Permittee: *Cold Spring Mining Co.*

Description, include reason for change and timing required to implement:

This submittal is made to update the discharge permit.

- | | | |
|------------------------------|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 1. Change in the size of the Permit Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 2. Change in the size of the Disturbed Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 3. Will permit change include operations outside the Cumulative Hydrologic Impact Area? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 4. Will permit change include operations in hydrologic basins other than currently approved? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 5. Does permit change result from cancellation, reduction or increase of insurance or reclamation bond? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 6. Does permit change require or include public notice publication? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 7. Permit change as a result of a Violation? Violation # _____ |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 8. Permit change as a result of a Division Order? D.O.# _____ |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 9. Permit change as a result of other laws or regulations? Explain: _____ |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 10. Does permit change require or include ownership, control, right-of-entry, or compliance information? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 11. Does the permit change affect the surface landowner or change the post mining land use? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 12. Does permit change require or include collection and reporting of any baseline information? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 13. Could the permit change have any effect on wildlife or vegetation outside the current disturbed area? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 14. Does permit change require or include soil removal, storage or placement? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 15. Does permit change require or include vegetation monitoring, removal or revegetation activities? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 16. Does permit change require or include construction, modification, or removal of surface facilities? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 17. Does permit change require or include water monitoring, sediment or drainage control measures? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 18. Does permit change require or include certified designs, maps, or calculations? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 19. Does permit change require or include underground design or mine sequence and timing? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 20. Does permit change require or include subsidence control or monitoring? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 21. Have reclamation costs for bonding been provided or revised for any change in the reclamation plan? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 22. Is permit change within 100 feet of a public road or perennial stream or 500 feet of an occupied dwelling? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 23. Is this permit change coal exploration activity <input type="checkbox"/> inside <input type="checkbox"/> outside of the permit area? |

Attach 3 complete copies of proposed permit change as it would be incorporated into the Mining and Reclamation Plan.

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Charles Reynolds 7/17/93

Signed - Name - Position - Date

Subscribed and sworn to before me this 17 day of July, 19 93

L A Miller

Notary Public

My Commission Expires: 2/6 19 94

Attest: STATE OF _____ COUNTY OF _____



L A MILLER
Notary Public
STATE OF UTAH
My Commission Expires
February 6, 1994

Received by Oil, Gas & Mining

ASSIGNED PERMIT CHANGE NUMBER



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

August 23, 1993

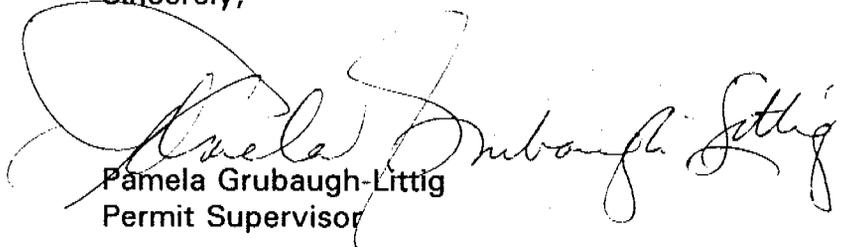
Mr. Robert Hagen, Director
Office of Surface Mining
Reclamation and Enforcement
505 Marquette N.W., Suite 1200
Albuquerque, New Mexico 87102

Dear Mr. Hagen:

Re: Legal and Financial Update (93F) and Discharge Permit (93G), Co-Op Mining Company, Bear Canyon Mine, ACT/015/025-93F and 93G, Folder #2, Emery County, Utah

Enclosed please find a copy of updated legal and financial information (pages 2-ii, 2-1 thru 2-4) as well as the updated Appendix 7-B for the Bear Canyon Mine PAP. If you have any questions, please call me.

Sincerely,


Pamela Grubaugh-Littig
Permit Supervisor

pgl
Enclosure
cc/enc: BMalencik



CO-OP MINING COMPANY

P.O. Box 1245
Huntington, Utah 84528



(801) 381-5238
Coal Sales (801) 381-5777

August 12, 1993

Pamela Grubaugh-Littig
Permit Supervisor
Utah Division of Oil, Gas & Mining
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Ms. Grubaugh-Littig,

Re: Discharge Permit, Co-Op Mining Company, Bear Canyon Mine,
ACT/015/025-93G, Emery County, Utah

file #2

Enclosed are three finalized copies of the above-referenced
submittal (Appendix 7-B), which was approved per Division letter
dated August 4, 1993.

If you have any questions, please call Charles Reynolds at
(801) 381-2450.

Thank You,

Wendell Owen,
Resident Agent

WJO/cr
Enclosure(s)

RECEIVED

AUG 18 1993

DIVISION OF
OIL, GAS & MINING



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

August 4, 1993

Mr. Wendell Owen
Co-Op Mining Company
P.O. Box 1245
Huntington, Utah 84528

Dear Mr. Owen:

Re: Discharge Permit, Co-Op Mining Company, Bear Canyon Mine,
ACT/015/025-93G, Folder #3, Emery County, Utah

The above-noted amendment is approved. Please submit three finalized copies of the amendment by August 31, 1993.

Sincerely,

A handwritten signature in black ink, appearing to read 'Pamela Grubaugh-Littig'.

Pamela Grubaugh-Littig
Permit Supervisor

pgl



Yes I am aware ... see page 2-13 of
appendix 7-5 which discusses min influent and
discharge. Present influent is ~ 500 GPM ... about
200 GPM is used in-mine and ~ 300 GPM is
discharged ... so

300 GPM = 18000 gallons per hour

→ = 432,000 gallons per day

PERMIT TRACKING FORM

Type of Proposal:

Enforcement Action Involved:

MRP AMENDMENT
 MRP REVISION _____
 EXPLORATION _____
 I. B. C. _____

TDN/L #X _____, # _____ of _____
 NOV #N _____, # _____ of _____
 CO #C _____, # _____ of _____
 (Incidental Boundary Change)

Title of Proposal:

Company Name:

File #: (INA / PRO / ACT / CEP)

Discharge Permit
Co-Op Mining Company, Blue Canyon Mine
015 / 015 - 93 9 # New Acres: _____

| Discipline | Priority | Reviewers | Due | Completed | Tech Memo Drafted | |
|------------|----------|-------------|-------------|-------------------------------|-------------------|-----|
| | | | | | Yes | No |
| HYDROLOGY | | <i>Hugh</i> | <i>8/19</i> | <i>20 July 1993</i> <i>OK</i> | () | (X) |
| BIOLOGY | | | | | () | () |
| ENGINEER | | | | | () | () |
| SOILS | | | | | () | () |
| GEOLOGY | | | | | () | () |

Dates:

- | | | | |
|--|---|--|---|
| (1) Initial Plan Received Tech Review Due Tech Review Complete DOGM Response Sent Operator Response Due | <i>7/19</i> _____ _____ _____ _____ | (4) Operator Resubmission Tech Review Due Tech Review Complete DOGM Response Sent Operator Response Due | _____ _____ _____ _____ |
| (2) Operator Response Rc'd Tech Review Due Tech Review Complete DOGM Response Sent Operator Response Due | _____ _____ _____ _____ | (5) Operator Response Rcd Tech Review Due Tech Review Complete DOGM Response Sent Operator Response Due | _____ _____ _____ _____ |
| (3) Operator Response Rc'd Tech Review Due Tech Review Complete DOGM Response Sent Operator Response Due | _____ _____ _____ _____ | (6) Conditional Approval Stipulations Due Stipulations Received DOGM Response Sent Final Approval Filed in MRP Author Transmitted | <i>8/4/93</i> <i>Copies due 8/27</i> _____ _____ _____ _____ |

Other Agency Involvement:

| Agency | Transmittal Date | Sign-off | Comments: |
|---------------------------|------------------|----------|-----------|
| () OSMRE | _____ | _____ | _____ |
| () USFS | _____ | _____ | _____ |
| () BLM | _____ | _____ | _____ |
| () USFWS | _____ | _____ | _____ |
| () NPS | _____ | _____ | _____ |
| () HEALTH | _____ | _____ | _____ |
| () UDWR | _____ | _____ | _____ |
| () H ² O RGTS | _____ | _____ | _____ |
| () HISTORY | _____ | _____ | _____ |

CO-OP MINING COMPANY

P.O. Box 1245
Huntington, Utah 84528



(801) 381-5238
Coal Sales (801) 381-5777

July 15, 1993

Pamela Grubaugh-Littig
Permit Supervisor
Utah Division of Oil, Gas & Mining
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Ms. Grubaugh-Littig,

Re: Discharge Permit, Co-Op Mining Company, Bear Canyon Mine,
ACT/015/025-93G, Emery County, Utah

Enclosed are three copies of a proposal to include the updated discharge permit in the Bear Canyon Mine Reclamation Plan. The enclosed Appendix 7-B is being submitted to replace the existing Appendix 7-B.

Pages have been marked DRAFT to distinguish them from previously approved pages. Upon approval, finalized copies will be sent to the Division. If you have any questions, please call Charles Reynolds at (801) 381-2450.

Thank You,



Wendell Owen,
Resident Agent

WJO/cr
Enclosure(s)

RECEIVED

JUL 19 1993

DIVISION OF
OIL GAS & MINING

Appendix 7-B
DISCHARGE PERMIT

RECEIVED

JUL 19 1993

DIVISION OF
OIL GAS & MINING

B.C.

7B-1

DRAFT

7/14/93

This appendix includes a copy of the Notice of Intent (NOI) as filed with the State of Utah, Department of Health, Bureau of Water Pollution Control, and of Permit No. UTG0400060, issued by the same. This Permit replaces NUPDES Permit No. UT-0023612040006.

March 26, 1993

Nathan Atwood
Co-Op Mining
Bear/Trail canyon Mines
P. O. Box 1245
Huntington, Utah 84528

(Please correct above if in error)

Dept. of Environmental Quality
Division of Water Quality
288 North 1460 West
P.O. Box 144870
Salt Lake City, Utah 84114-4870

RE: Renewal of UPDES Permit UTG040006

In accordance with the Utah Water Pollution Control Act, the Clean Water Act of 1977, and the Water Quality Act of 1987, I elect to renew or to terminate the referenced permit, as indicated below:

(Please check one)

- Renewal -- Our operating conditions have not changed significantly since the permit was first obtained.
- Renewal -- Our operating conditions have been modified or changed significantly since the permit was first obtained. Attached is an explanation of the present procedures.
- Non-renewal -- No longer discharging therefore an UPDES permit is not required. It is requested that our existing permit be allowed to expire. Attached is an explanation of the reasons why we no longer are required to have an UPDES permit. We also understand that all reporting requirements still need to be met until our existing permit has expired.

I certify under penalty of law that I have personally examined and am familiar with the information submitted, and based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Signature: Charles Reynolds
Print Name: Charles Reynolds
Title: Environmental Coordinator
Street Address: P.O. Box 1245
City, State, Zip: Huntington, Utah 84528
Telephone Number: (801) 381-2450

A. NAME OF FACILITY

The following two facilities are included in this NOI:

1. Bear Canyon Mine
2. Trail Canyon Mine

B. FACILITY CONTACT PERSON

Charles Reynolds
Environmental Coordinator
(801) 381-5435

C. FACILITY MAILING ADDRESS

Co-Op Mining Company
P.O. Box 1245
Huntington, Utah 84528

E. FACILITY LOCATION

The discharge facilities are located in Sections 22 (Trail Canyon) and 25 (Bear Canyon), Township 16 South, Range 7 East, SLBM. Huntington Canyon, Emery County, Utah.

F. OPERATOR/OWNER

Operator Co-Op Mining Co.
53 West Angelo Ave
Salt Lake City, Utah 84115
tele. (801) 486-5047
 (801) 381-5238

Owner C.O.P. Coal Development Co.*
3140 South Main Street
Salt Lake City, Utah 84115

* Owner of record of Surface Area and Coal Rights.

G. INDIAN LANDS/NATIONAL FOREST BOUNDARIES

The discharge point in Section 22 is within National Forest boundaries. The discharge points located in Section 25 are not. Discharge from the sediment pond treatment facilities in both Sections were approved under NPDES permit No. UT-0023612 as points 001 and 002. No points lie within Indian Lands.

H. ADDITIONAL PERMITS

The facility is presently operating under the requirements and conditions of UPDES General Permit UTG040006, issued May 8, 1989 and amended February 2, 1993. No other permits have been or attempted to be obtained.

I. HAZARDOUS WASTE

The Trail Canyon Mine and Bear Canyon Mine facilities do not have any hazardous waste treatment, storage or disposal facilities.

J. DISCHARGE FACILITIES LOCATION

There are a total of six discharge points requested. Two of the points (001 and 002) were included in NPDES permit No. UT-0023612.

- 001 Trail Canyon Mine Sediment Pond Treatment Facility; T6S, R7E SLBM, Sec 22, at approximately 111 deg 7 min 0 sec longitude and 39 deg 25 min 0 sec latitude. Discharge would flow into Trail Canyon Creek.
- 002 Bear Canyon Mine Sediment Pond "A" Treatment Facility; T6S, R7E SLBM, Sec 25, at approximately 111 deg 5 min 40 sec longitude and 39 deg 24 min 30 sec latitude. Discharge would flow into Bear Creek.
- 003 Bear Canyon Mine Sediment Pond "B" Treatment Facility; T6S, R7E SLBM, Sec 25, at approximately 111 deg 5 min 40 sec longitude and 39 deg 24 min 30 sec latitude. Discharge would flow into Bear Creek.
- 004 Bear Canyon Mine Underground Seepage Water Overflow; T6S, R7E SLBM, Sec 25, at approximately 111 deg 5 min 30 sec longitude and 39 deg 24 min 40 sec latitude. Discharge flows into Bear Creek.

DRAFT

- 006 Bear Canyon Mine Sediment Pond "C" Treatment Facility;
T6S, R7E SLBM, Sec 25, at approximately 111 deg 5 min 40
sec longitude and 39 deg 24 min 27 sec latitude.
Discharge would flow into Bear Creek.

Water also flows occasionally from the Bear Canyon Mine Culinary Water (Discharge Point 005). This is an approved culinary source and no discharge permit is required. No monitoring required as per letter from Executive Secretary dated March 30, 1989. Water originates underground and is piped into the system. No chemical treatment of the culinary water is made at this time. Overflow flows to Bear Creek.

K. SOURCE OF DISCHARGE

- 001 Trail Canyon Mine Sediment Pond Treatment Facility;
Surface runoff from disturbed areas flows into this
sediment pond. No coal is being mined at the Trail
Canyon facility and the area is being reclaimed at this
time.
- 002 Bear Canyon Mine Sediment Pond "A" Treatment Facility;
Surface runoff from disturbed areas west of Bear Creek
flows into this sediment pond. Most of Bear Canyon Mine
disturbed area runoff flows through Pond "A".
- 003 Bear Canyon Mine Sediment Pond "B" Treatment Facility;
Surface runoff from disturbed areas east of Bear Creek
flows into this sediment pond.
- 004 Bear Canyon Mine Underground Seepage Water Overflow;
Flow will come from sump locations within the mine when
natural seepage into the mine is greater than seepage out
of the mine. Water will be pumped out.
- 006 Bear Canyon Mine Sediment Pond "C" Treatment Facility;
Surface runoff from a proposed disturbed area west of
Bear Creek flows into this sediment pond. The area is a
proposed expansion that will be used for employee parking
and shower house.

L. WASTE WATER TREATMENT

- 001 Trail Canyon Mine Sediment Pond Treatment Facility;
Treatment consists of sedimentation while the water is in
the sediment pond.
- 002 Bear Canyon Mine Sediment Pond "A" Treatment Facility;
Treatment consists of sedimentation while the water is in
the sediment pond.
- 003 Bear Canyon Mine Sediment Pond "B" Treatment Facility;
Treatment consists of sedimentation while the water is in
the sediment pond.
- 004 Bear Canyon Mine Underground Seepage Water Overflow;
Water will be held in underground sump locations before
being pumped to the surface. This will allow for
sedimentation of particulate introduced during mining
operations and water will maintain near groundwater
characteristics. Pumping takes water from near the
bottom of the pond.
- 006 Bear Canyon Mine Sediment Pond "C" Treatment Facility;
Treatment consists of sedimentation while the water is in
the sediment pond.

M. FLOW CHARACTERISTICS

- 001 Trail Canyon Mine Sediment Pond Treatment Facility; No
discharge is anticipated. No flow has been experienced
from this pond. Any Discharge would be intermittent.
- 002 Bear Canyon Mine Sediment Pond "A" Treatment Facility;
No discharge is anticipated. No flow has been
experienced from this pond. Any Discharge would be
intermittent.
- 003 Bear Canyon Mine Sediment Pond "B" Treatment Facility;
No discharge is anticipated. No flow has been
experienced from this pond. Any Discharge would be
intermittent.
- 004 Bear Canyon Mine Underground Seepage Water Overflow;
Discharge will be intermittent, following the flow of
subsurface waters into the mine, 0 to 500,000 gpd.

- 006 Bear Canyon Mine Sediment Pond "C" Treatment Facility;
No discharge is expected. Any discharge would be
intermittent.

N. WATER DATA

- 001 Trail Canyon Mine Sediment Pond Treatment Facility; No
data available.
- 002 Bear Canyon Mine Sediment Pond "A" Treatment Facility;
No data available.
- 003 Bear Canyon Mine Sediment Pond "B" Treatment Facility;
No data available.
- 004 Bear Canyon Mine Underground Seepage Water Overflow;
Copies of 1992 water monitoring reports for discharge
from this point and for underground water from the two
main source sump locations are included with this NOI.
- 006 Bear Canyon Mine Sediment Pond "C" Treatment Facility;
No data available.

Co-Op Mining Co. requests that monitoring report requirements be limited to those previously required; flow rate, pH, total suspended solids, settleable solids, oil and grease, total iron (as Fe), floating solids or visible foam visual, and total dissolved solids.

O. TOXIC/PRIORITY POLLUTANTS

None present.

P. AREA MAPS

See attached map.

Q. Sediment Runoff Control Plan

The sediment runoff control plan approved by the State of Utah Division of Oil, Gas and Mining is available for review at the Utah Division of Oil, Gas & Mining, 355 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203. The sediment control plan is incorporated into the Mine Reclamation plan. A copy of the applicable sections can be forwarded to the Division of Water Quality if requested.

WATER MONITORING REPORT

| | |
|------------|--------------|
| Property: | Co-op |
| Station: | SBC-9 |
| Location: | Mine Sump #3 |
| Type: | Sump |
| Frequency: | Quarterly |

| Field Measurements | 02/18/92 | 05/14/92 | 08/10/92 | 10/05/92 |
|--------------------|----------|----------|----------|----------|
| Sampled by: | M.E.C. | M.E.C. | M.E.C. | M.E.C. |
| Flow (gpm) | 132 | 130 | 105 | 82 |
| pH | 7.77 | 8.7 | 7.4 | 7.22 |
| Sp. Cond. (ohms) | 613 | 588 | 659 | 619 |
| Temp (C) | 10.8 | 8.7 | 11.4 | 8.7 |

| Lab Measurements | CT&E | CT&E | CT&E | CT&E |
|--------------------|------|------|------|------|
| Analyzed by: | CT&E | CT&E | CT&E | CT&E |
| TDS (mg/L) | 321 | 293 | 330 | 349 |
| Hardness (CaCO3) | 308 | 338 | 318 | 346 |
| Carbonate (CO3) | 0 | 0 | 0 | 0 |
| Bicarbonate (HCO3) | 325 | 360 | 346 | 358 |
| Calcium (Ca) | 78.8 | 74.7 | 75.2 | 78.2 |
| Chloride (Cl) | 5 | 10 | 15 | 25 |
| Iron (Fe) | 0.06 | 1.14 | 0 | 0.09 |
| Magnesium (Mg) | 27 | 36.8 | 31.7 | 36.7 |
| Manganese (Mn) | 0.06 | 0 | 0 | 0 |
| Potassium (K) | 0 | 0 | 0 | 3.11 |
| Sodium (Na) | 1.3 | 2.38 | 0.73 | 4.03 |
| Sulfate (SO4) | 33 | 28 | 20 | 27 |
| Cations | 6.21 | 6.85 | 6.39 | 7.17 |
| Anions | 6.04 | 6.62 | 6.38 | 7 |

M.E.C. - Mangum Engineering Consultants, Kaysville, Utah
 CT&E - Commercial Testing & Engineering, Huntington, Utah

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WATER MONITORING REPORT

Property: Co-op
 Station: SBC-10
 Location: Mine Sump - 2nd East
 Type: Sump
 Frequency: Quarterly - Baseline

| Field Measurements | Date Sampled | | | | | |
|--------------------|--------------|----------|----------|----------|----------|----------|
| | 01/31/92 | 02/18/92 | 03/26/92 | 05/14/92 | 08/10/92 | 10/01/92 |
| Sampled by: | CT&E | M.E.C. | M.E.C. | M.E.C. | M.E.C. | M.E.C. |
| Flow (gpm) | 248 | 250 | 240 | 240 | 240 | N/A |
| pH | 6.8 | 7.8 | 7.75 | 7.83 | 7.53 | 7.49 |
| Sp. Cond. (ohms) | 510 | 720 | 628 | 638 | 670 | 660 |
| Temp (C) | N/R | 8.6 | 7.9 | 8 | 11.4 | 8.2 |

| Lab Measurements | Date Sampled | | | | | |
|-----------------------|--------------|----------|----------|----------|----------|----------|
| | 01/31/92 | 02/18/92 | 03/26/92 | 05/14/92 | 08/10/92 | 10/01/92 |
| Analyzed by: | CT&E | CT&E | CT&E | CT&E | CT&E | CT&E |
| Anions | 6.49 | 6.32 | 7.86 | 6.91 | 7.96 | 6.55 |
| Cations | 6.56 | 6.48 | 7.31 | 6.53 | 7.06 | 7.05 |
| Oil & Grease | 0.0 | 0.0 | 0.0 | | 1.3 | 0.0 |
| TDS (mg/l) | 313 | 345 | 332 | 322 | 389 | 451 |
| Hardness (CaCO3) | 320 | 321 | 355 | 321 | 351 | 350 |
| Aluminum (Al) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.32 |
| Arsenic (As) | 0.0 | 0.007 | 0.0 | 0.0 | 0.0 | 0.0 |
| Barium (Ba) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Boron (B) | 0.04 | 0.1 | 0.03 | 0.07 | 0.0 | 0.08 |
| Carbonate (CO3) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Bicarbonate (HCO3) | 312 | 339 | 373 | 353 | 331 | 322 |
| Cadmium (Cd) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Calcium (Ca) | 76.6 | 83.7 | 91.7 | 77.9 | 85.1 | 97.6 |
| Chloride (Cl) | 10.0 | 5.0 | 15.0 | 20.0 | 20.0 | 5 |
| Chromium (Cr) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Copper (Cu) | 0.02 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Flouride (F) | 0.09 | 0.45 | 0.13 | 0.04 | 0.23 | 0.02 |
| Iron (Fe) | 0.56 | 0.08 | 0.09 | 0.0 | 0.02 | 0.0 |
| Lead (Pb) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Magnesium (Mg) | 31.2 | 27.3 | 30.6 | 30.8 | 33.6 | 25.83 |
| Manganese (Mn) | 0.0 | 0.07 | 0.0 | 0.0 | 0.0 | 0.04 |
| Mercury (Hg) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Molybdenum (Mo) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Nickel (Ni) | 0.0 | 0.0 | 0.02 | 0.0 | 0.0 | 0.0 |
| Nitrogen: Ammonia (N) | 0.18 | 0.2 | 0.45 | 0.43 | 0.01 | 0.1 |
| Nitrite (NO2) | 0.0 | 0.0 | 0.0 | 0.0 | 0.01 | 0.0 |
| Nitrate (NO3) | 0.0 | 0.16 | 0.0 | 0.27 | 0.1 | 0.21 |
| Potassium (K) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Phosphate (PO4) | 0.0 | 0.02 | 0.01 | 0.01 | 0.0 | 0.0 |
| Selenium (Se) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Sodium (Na) | 3.88 | 1.3 | 5.01 | 2.57 | 1.21 | 1.19 |
| Sulfate (SO4) | 58 | 36 | 70 | 33 | 100 | 60 |
| Sulfide (S) | 4 | 0.0 | 0.01 | 3.4 | 6.0 | 2 |
| Zinc (Zn) | 0.0 | 0.0 | 0.0 | 0.04 | 0.0 | 0.0 |

B.C.
7B-11

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WATER MONITORING REPORT

Property: Co-op Mining Company
 Station: NPDES
 Location: Mine Discharge
 Type: Permit UTG040006 (004)
 Frequency: Monthly

| Field Measurements | Date Sampled | | | | | | | | | | | |
|--------------------|--------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| | 01/31/92 | 02/18/92 | 03/27/92 | 04/09/92 | 05/14/92 | 06/09/92 | 07/07/92 | 08/10/92 | 09/10/92 | 10/05/92 | 11/23/92 | 12/18/92 |
| Sampled by: | CT&E | M.E.C. |
| Flow (gpm) | 305 | 318 | 304 | 310 | 305 | 305 | 203 | 214 | 124 | 90.52 | 99.1 | 180.3 |
| pH | 6.4 | 7.92 | 7.8 | 7.66 | 7.82 | 7.86 | 7.84 | 7.75 | 7.57 | 7.63 | 7.65 | 7.11 |
| Sp. Cond. (ohms) | 890 | 595 | 1110 | N/A | 694 | 586 | 584 | 640 | 717 | 598 | 685 | 640 |
| Temp (C) | 6.5 | 8.2 | 7.0 | 8 | 8.1 | 8.3 | 10.9 | 16.0 | 10.8 | 10.0 | 10.2 | 7.72 |

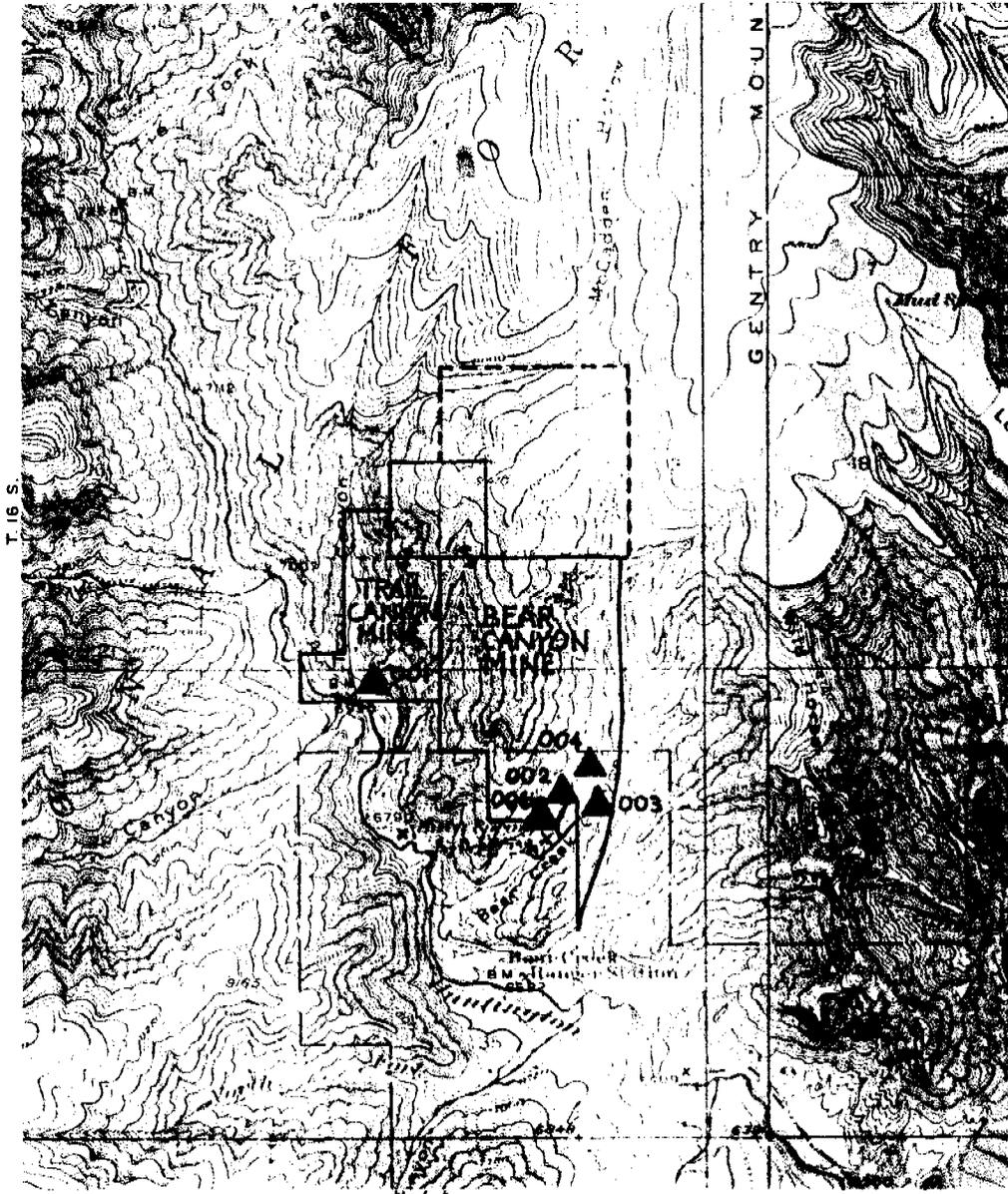
| Lab Measurements | Date Sampled | | | | | | | | | | | |
|-------------------|--------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| | 01/31/92 | 02/18/92 | 03/27/92 | 04/09/92 | 05/14/92 | 06/09/92 | 07/07/92 | 08/10/92 | 09/10/92 | 10/05/92 | 11/23/92 | 12/18/92 |
| Analyzed by: | CT&E | CT&E | CT&E | CT&E | CT&E | CT&E | CT&E | CT&E | CT&E | CT&E | CT&E | CT&E |
| Dissolved Solids | 676 | 340 | 782 | 278 | 409 | 337 | 335 | 362 | 365 | 276 | 436 | 376 |
| Suspended Solids | 20 | 0.5 | 1.0 | 0.0 | 6.0 | 1.0 | 1.0 | 2.0 | 2.0 | 3.0 | 6.0 | 9.0 |
| Settleable Solids | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Oil & Grease | 0.4 | 0.0 | 0.0 | 0.0 | 0.3 | 1.8 | 0.0 | 0.8 | 2.6 | 0.4 | 4.1 | 2.2 |
| Iron (Fe) | 0.2 | 0.06 | 0.0 | 0.06 | 0.0 | 0.1 | 0.1 | 0.57 | 0.05 | 0.09 | 0.09 | 0 |

| Field Measurements | Date Sampled | | | | | | | | | | | |
|--------------------|--------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| | 01/17/92 | 02/29/92 | 03/12/92 | 04/30/92 | 05/29/92 | 06/30/92 | 07/31/92 | 08/21/92 | 09/24/92 | 10/30/92 | 11/30/92 | 12/31/92 |
| Sampled by: | M.E.C. | M.E.C. | M.E.C. | M.E.C. | M.E.C. | M.E.C. | M.E.C. | M.E.C. | M.E.C. | M.E.C. | M.E.C. | M.E.C. |
| pH | 7.8 | 7.79 | 7.8 | 7.72 | 7.86 | 7.84 | 7.8 | 7.8 | 7.79 | 7.72 | 7.42 | 7.33 |
| Sp. Cond. (ohms) | 742 | 647 | 725 | N/A | N/A | N/A | 597 | 643 | 680 | 632 | 748 | 610 |
| Temp (C) | 7.0 | 7.5 | 7.5 | 8.3 | 10.4 | 10.2 | 8.6 | 10.5 | 9.8 | 9.6 | 49.5 | 9.7 |

1/14/93

Co-Op Mining Company
Trail Canyon & Bear Canyon Mines
P.O. Box 1245
Huntington, Utah 84528

UTAH
HLAWATHA QUADRANGLE



39°22'30" 111°07'30" SCALE 1:62500 4 MILES

HLAWATHA, UTAH
N 3915-W 11100/15
1923

UPDES No. UTG04000

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STATE OF UTAH
DIVISION OF WATER QUALITY
DEPARTMENT OF ENVIRONMENTAL QUALITY
SALT LAKE CITY, UTAH

AUTHORIZATION TO DISCHARGE UNDER THE
UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM
(UPDES)

GENERAL PERMIT FOR COAL MINING

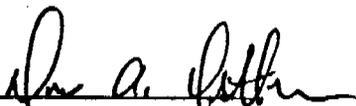
In compliance with provisions of the *Utah Water Quality Act, Title 19, Chapter 5, Utah Code Annotated ("UCA") 1953, as amended* (the "Act"),

Co-Op Mining Company, located up Huntington Canyon on Trail Canyon Creek and Bear Creek, as identified in the Notice of Intent, application UTG040006, is authorized to discharge to Trail Canyon Creek and Bear Creek, tributaries of Huntington Creek, in accordance with discharge point(s), effluent limitations, monitoring requirements and other conditions set forth herein.

This permit shall become effective on July 1, 1993.

This general permit and the authorization to discharge shall expire at midnight, April 30, 1998.

Signed this 29th day of June, 1993.



Authorized Permitting Official
Executive Secretary
Utah Water Quality Board

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I. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

A. Definitions.

1. The "30-day (and monthly) average" is the arithmetic average of all samples collected during a consecutive 30-day period or calendar month, whichever is applicable. The calendar month shall be used for purposes of reporting self-monitoring data on discharge monitoring report forms.
2. The "7-day (and weekly) average" is the arithmetic average of all samples collected during a consecutive 7-day period or calendar week, whichever is applicable. The 7-day and weekly averages are applicable only to those effluent characteristics for which there are 7-day average effluent limitations. The calendar week which begins on Sunday and ends on Saturday, shall be used for purposes of reporting self-monitoring data on discharge monitoring report forms. Weekly averages shall be calculated for all calendar weeks with Saturdays in the month. If a calendar week overlaps two months (i.e., the Sunday is in one month and the Saturday in the following month), the weekly average calculated for that calendar week shall be included in the data for the month that contains the Saturday.
3. "Daily Maximum" ("Daily Max.") is the maximum value allowable in any single sample or instantaneous measurement.
4. "Composite samples" shall be flow proportioned. The composite sample shall, as a minimum, contain at least four (4) samples collected over the composite sample period. Unless otherwise specified, the time between the collection of the first sample and the last sample shall not be less than six (6) hours nor more than 24 hours. Acceptable methods for preparation of composite samples are as follows:
 - a. Constant time interval between samples, sample volume proportional to flow rate at time of sampling;
 - b. Constant time interval between samples, sample volume proportional to total flow (volume) since last sample. For the first sample, the flow rate at the time the sample was collected may be used;
 - c. Constant sample volume, time interval between samples proportional to flow (i.e., sample taken every "X" gallons of flow); and,
 - d. Continuous collection of sample, with sample collection rate proportional to flow rate.
5. A "grab" sample, for monitoring requirements, is defined as a single "dip and take" sample collected at a representative point in the discharge stream.
6. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
7. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.

8. "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.
9. "Executive Secretary" means Executive Secretary of the Utah Water Quality Board.
10. "EPA" means the United States Environmental Protection Agency.
11. "Act" means the "*Utah Water Quality Act*".
12. "Best Management Practices" ("*BMPs*") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. *BMPs* also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
13. "CWA" means *Federal Water Pollution Control Act*, as amended, by *The Clean Water Act of 1987*.
14. "Point Source" means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged.
15. "Significant spills" includes, but is not limited to: releases of oil or hazardous substances in excess of reportable quantities under *Section 311 of the Clean Water Act (see 40 CFR 110.10 and 40 CFR 117.21)* or *Section 102 of CERCLA (see 40 CFR 302.4)*.
16. "Storm water" means storm water runoff, snow melt runoff, and surface runoff and drainage.
17. "Waste pile" means any noncontainerized accumulation of solid, nonflowing waste that is used for treatment or storage.
18. "10-year, 24-hour precipitation event" means the maximum 24-hour precipitation event with a probable reoccurrence interval of once in 10 years. This information is available in *Weather Bureau Technical Paper No. 40*, May 1961 and *NOAA Atlas 2*, 1973 for the 11 Western States, and may be obtained from the National Climatic Center of the Environmental Data Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce.
19. 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.
20. 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.
21. "Alkaline mine drainage" means mine drainage which before any treatment has a pH equal to or greater than 6.0 and total iron concentration less than 10 mg/l.

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

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.

B. Criteria for Inclusion in the General Permit for Coal Mining

This General permit shall apply only to the discharge of treated wastewater from:

Coal mining operations either new or existing in Utah which include or will include in part or in a whole alkaline mine water drainage, storm water runoff from coal preparation plant associated areas, active mining areas, and post mining areas until the performance bond is released. The total amount of total dissolved solids discharged from all mine water and decant operations is limited to one ton per day.

C. Notice of Intent for a General Permit for Coal Mining

Any facility which desires a general permit for coal mining and meets the requirements of Part I.B. can be issued a general permit by submitting a notice of intent (NOI) to the Division of Water Quality and EPA at the addresses listed on page 10 of this permit.

The NOI shall include:

- a. A completed Environmental Protection Agency Application (EPA Form 3510-1) or equivalent information.
- b. Location and identification number (such as 001, 002, etc.) of each existing discharge and/or proposed discharge point(s). This includes the latitude and longitude to the nearest 15 seconds and the name of the receiving water(s).
- c. A description of the source of the wastewater for each discharge point.
- d. A description of the treatment given or proposed for the wastewater at each discharge point and if necessary a justification of why no treatment is required.
- e. Flow characteristics for each discharge point such as whether flow is or will be continuous or intermittent and indicate projected and/or actual average and maximum flows in gpd.
- f. Data for each discharge point for the following parameters:
 - 1) Biochemical oxygen demand (BOD₅)
 - 2) Chemical oxygen demand (COD)
 - 3) Total organic carbon (TOC)
 - 4) Total suspended solids (TSS)
 - 5) Flow
 - 6) Ammonia (as N)

- 7) Oil and grease
- 8) Temperature
- 9) pH
- 10) Total dissolved solids (TDS)
- 11) Total iron and metals, cyanide, phenols located in Table III UAC R317-8-3.12
- 12) Date and time of sampling for each parameter
- 13) Date and time of analysis for each parameter
- 14) Utah certified laboratory which has completed the analysis for each parameter

If no data is available, indicate why the data is not available.

The Executive Secretary may waive the reporting requirements for any of these pollutants and parameters if the applicant submits a request for such a waiver before or with the NOI which demonstrates that information adequate to support issuance of the permit can be obtained through less stringent reporting requirements.

- g. For each discharge point the presence or absence of any toxic and/or priority pollutants as listed by EPA in 40 CFR Part 403.
- h. Best management practice plan or sediment runoff control plan approved by the Division of Oil, Gas and Mining.

D Description of Discharge Point(s).

The authorization to discharge provided under this permit is limited to those outfalls specifically designated below as discharge locations. Discharges at any location not authorized under a UPDES permit is a violation of the Act and may be subject to penalties under the Act. Knowingly discharging from an unauthorized location or failing to report an unauthorized discharge may be subject to criminal penalties as provided under the Act.

| <u>Outfall Number</u> | <u>Location of Discharge Point(s)</u> |
|-----------------------|---|
| 001 | Sedimentation pond discharge into Trail Canyon Creek Latitude 39° 25' 0" and Longitude 110° 7' 0" |
| 002 | Sedimentation pond A discharge into Bear Creek Latitude 39° 24' 30" and Longitude 111° 5' 40" |
| 003 | Sedimentation pond B discharge into Bear Creek Latitude 39° 24' 30" and Longitude 111° 5' 40" |
| 004 | Mine water discharge to Bear Creek. Mine portal piped to outside of Forest Service boundaries Latitude 39° 24' 40" and Longitude 111° 5' 30" |
| 006 | Sedimentation pond C discharge into Bear Creek Latitude 39° 24' 27" and Longitude 111° 5' 40" |

E. Narrative Standard.

It shall be unlawful, and a violation of this permit, for the permittee to discharge or place any waste or other substance in such a way as will be or may become offensive such as unnatural deposits, floating debris, oil, scum or other nuisances such as color, odor or taste, or conditions which produce undesirable aquatic life or which produces objectionable tastes in edible aquatic organisms; or concentrations or combinations of substances which produce undesirable physiological responses in desirable resident fish, or other desirable aquatic life, or undesirable human health effects, as determined by bioassay or other tests performed in accordance with standard procedures.

F. Specific Limitations and Self-monitoring Requirements.

1. Effective immediately and lasting the duration of this permit, the permittee is authorized to discharge from Outfall ___. Such discharges shall be limited and monitored by the permittee as specified below:

| Effluent Characteristics | <u>Discharge Limitations a/</u> | | | <u>Monitoring Requirements</u> | |
|--------------------------------|---------------------------------|----------------|---------------|--------------------------------|--------------------|
| | Average 30-Day | Daily 7-Day | Maximum | Measurement Frequency | Sample Type |
| Flow, gpd | NA | NA | NA | Monthly | Measured <u>b/</u> |
| Oil & Grease, mg/l. | NA | NA | 10 | Monthly | Grab |
| Total Suspended Solids, mg/L | 25 | 35 | 70 | Monthly | Grab <u>c/</u> |
| Total Iron, mg/l | NA | NA | 1.0 <u>c/</u> | Monthly | Grab <u>c/</u> |
| Total Dissolved Solids lbs/day | NA | NA | <u>d/</u> | Monthly | Grab <u>e/</u> |

The pH shall not be less than 6.5 standard units nor greater than 9.0 standard units in any sample and shall be monitored monthly by a grab sample.

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

There shall be no discharge of sanitary wastes or any process water from coal preparation plants.

N.A. - Not Applicable.

a/ See Definitions, *Part I.A* for definition of terms.

b/ For intermittent discharge, the duration of the discharge shall be reported along with the flow.

c/ Values up to 2 mg/l may be approved where the permittee provides sufficient information that water quality standards will not be violated.

d/ The total amount of total dissolved solids (TDS) discharged from all mine water and decant operations is limited to one ton (2000 pounds) per day.

e/ These samples may also be a composite sample.

2. Samples taken in compliance with the monitoring requirements specified above shall be taken from the effluent before mixing with any receiving water.

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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) at all surface runoff pond (outfalls) may comply with the following limitation instead of the total suspended solids limitations contained in Part I.F.1:

Effluent Characteristics
Settleable Solids

Daily Maximum
0.5 mL/L

In addition to the monitoring requirements specified under Part I.F.1, all effluent samples collected during storm water discharge events shall also be analyzed for settleable solids. Such analyses shall be conducted on either grab or composite samples.

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) at all surface runoff pond outfalls may 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. However, as stated under Part I.F.3, all effluent samples collected at all surface runoff pond outfalls during storm water discharge events shall be analyzed for settleable solids and the parameters identified under Part I.F.1.

5. The operator shall have the burden of proof that the discharge or increase in discharge was caused by the applicable precipitation event described in Parts I.F.3. and F.4. The alternate limitation in Parts I.F.4. and F.5. shall not apply to treatment systems that treat underground mine water only.
6. Best Management Practices.

- a. The company shall implement and maintain best management practices for the control of road salt storage for areas discharging to waters of the State. This shall include enclosure or coverage to prevent exposure to precipitation, except exposure resulting from adding or removing materials from the pile. Dischargers shall demonstrate compliance with the enclosure provision as expeditiously as practicable, but in no event later than October 1, 1995.
- b. The facility must minimize the discharge of salt by using the largest practicable amount of saline water for process and dust control. After April 30, 1994 there shall be no use of gypsum for rock dusting unless the permittee provides sufficient information to the Executive Secretary such that approval is granted based upon the Colorado River Basin Salinity Control Forum Policies and the fact that it will not significantly increase total dissolved solids concentrations.
- c. Sediment and Erosion Control. Within six months of permit issuance, the permittee shall develop a stormwater pollution prevention plan which identifies areas which, due to topography, road construction with waste materials, other activities, or other factors, have a high potential for significant soil erosion, and identify structural, vegetative, and/or stabilization measures to limit erosion. (The general permit for storm water discharges associated with industrial activity contains information for developing a satisfactory plan).

- d. **Management of Runoff.** The stormwater pollution prevention plan shall be implemented as soon as practical but no later than one year after permit issuance. Appropriate measures for small areas may include: silt fences, sediment traps, vegetative swales and practices, reuse of collected storm water (such as for a process or as an irrigation source), inlet controls (such as oil/water separators), snow management activities, infiltration devices, and wet detention/retention devices.
- e. **Comprehensive Site Compliance Evaluation.** Qualified personnel shall conduct site compliance evaluations at appropriate intervals specified in the stormwater pollution prevention plan, but in no case less than once a year. Such evaluations shall provide:
- (1) Areas contributing to a storm water discharge associated with industrial activity shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed.
 - (2) Based on the results of the inspection, the description of potential pollutant sources identified in the plan and pollution prevention measures and controls identified in the plan shall be revised as appropriate within two weeks of such inspection and shall provide for implementation of any changes to the plan in a timely manner, but in no case more than twelve weeks after the inspection.
 - (3) A report summarizing the scope of the inspection, personnel making the inspection, the date(s) of the inspection, major observations relating to the implementation of the storm water pollution prevention plan, and actions taken shall be made and retained as part of the storm water pollution prevention plan for at least one year after coverage under this permit terminates. The report shall identify any incidents of non-compliance. Where a report does not identify any incidents of non-compliance, the report shall contain a certification that the facility is in compliance with the storm water pollution prevention plan and this permit. The report shall be signed in accordance with *Part IV.G Signatory Requirements* of this permit.
 - (4) Where annual site inspections are shown in the plan to be impractical for inactive mining sites due to the remote location and inaccessibility of the site, site inspections required under this part shall be conducted at appropriate intervals specified in the plan, but, in no case less than once in three years.
- f. **Consistency with other plans.** Plans may reflect requirements for *Spill Prevention Control and Countermeasure ("SPCC")* plans developed for the facility under *Section 311* of the *CWA* or *Best Management Practices ("BMP")* otherwise required by this permit for the facility as long as such requirement is incorporated into the plan.

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II. MONITORING, RECORDING AND REPORTING REQUIREMENTS

- A. Representative Sampling. Samples taken in compliance with the monitoring requirements established under *Part I* shall be collected from the effluent stream prior to discharge into the receiving waters. Samples and measurements shall be representative of the volume and nature of the monitored discharge. Sludge samples shall be collected at a location representative of the quality of sludge immediately prior to the use-disposal practice.
- B. Monitoring Procedures. Monitoring must be conducted according to test procedures approved under *Utah Administrative Code ("UAC") R317-2-10*, unless other test procedures have been specified in this permit.
- C. Penalties for Tampering. The *Act* provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six months per violation, or by both.
- D. Reporting of Monitoring Results. Monitoring results obtained during the previous month shall be summarized and reported monthly on a Discharge Monitoring Report Form (EPA No. 3320-1), post-marked no later than the 28th day of the month following the completed reporting period. The first report is due on August 28, 1993. If no discharge occurs during the reporting period, "no discharge" shall be reported. Legible copies of these, and all other reports required herein, shall be signed and certified in accordance with the requirements of *Signatory Requirements (see Part IV.G)*, and submitted to the Director, Division of Water Quality and to EPA at the following addresses:

original to: Department of Environmental Quality
Division of Water Quality
288 North 1460 West
PO Box 144870
Salt Lake City, Utah 84114-4870

copy to: United States Environmental Protection Agency Region VIII
Denver Place
999 18th Street, Suite 500
Denver, Colorado 80202-2466
Attention: Water Management Division
Compliance Branch (8WM-C)

- E. Compliance Schedules. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any Compliance Schedule of this permit shall be submitted no later than 14 days following each schedule date.
- F. Additional Monitoring by the Permittee. If the permittee monitors any parameter more frequently than required by this permit, using test procedures approved under *UAC R317-2-10* or as otherwise specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR. Such increased frequency shall also be indicated. Only those parameters required by the permit need to be reported.

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G. Records Contents. Records of monitoring information shall include:

1. The date, exact place, and time of sampling or measurements;
2. The individual(s) who performed the sampling or measurements;
3. The date(s) and time(s) analyses were performed;
4. The individual(s) who performed the analyses;
5. The analytical techniques or methods used; and,
6. The results of such analyses.

H. Retention of Records. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three years from the date of the sample, measurement, report or application. This period may be extended by request of the Executive Secretary at any time. A copy of this UPDES permit must be maintained on site during the duration of activity at the permitted location.

I. Twenty-four Hour Notice of Noncompliance Reporting.

1. The permittee shall (orally) report any noncompliance which may seriously endanger health or environment as soon as possible, but no later than twenty-four (24) hours from the time the permittee first became aware of circumstances. The report shall be made to the Division of Water Quality, (801) 538-6146, or 24 hour answering service (801) 536-4123.
2. The following occurrences of noncompliance shall be reported by telephone (801) 536-4123 as soon as possible but no later than 24 hours from the time the permittee becomes aware of the circumstances:
 - a. Any noncompliance which may endanger health or the environment;
 - b. Any unanticipated bypass which exceeds any effluent limitation in the permit (See Part III.G, *Bypass of Treatment Facilities.*);
 - c. Any upset which exceeds any effluent limitation in the permit (See Part III.H, *Upset Conditions.*); or,
 - d. Violation of a maximum daily discharge limitation for any of the pollutants listed in the permit.
3. A written submission shall also be provided within five days of the time that the permittee becomes aware of the circumstances. The written submission shall contain:
 - a. A description of the noncompliance and its cause;
 - b. The period of noncompliance, including exact dates and times;
 - c. The estimated time noncompliance is expected to continue if it has not been corrected; and,

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- d. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
 - e. Steps taken, if any, to mitigate the adverse impacts on the environment and human health during the noncompliance period.
4. The Executive Secretary may waive the written report on a case-by-case basis if the oral report has been received within 24 hours by the Division of Water Quality, (801) 538-6146.
 5. Reports shall be submitted to the addresses in *Part II.D, Reporting of Monitoring Results*.
- J. Other Noncompliance Reporting. Instances of noncompliance not required to be reported within 24 hours shall be reported at the time that monitoring reports for *Part II.D* are submitted. The reports shall contain the information listed in *Part II.1.3*.
- K. Inspection and Entry. The permittee shall allow the Executive Secretary, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:
1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the permit;
 2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and,
 4. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the *Act*, any substances or parameters at any location.

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III. COMPLIANCE RESPONSIBILITIES

- A. Duty to Comply. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. The permittee shall give advance notice to the Executive Secretary of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- B. Penalties for Violations of Permit Conditions. The Act provides that any person who violates a permit condition implementing provisions of the Act is subject to a civil penalty not to exceed \$10,000 per day of such violation. Any person who willfully or negligently violates permit conditions of the Act is subject to a fine not exceeding \$25,000 per day of violation; Any person convicted under UCA 19-5-115(2) a second time shall be punished by a fine not exceeding \$50,000 per day. Except as provided at Part III.G, Bypass of Treatment Facilities and Part III.H, Upset Conditions, nothing in this permit shall be construed to relieve the permittee of the civil or criminal penalties for noncompliance.
- C. Need to Halt or Reduce Activity not a Defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- D. Duty to Mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
- E. Proper Operation and Maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.
- F. Removed Substances. Collected screening, grit, solids, sludges, or other pollutants removed in the course of treatment shall be buried or disposed of in such a manner so as to prevent any pollutant from entering any waters of the state or creating a health hazard. Sludge/digester supernatant and filter backwash shall not directly enter either the final effluent or waters of the state by any other direct route.
- G. Bypass of Treatment Facilities.
1. 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 2 and 3 of this section. Return of removed substances, as described in Part III.F, to the discharge stream shall not be considered a bypass under the provisions of this paragraph.
 2. Notice:
 - a. 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.

- b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required under *Part II.I, Twenty-four Hour Reporting*.
3. Prohibition of bypass.
 - a. Bypass is prohibited and the Executive Secretary may take enforcement action against a permittee for a bypass, unless:
 - (1) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage ;
 - (2) 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 condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and,
 - (3) The permittee submitted notices as required under paragraph 2 of this section.
 - b. The Executive Secretary may approve an anticipated bypass, after considering its adverse effects, if the Executive Secretary determines that it will meet the three conditions listed above in paragraph 3.a of this section.

H. Upset Conditions.

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of paragraph 2. of this section are met. Executive Secretary's administrative determination regarding a claim of upset cannot be judiciously challenged by the permittee until such time as an action is initiated for noncompliance.
2. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An upset occurred and that the permittee can identify the cause(s) of the upset;
 - b. The permitted facility was at the time being properly operated;
 - c. The permittee submitted notice of the upset as required under *Part II.I, Twenty-four Hour Notice of Noncompliance Reporting*; and,
 - d. The permittee complied with any remedial measures required under *Part III.D, Duty to Mitigate*.
3. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

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- I. Toxic Pollutants. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of *The Water Quality Act of 1987* for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.
- J. Changes in Discharge of Toxic Substances. Notification shall be provided to the Executive Secretary as soon as the permittee knows of, or has reason to believe:
1. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - a. One hundred micrograms per liter (100 ug/L);
 - b. Two hundred micrograms per liter (200 ug/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/L) for 2,4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
 - c. Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with *UAC R317-8-3.4(7)* or (10); or,
 - d. The level established by the Executive Secretary in accordance with *UAC R317-8-4.2(6)*.
 2. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - a. Five hundred micrograms per liter (500 ug/L);
 - b. One milligram per liter (1 mg/L) for antimony;
 - c. Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with *UAC R317-8-3.4(9)*; or,
 - d. The level established by the Executive Secretary in accordance with *UAC R317-8-4.2(6)*.
- K. Industrial Pretreatment. Any wastewaters discharged to the sanitary sewer, either as a direct discharge or as a hauled waste, are subject to Federal, State and local pretreatment regulations. Pursuant to Section 307 of *The Water Quality Act of 1987*, the permittee shall comply with all applicable federal General Pretreatment Regulations promulgated at *40 CFR 403*, the State Pretreatment Requirements at *UAC R317-8-8*, and any specific local discharge limitations developed by the Publicly Owned Treatment Works (POTW) accepting the wastewaters.

In addition, in accordance with *40 CFR 403.12(p)(1)*, the permittee must notify the POTW, the EPA Regional Waste Management Director, and the State hazardous waste authorities, in writing, if they discharge any substance into a POTW which if otherwise disposed of would be considered a hazardous waste under *40 CFR 261*. This notification must include the name of the hazardous waste, the EPA hazardous waste number, and the type of discharge (continuous or batch).

IV. GENERAL REQUIREMENTS

- A. Planned Changes. The permittee shall give notice to the Executive Secretary as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when the alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are not subject to effluent limitations in the permit. In addition, if there are any planned substantial changes to the permittee's existing sludge facilities or their manner of operation or to current sludge management practices of storage and disposal, the permittee shall give notice to the Executive Secretary of any planned changes at least 30 days prior to their implementation.
- B. Anticipated Noncompliance. The permittee shall give advance notice to the Executive Secretary of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- C. Permit Actions. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- D. Duty to Reapply. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall apply for and obtain a new permit. The application shall be submitted at least 60 days before the expiration date of this permit. The application shall be submitted at least 180 days before the expiration date if an individual permit is necessary.
- E. Duty to Provide Information. The permittee shall furnish to the Executive Secretary, within a reasonable time, any information which the Executive Secretary may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Executive Secretary, upon request, copies of records required to be kept by this permit.
- F. Other Information. When the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or any report to the Executive Secretary, it shall promptly submit such facts or information.
- G. Signatory Requirements. All applications, reports or information submitted to the Executive Secretary shall be signed and certified.
1. All permit applications shall be signed by either a principal executive officer or ranking elected official.
 2. All reports required by the permit and other information requested by the Executive Secretary shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described above and submitted to the Executive Secretary, and,
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager,

superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)

3. **Changes to authorization.** If an authorization under paragraph IV.G.2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph IV.G.2 must be submitted to the Executive Secretary prior to or together with any reports, information, or applications to be signed by an authorized representative.
4. **Certification.** Any person signing a document under this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

- H. **Penalties for Falsification of Reports.** The Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction be punished by a fine of not more than \$10,000.00 per violation, or by imprisonment for not more than six months per violation, or by both.
- I. **Availability of Reports.** Except for data determined to be confidential under UAC R317-8-3.2, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the office of Executive Secretary. As required by the Act, permit applications, permits and effluent data shall not be considered confidential.
- J. **Oil and Hazardous Substance Liability.** Nothing in this permit shall be construed to preclude the permittee of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under the Act.
- K. **Property Rights.** The issuance of this permit does not convey any property rights of any sort, 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.
- L. **Severability.** The provisions of this permit are severable, and if any provisions 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.

- M. Transfers. This permit may be automatically transferred to a new permittee if:
1. The current permittee notifies the Executive Secretary at least 20 days in advance of the proposed transfer date;
 2. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and,
 3. The Executive Secretary does not notify the existing permittee and the proposed new permittee of his or her intent to modify, or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in paragraph 2 above.
- N. 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 regulation under authority preserved by *UCA 19-5-117*.
- O. Water Quality-Reopener Provision. This permit may be reopened and modified (following proper administrative procedures) to include the appropriate effluent limitations and compliance schedule, if necessary, if one or more of the following events occurs:
1. Water Quality Standards for the receiving water(s) to which the permittee discharges are modified in such a manner as to require different effluent limits than contained in this permit.
 2. A final wasteload allocation is developed and approved by the State and/or EPA for incorporation in this permit.
 3. A revision to the current Water Quality Management Plan is approved and adopted which calls for different effluent limitations than contained in this permit.
- P. Toxicity Limitation-Reopener Provision. This permit may be reopened and modified (following proper administrative procedures) to include whole effluent toxicity (WET) testing, a WET limitation, a compliance schedule, a compliance date, additional or modified numerical limitations, or any other conditions related to the control of toxicants if toxicity is detected during the life of this permit.
- Q. Storm Water-Reopener Provision. At any time during the duration (life) of this permit, this permit may be reopened and modified (following proper administrative procedures) as per *UAC R317.8*, to include, any applicable storm water provisions and requirements, a storm water pollution prevention plan, a compliance schedule, a compliance date, monitoring and/or reporting requirements, or any other conditions related to the control of storm water discharges to "waters-of-State".

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