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State of Utah

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Lieutenant Governor

Department of
Environmental Quality

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Acting Executive Director

DIVISION OF WATER QUALITY
Walter L. Baker, P.E.
Director

C/OIS/025 Incoming
cc: Jim
Dana

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Executive Secretary

June 03, 2009

CERTIFIED MAIL
(Return Receipt Requested)

Mr. Fred Kingston
Owner
Rail Coal Load Out Company
P.O. Box 619
Wellington, Utah 84542

Dear Mr. Kingston:

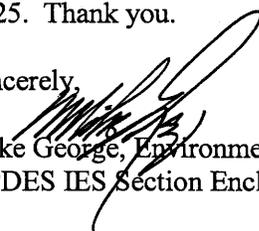
Subject: Requirement for coverage under the Utah Pollutant Discharge Elimination System (UPDES) Multi Sector General Permit for Storm Water Discharges from Industrial Activities.

This is to inform you that you are required by State rules and regulations, *Utah Administrative Code (UAC) R317-8-3.9*, to obtain coverage under the UPDES Multi Sector General Permit for Storm Water Discharges from Industrial Activities. Specifically you are required to obtain coverage under Sector H for discharges from Coal Mines and Coal Mine-Related Facilities. The permit requires the development and implementation of a storm water pollution prevention plan for the facility.

Submit a notice of intent and a \$500 Permit fee within 30 calendar days of the receipt of this letter. A copy of the permit and NOI can be found at <http://www.waterquality.utah.gov/UPDES/stormwaterind.htm>. Failure to do so may result in penalties of up to \$10,000 per day.

If you have any questions concerning this letter or the permit do not hesitate to contact me at (801) 538-9325. Thank you.

Sincerely,


Mike George, Environmental Scientist
UPDES IES Section Enclosure

cc: David Ariotti, District Engineer
Amy Clark, US EPA Region 8
Daron Haddock, Division of Oil, Gas, and Mining
Jeff Studenka, Division of Water Quality

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288 North 1460 West • Salt Lake City, UT
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United States Environmental Protection Agency
Washington, D.C. 20460

Water Compliance Inspection Report

Section A: National Data System Coding (i.e., ICIS)

Transaction Code N 5	NPDES N O P E R M I T	yr/mo/day 0 9 0 4 1 4	Inspection Type H	Inspector S	Fac. Type 2
1 2	3 11	12 17	18	19	20
Remarks					
21 _____ 66					
Inspection Work Days 67 69	Facility Self-Monitoring Evaluation Rating 70	BI N 71	QA N 72	Reserved 73 74 75 _____ 80	

Section B: Facility Data

Name and Location of Facility Inspected (For industrial users discharging to POTW, also include POTW name and NPDES permit number) RAIL COAL LOAD OUT P.O. BOX 619 WELLINGTON, UTAH 84542	Entry Time/ Date 04/14/2009 13:30	Permit Effective Date N/A
	Exit Time/ Date 04/14/2009 15:15	Permit Expiration Date N/A
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) MR. FRED KINGSTON OWNER	Other Facility Data (e.g., SIC NAICS, and other descriptive information) SIC 1241	
Name, Address of Responsible Official/Title/Phone and Fax Number SAME	Contacted <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Section C: Areas Evaluated During Inspection (Check only those areas evaluated)

<input type="checkbox"/> Permit	<input type="checkbox"/> Self Monitoring Program	<input type="checkbox"/> Pretreatment	<input type="checkbox"/> MS4
<input type="checkbox"/> Records/Reports	<input type="checkbox"/> Compliance Schedule	<input checked="" type="checkbox"/> Pollution Prevention	
<input checked="" type="checkbox"/> Facility Site Review	<input type="checkbox"/> Laboratory	<input type="checkbox"/> Storm Water	
<input type="checkbox"/> Effluent/Receiving Waters	<input checked="" type="checkbox"/> Operations & Maintenance	<input type="checkbox"/> Combined Sewer Overflow	
<input type="checkbox"/> Flow Measurement	<input type="checkbox"/> Sludge Handling/Disposal	<input type="checkbox"/> Sanitary Sewer Overflow	

Section D: Summary of Findings/Comments

(Attach additional sheets of narrative and checklists, including Single Event Violation codes, as necessary)

SEV Codes	SEV Description
D O N 1 1	DISCHARGE WITHOUT A PERMIT
B 0 N 1 7	FAILURE TO DEVELOP A SWPPP

Name(s) and Signature(s) of Inspector(s) MIKE GEORGE, ENVIRONMENTAL SCIENTIST	Agency/Office/Phone and Fax Number(s) DIVISION OF WATER QUALITY, (801) 538-9325	Date JUNE 03, 2009
Name and Signature of Management or Reviewer MIKE HERKIMER, MANAGER UPDES IES SECTION	Agency/Office/Phone and Fax Number(s) DIVISION OF WATER QUALITY (801) 538-6058	Date JUNE 03, 2009