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ACT/041/002
#7

JUL 7 1983

Ref: 8NM-C

RECEIVED

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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DIVISION OF
OIL GAS & MINING

Mr. Ken Payne
Vice President and General Manager
Southern Utah Fuel Company
P.O. Box P
Salina, Utah 84654

Re: Notice of Violation and Order
Docket Number 83-05
33 U.S.C. 1319
NPDES Permit Number UT-0022918

Dear Mr. Payne:

We have received your letter dated June 8, 1983, in response to the above-referenced Order issued by this Agency to your Company on May 25, 1983. We are pleased to hear that the flow measuring devices have already been installed at Discharge Points 002 and 003 and that construction of the sand-salt storage bin is presently underway.

We point out, however, that Item 3 of the aforementioned Order has yet to be addressed in a satisfactory manner by Southern Utah Fuel Company (SUFCo). This Item of the Order requires that:

SUFCo develop and implement a plan to come into compliance with its TSS permit limitation for Discharge Point 002 or provide justification as to why such a plan is unnecessary. Such compliance plan shall include dates of completion for each activity and shall be submitted to this Agency in writing within thirty (30) days of receipt of this Order. Once received and approved by this Agency, this plan shall become an enforceable condition of this administrative order.

To date, this Agency has yet to receive such a TSS compliance plan for Outfall 002. In your June 8th letter, you indicated that a TSS compliance plan for this Outfall was submitted on April 27, 1983, to the Utah Division of Oil, Gas, and Mining (DOG M) as part of your Apparent Completeness Review (ACR). In addition, you indicated that once approval of this plan was obtained from the DOGM, SUFCo will respond as to how the TSS problems at Outfall 002 will be addressed. The DOGM has informed us that no plans specifically labeled as a "TSS compliance plan" have been submitted as part of your ACR. However, DOGM indicates that some plans were submitted for modifications to SUFCo's drainage

system which should reduce the levels of TSS from your discharge point. DOGM has indicated to us that this portion of the plans appears satisfactory, and you should have received a notification to this effect. We, therefore, request that the following information be submitted to the U.S. Environmental Protection Agency (EPA) and the Utah Bureau of Water Pollution Control within fifteen (15) days of your receipt of this letter.

1. A detailed description of the portion of SUFCo's ACR submitted to the DOGM which is intended to address compliance with the TSS permit limitations for Outfall 002.
2. A schedule delineating dates of completion for each activity of the TSS compliance plan mentioned in Item 1 above.

Again, as stated in the Order, once received and approved by the EPA, the TSS compliance plan shall become an enforceable condition of the Order.

If you have any questions regarding this letter, please contact Ms. Lisa Luebke of my staff, telephone (303) 837-4335.

Sincerely yours,

DOUGLAS M. ENIE

Patrick J. Godsil
Chief, Compliance Branch
Water Management Division

cc: Mr. Fred Pehrson
Utah Bureau of Water
Pollution Control

✓ Mr. Rick Summers
Utah Natural Resources and
Energy Oil, Gas, and Mining