

file 041/002 #2

0034



State of Utah
DEPARTMENT OF HEALTH
DIVISION OF ENVIRONMENTAL HEALTH

Norman H. Bangertter
Governor
Suzanne Dandoy, M.D., M.P.H.
Executive Director
Kenneth L. Alkema
Director

Bureau of Water Pollution Control
288 North 1460 West, P.O. Box 16690
Salt Lake City, Utah 84116-0690
(801) 538-6146

May 26, 1988

RECEIVED
MAY 31 1988

**DIVISION OF
OIL, GAS & MINING**

Keith W. Welch
Environmental Coordinator
Coastal States Energy Company
175 East 400 South
Suite 800 Box 3
Salt Lake City, Utah 84111

Re: Southern Utah Fuel Company
UPDES Permit No. UT0022918

Keith
Dear Mr. ~~Welch~~:

This letter constitutes a denial of your request to have the above referenced permit modified to allow a new discharge outfall. The denial is based on the State's Antidegradation Policy contained in Utah Administrative Code (UAC) Section R448-2.3 which states in part that:

"Waters of high quality which have been determined by the Committee to be of exceptional recreational or ecological significance or have been determined to be a State or National resource requiring protection, shall be maintained at existing high quality through designation, by the Committee after public hearing, as antidegradation segments. New point source discharges of wastewater, treated or otherwise, are prohibited in such segments after the effective date of designation..."

Antidegradation segments, as listed in UAC Section R448-2.12 include:

"All surface waters geographically located within the outer boundaries of U.S. National Forests whether on public or private lands."

The proposed sediment pond outfall would fall under these regulations as Southern Utah Fuel Company is located within the outer boundaries of Fishlake National Forest. For this reason, we cannot allow a point source discharge from the pond or any other treatment facility.

We understand that the Division of Oil, Gas and Mining's regulations require all surface drainage from disturbed areas to pass through a sediment pond or treatment facility prior to leaving the property. We would be willing to permit construction of such a pond as long as it was designed and maintained for total containment capacity. "Total containment" means the pond would be designed with a high enough confidence level that a discharge would not reasonably be expected to occur during the life of the permit or designing for a discharge that would be totally contained on the permittee's property.

Page 2
Keith W. Welch

If you plan on pursuing construction of the pond, please submit plans to the Bureau of Water Pollution Control that show you will have appropriate containment capability. Upon approval of these plans, a construction permit would be issued and there would no longer be a need to have a new wastewater discharge point permitted.

If you have any questions regarding this matter, please contact this office at 538-6146.

Sincerely,

Utah Water Pollution Control Committee



Don A. Ostler, P.E.
Executive Secretary

MLK:pa

cc: Fred Pehrson, Manager, Compliance and Monitoring Branch
Roger Foisey, District Engineer, State Health Dept.
Rick Summers, Division of Oil, Gas and Mining
Wesley Sorensen, Chief Engineer, Southern Utah Fuel Company

1318-68