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*The findings, determinations, and assertions contained in this document are not final and subject to change following the public comment period.*

**FACT SHEET STATEMENT OF BASIS  
HIAWATHA COAL COMPANY  
RENEWAL PERMIT: DISCHARGE AND STORMWATER  
UPDES PERMIT NUMBER: UT0023094  
MINOR INDUSTRIAL**

**FACILITY CONTACT**

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**DESCRIPTION OF FACILITY**

This facility consists of an inactive underground coal mine. It is located in Hiawatha, Utah in Township 16 South, Range 8 East in Emery County and in Township 15 South, Range 8 East in Carbon County. It has a Standard Industrial Classification (SIC) code 1221. The facility has 13 outfalls. Discharge of mine water drainage occurs continuously from Outfall 001. A portion of that mine water from Outfall 001 is piped to Hiawatha for drinking water. The surplus drinking water that is not used is discharged from Outfall 002. The remaining discharge points, Outfalls 003 to 013, are at the overflows from sediment ponds that collect storm water. These outfalls are designed to contain and prevent a discharge of up to a 100 year storm event.

**SUMMARY OF CHANGES FROM PREVIOUS PERMIT**

This facility has exceeded their annual TDS effluent limitations for four out of the last five years. Therefore, the 1 ton/day effluent loading limit has been replaced by the Colorado River Basin Salinity-Offset Project. Participation in this project or another Director approved Salinity-Offset Project shall be required if the annual TDS effluent exceeds the permit limitations. If Hiawatha chooses to participate in a new salinity-offset project, a project description, construction plans, and implementation schedule shall be submitted to the Director at least six (6) months prior to the implementation date of the project, which will then be reviewed for approval. Additional information can be found on page 6 of this document.

The renewal permit contains a daily max effluent flow limit of 1.0 MGD. The previous permit did not contain an effluent flow limit.

## TOTAL MAXIMUM DAILY LOAD CONSIDERATIONS

Due to high concentrations of total dissolved solids (TDS) several portions and/or tributaries of the Price River are non-supporting or partially supportive of their beneficial use classifications. As a result, a total daily maximum load (TMDL) was developed by the Division of Water Quality for the West Colorado Watershed and approved by EPA in 2004. This TMDL allocates an annual TDS load of 941 tons and a daily maximum effluent concentration of 981 mg/L TDS for Hiawatha Coal.

## DESCRIPTION OF DISCHARGE

The discharge consists of intercepted ground water and storm water, when there is a storm large enough to fill the sediment ponds. Ground water is not treated prior to discharge. Storm water is treated via settling ponds prior to being discharged.

Three years of self-monitoring data are included as an addendum to this permit.

<u>Outfall</u>	<u>Description of Discharge Point</u>
001	Mohrland Portal Discharge: T16S, R8E SLBM, Sec. 8, at approximately longitude 111° 03' 0" and latitude 39° 27' 50". The discharge is from mine water seepage.
002	Culinary Water Overflow: T15S, R8E SLBM, Sec. 34, at approximately longitude 111° 01' 0" and latitude 39° 28' 50". The discharge is overflow from the Hiawatha drinking water system. Hiawatha drinking water is from the Mohrland Portal discharge.
003	Hiawatha Sediment Pond D003: T15S, R8E SLBM, Sec 27, at approximately longitude 111° 0' 50" and latitude 39° 29' 0". The discharge is surface runoff from the Upper Rail Storage Yard Borrow area.
004	Slurry Pond #1 Sediment Pond: T15S, R8E SLBM, Sec 26, at approximately 111° 0' 10" and latitude 39° 29' 20". The discharge is surface runoff from the disturbed area of the Ridge Borrow area.
005	Slurry Pond #4 Sediment Pond: T15S, R8E SLBM, Sec 27, at approximately 111° 0' 30" and latitude

39° 28' 45". The discharge is surface runoff from slurry pond #4.

- 006 Hiawatha Sediment Pond D006: T15S, R8E SLBM, Sec 34, at approximately 111° 0' 15" and latitude 39° 28' 35". The discharge is surface runoff from slurry pond #5 cell 5A.
- 007 Hiawatha Sediment Pond D007: T15S, R8E SLBM, Sec 34, at approximately 111° 0' 10" and latitude 39° 28' 20". The discharge is surface runoff from slurry pond #5 main cell.
- 008 Middle Fork Sediment Pond: T15S, R8E SLBM, Sec 29, at approximately 111° 02' 40" and latitude 39° 29' 0". The discharge is surface runoff from the Middle Fork Mine Yard.
- 009 South Fork Mine Yard: T15S, R8E SLBM, Sec 19, at approximately 111° 02' 35" and latitude 39° 28' 50". The Discharge is surface runoff from the South Fork Mine Yard.
- 010 King 4 Mine Discharge: T15S, R7E SLBM, Sec 32, at approximately 111° 03' 45" and latitude 39° 32' 15". The Discharge is from sump locations within the mine.
- 011 South Fork Truck Loading Facility: T15S, R8E SLBM, Sec 33, at approximately 111° 02' 28" and latitude 39° 28' 47". The Discharge is surface runoff from the South Fork Loading facility.
- 012 Mohrland Pipeline Drain: T15S, R8E SLBM, Sec 10, at approximately 111° 0' 45" and latitude 39° 26' 30". The discharge is from a valve on the Mohrland Pipeline.
- 013 King 6 Water Tank Overflow: T15S, R8E SLBM, Sec 32, at approximately 111° 03' 07" and latitude 39° 29' 0". The discharge is from an overflow pipe from the King 6 water tank in South Fork Canyon.

## **RECEIVING WATERS AND STREAM CLASSIFICATION**

Outfall 001 discharges to Cedar Creek which flows to Huntington Creek. Outfall 002 discharges to Miller Creek, then to the Price River. Outfalls 003 through 013 discharge to Miller Creek but did not discharge during the last permit cycle. The receiving waters as designated by *Utah Administrative Code (UAC) R317-2-13* are as follows:

Cedar Creek:	Class 2B, 3C and 4
Huntington Creek:	Class 2B, 3C and 4
Miller Creek:	Class 2B, 3C and 4
Price River:	Class 2B, 3C and 4

Class 2B -Protected for secondary contact recreation (boating, wading and similar uses).

Class 3C -Protected for nongame fish and other aquatic life, including the necessary aquatic organisms in their food chain.

Class 4 -Protected for agricultural uses including irrigation of crops and stock watering.

## **BASIS FOR EFFLUENT LIMITATIONS**

The settleable solids limitation is based on applicable technology based standards in the Coal Mining Point Source Category, 40 CFR 434. The oil and grease and no visible sheen limitations are based on best professional judgment. The iron limit is based on Utah Water Quality Standards for a 3C water body. The total suspended solids (TSS) monthly and weekly average limits are based on secondary standards. The daily max effluent of 70 mg/L is based on the effluent guidelines in 40 CFR 434. The pH limits are based on current Utah Secondary Treatment Standards. The TDS concentration limitation is based on the West Colorado Watershed TMDL.

Discharges from the facility could potentially reach the Colorado River, which places it under the requirements of the Colorado River Basin Salinity Control Forum (CRBSCF). TDS loading is limited by the CRBSCF pursuant to the February 1977 "Policy for Implementation of Colorado River Salinity Standards through the NPDES Permit Program" (Policy). In accordance with the CRBSCF, the effluent will be limited to a maximum discharge of 1.0 ton per day or 366 tons per year. The permit limitations are as follows:

Effluent Limitations a/ for Outfalls 001 through 013				
Parameter	Monthly Average	Weekly Average	Daily Minimum	Daily Maximum
TSS, mg/L	25	35	NA	70
pH, SU	NA	NA	6.5	9.0
Oil and Grease, mg/L	NA	NA	NA	10
TDS, mg/L, c/	NA	NA	NA	981
TDS, tons/day, c/	NA	NA	NA	1.0
Iron, mg/L	NA	NA	NA	1.0
Flow, MGD	NA	NA	NA	1.0

NA – Not Applicable

In addition to the TDS effluent concentration limitation, TDS effluent loading is limited to one-ton/day. If the 1 ton/day effluent loading limitation cannot be met, then the permittee is limited to 366-tons/year total TDS effluent loading from the facility. It is the responsibility of the permittee to maintain annual TDS loading information and submit to the Director the annual TDS loading information.

For outfalls 003 through 013, 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) may comply with the following limitations instead of the total suspended solids limitations contained above.

Effluent Limitations a/ for Outfalls 003 through 013		
Effluent Characteristics	Daily Maximum	Daily Minimum
Settleable Solids, ml/L	0.5	NA

### **SELF-MONITORING AND REPORTING REQUIREMENTS**

The following effluent self-monitoring and reporting requirements are the same as in the previous permit. Reports shall be made on Discharge Monitoring Report (DMR) forms and are due 28 days after the end of the monitoring quarter.

Self-Monitoring and Reporting Requirements a/ for Outfalls 001 Through 013				
Parameter	Frequency	Sample Type	Units	Reporting Frequency
Total Flow, b/	Quarterly	Instantaneous	MGD	Quarterly
TSS	Quarterly	Grab	mg/L	Quarterly
pH	Quarterly	Grab	mg/L	Quarterly
Oil and Grease	Quarterly	Grab	mg/L	Quarterly
TDS, c/	Quarterly	Grab	mg/L	Quarterly
TDS, c/	Annually	Calculated	tons/year	Yearly
Iron	Quarterly	Grab	mg/L	Quarterly

Permit Footnote Conditions:

There shall be no visible sheen or floating solids or visible foam in other than trace amounts upon any discharges and there shall be no discharge of any sanitary wastes at any time.

- a/ See Definitions, *Part I.A* of the permit, for definition of terms.
- b/ If the rate of discharge is controlled, such as from intermittent discharging outfalls, the rate and duration of discharge shall be reported. Flow measurements of effluent volumes from all outfalls shall be made in such a manner that the permittee can affirmatively demonstrate that representative values are being obtained.
- c/ The TDS concentration from each of the outfalls shall not exceed 981 mg/L as a daily maximum limit. No tons per day loading limit will be applied if the concentration of TDS in the discharge is equal to or less than 500 mg/L as a thirty-day average. However, if the 30-day average concentration exceeds 500 mg/L, then the permittee cannot discharge more than 1.0 tons per day as a sum from all discharge points. Upon determination by the Director that the permittee is not able to meet the 500 mg/L 30-day average or the 1.0 tons per day loading limit, the permittee is required to participate in and/or fund a salinity offset project to include the TDS offset credits as appropriate.

The salinity-offset project shall include TDS credits on a ton-for-ton basis for which the permittee is over the TDS loading limit. The tonnage reduction from the offset project must be calculated by a method similar to one used by the NRCS, Colorado River Basin Salinity Control Forum, or other applicable agency.

If the permittee will be participating in the construction and implementation of a new salinity-offset project, then a project description and implementation schedule shall be submitted to the Director at least six (6) months prior to the implementation date of the project, which will then be reviewed for approval.

The salinity offset project description and implementation schedule must be approved by the Director and shall be appended to this permit.

If the permittee will be funding any additional salinity-offset projects through third parties, the permittee shall provide satisfactory evidence to the Director that the required funds have been deposited to the third party within six (6) months of project approval by the Director. A monitoring and adjustment plan to track the TDS credits shall continue to be submitted to the Director for each monthly monitoring period during the life of this permit. Any changes to the monitoring and adjustment plan must be approved by the Director and upon approval shall be appended to this permit.

### **STORM WATER REQUIREMENTS**

The renewal permit will contain provisions for storm water discharges as in the previous permit. The storm water requirements are based on the UPDES Multi-Sector General Permit for Storm Water Discharges.

### **PRETREATMENT REQUIREMENTS**

This facility does not discharge process wastewater to a sanitary sewer system. Any process wastewater that the facility may discharge to the sanitary sewer, either as a direct discharge or as a hauled waste, is subject to federal, state, and local pretreatment regulations. Pursuant to section 307 of the Clean Water Act, the permittee shall comply with all applicable federal general pretreatment regulations promulgated, found in 40 CFR 403, the state's pretreatment requirements found in UAC R317-8-8, and any specific local discharge limitations developed by the Publicly Owned Treatment Works (POTW) accepting the waste.

### **BIOMONITORING REQUIREMENTS**

As part of a nationwide effort to control toxic discharges, biomonitoring requirements are being included in permits for facilities where effluent toxicity is an existing or potential concern. In Utah, this is done in accordance with the *State of Utah Permitting and Enforcement Guidance Document for Whole Effluent Toxicity (WET) Control (biomonitoring)*. Authority to require effluent biomonitoring is provided in *Permit Conditions, UAC R317-8-4.2, Permit Provisions, UAC R317-8-5.3 and Water Quality Standards, UAC R317-2-5 and R317-2-7.2*.

The permittee is a minor industrial discharger that will be contributing a relatively small volume of effluent, when compared to the flows of existing receiving waters, in which toxicity is not an existing concern and not likely to be present as long as the effluent limitations are met. Also, the mine water discharge has been a source of drinking water for many years. Based on these considerations, and that the facility is not classified as a major or a significant minor facility, there is no reasonable potential for toxicity in the Hiawatha Coal's discharge (*per State of Utah Permitting and Enforcement Guidance Document for WET Control*). As such, there will be no numerical WET limitations or WET monitoring requirements in this permit. However, the permit will contain a

toxicity limitation re-opener provision that allows for modification of the permit should additional information indicate the presence of toxicity in the discharge.

**PERMIT DURATION**

It is recommended that this permit be effective for five (5) years.

Drafted by:

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