



**Canyon Fuel  
Company, LLC**  
Skyline Mine

A Subsidiary of Bowie Resource Holdings, LLC

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Environmental Quality  
Water Quality Room DEQ, Third Floor  
195 N 1950 W  
Salt Lake City, UT 84116

To Whom it May Concern:

Although this rule change seems to be designed for POTWs, its language of “all dischargers” throughout will have impacts to our operation. Please find enclosed my comments to the CPR for R317-1-3.

Sincerely,

A handwritten signature in blue ink that reads "Jeremiah Armstrong". The signature is written in a cursive style and is underlined.

Jeremiah Armstrong

Enclosure: Comments to R317-1-3

Comments to CPR Section R317-1-3

### 3.3 A Technology-based Effluent Limits

A better definition of “Technology-based” would be appropriate here, unless the intention is to leave the division a wide latitude to arbitrarily approve of effluent limits.

### 3.3 B-2: Cap of 125% of current average annual total phosphorus load for treatment lagoon systems

Does this assume a current average annual total phosphorus load of greater than 1.0 mg/l? If so, it should be specified. If a current average annual total phosphorus load is below the lab reporting limit of 0.05 mg/l, and the cap is not specified at those already over 1.0 mg/l, as with non-lagoon systems, then the discharger would then be held to a cap of 0.0625 mg/l, which would be overly constraining, where the non-lagoon limit is 1.0 mg/l.

### 3.3 C-1-b Economic hardship demonstration

Economic hardship criteria given for POTW, but no criteria given for what constitutes an “Economic hardship” for other industries.

### 3.3 D-1 Monthly monitoring

Requirement for monthly monitoring is entirely too stringent.

### 3.3 D-2 Monitoring waiver

States that if treatment works can demonstrate that there is no reasonable potential to discharge N or P monitoring can be waived. What is the criteria for “no reasonable potential to discharge N or P?” How much data required to show no potential for discharge? There is a potential for arbitrary waivers without defined guidance on what constitutes reasonability.