



State of Utah

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**November 17, 2022**

DIVISION OF WATER QUALITY  
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY  
PUBLIC NOTICE TO REISSUE A UPDES PERMIT

**PURPOSE OF PUBLIC NOTICE**

THE PURPOSE OF THIS PUBLIC NOTICE IS TO DECLARE THE STATE OF UTAH'S INTENTION TO REISSUE A UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM (UPDES) PERMIT UNDER AUTHORITY OF THE UTAH WATER POLLUTION CONTROL ACT, SECTION 19-5-104(9) AND 107(2), UTAH CODE ANNOTATED 1953, AS AMENDED. SAID "PERMIT" REFERS TO THE UPDES PERMIT AND THE FACT SHEET STATEMENT OF BASIS (INCLUDING TOTAL MAXIMUM DAILY LOADS (TMDL'S)) IF APPLICABLE, AS PER SECTION 303(D) OF THE FEDERAL CLEAN WATER ACT (CWA).

**PERMIT INFORMATION**

PERMITTEE NAME: Bronco Utah Operations, LLC – Emery Mine  
FACILITY LOCATION: 550 South Hwy 10 on Consol Road, Emery, Utah  
MAILING ADDRESS: PO Box 527, Emery, Utah 84522  
TELEPHONE NUMBER: 435-650-7339  
UPDES PERMIT NUMBER: UT0022616  
PERMITTED OUTFALLS: 001, 002, 003, 004, 005, 006, 007, 008 & 009  
RECEIVING WATERS: Quitchupah Creek, Christiansen Wash

**BACKGROUND**

The Bronco Utah Operations, LLC (formerly known as CONSOL Energy) – Emery Underground Mine (Mine) is an active underground coal mine facility with *Standard Industrial Classification Code 1222 - bituminous underground coal mining operations* and is located near the town of Emery, Utah. The Mine currently has nine (9) permitted discharge points known as Outfalls 001 through 009. In 2021, the Mine produced approximately 1.2 million tons of coal and has been continually pumping and discharging intercepted groundwater during active Mine operations since the early 1980's. Over the last 5 years, the Mine has only discharged mine water from Outfalls 001 & 003 with an average total effluent flow range of 0.4 million gallons per day (MGD) to 1.5 MGD. Currently Outfall 001 is the only active discharge point from the Mine. Outfall 004 & 005 have not discharged mine water to date, but may be used in the future for Mine dewatering operations.

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Bronco Utah Operations - Emery Mine

UPDES Permit No. UT0022616

Public Notice

Historically, discharges from the Mine have been exclusively comprised of intercepted groundwater from the mine area, as there has not been enough accumulated storm water to discharge from any of the storm water sedimentation ponds for over 20 years (Outfalls 002, 006, 007 & 009). For additional information, please refer to the draft permit and fact sheet documents.

### **PUBLIC COMMENTS**

During the public comment period provided under Utah Administrative Code (UAC) R317-8-6.5, any interested person may submit written comments on the draft permit and may request a public hearing if no hearing has already been scheduled. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing. All comments will be considered in making the final decision and shall be answered as provided in UAC R317-8-6.12. Public comments are invited any time prior to the deadline of the close of business on **December 20, 2022**. Written public comments can be submitted to: Jeff Studenka, UPDES Individual Permits Section, Utah Division of Water Quality, PO Box 144870, Salt Lake City, Utah 84114-4870 or by email at: [wqcomments@utah.gov](mailto:wqcomments@utah.gov). After considering public comment the Utah Division of Water Quality may execute the permit issuance, revise it, or abandon it. The permit is available for public review under "Public Notices" at <https://deq.utah.gov/division-water-quality>. If internet access is not available, a copy may be obtained by calling Jeff Studenka at 385-602-7303.

DWQ-2022-029532