



State of Utah

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June 29, 2023

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

PURPOSE OF PUBLIC NOTICE

The purpose of this public notice is to declare the State of Utah's intention to modify a Utah Pollution 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: Emery County Coal Resources, Inc. – Lila Canyon Mine
FACILITY LOCATION: 23415 N. Lila Canyon Road, Emery County, Utah
MAILING ADDRESS: 794 North 'C' Canyon Road
P.O. Box 910
East Carbon, Utah 84526
TELEPHONE NUMBER: 435-650-1850
UPDES PERMIT NUMBER: UT0026018
PERMITTED OUTFALLS: 001, 002, 003
OUTFALL 002 LOCATION: latitude 39° 25' 26.97" N, longitude 110° 20' 55.24" W
RECEIVING WATERS: Grassy Wash (tributary to the Price River)

BACKGROUND

The Emery County Coal Resources, Inc. - Lila Canyon Mine (Mine) is an underground coal mining facility located in Lila Canyon, in Emery County, Utah, with permitted discharges to ephemeral tributaries within the Price River watershed. The Mine currently has a total of three permitted outfalls and maintains this UPDES permit primarily for its mine water and sedimentation pond discharges via Outfalls 002 & 003. Outfall 001 is for discharge of the mine's sanitary sewage and grey water systems. Outfall 001 was newly constructed as part of the initial permit issuance in 2015, but has yet to be used.

The Mine has been inactive since September 2022 due to an underground fire that ceased operations, including Mine water discharges. With the Mine dewatering operations stopped, the Mine has since been flooded and will need to be dewatered, initially at a higher rate, before any mining operations can resume. Therefore, the Mine has requested a permit modification to account for the initial and temporary higher dewatering effluent flows via Outfall 002. The only change being proposed in this permit modification is the addition of an Interim Effluent Flow limit for Outfall 002. This is a temporary and limited increase to the Effluent Flow limitation for the Mine water discharges from Outfall 002 only. The Mine has requested an increase from 3.0 million gallons per day (MGD) to 8.0 MGD as a monthly average limitation in order to safely dewater the flooded mine workings. This proposed increase is planned to be temporary in nature and up to six (6) months in anticipation of restarting mining operations in the near future. Upon completion of six (6) months of the Interim Effluent Flow limit provision in place, the Effluent Flow limit for Outfall 002 will return to the original 3.0 MGD permit provision.

This is the only proposed change with this permit modification that is subject to public comment during the public notice period. All other permit provisions remain unopened and unchanged, including all existing permit effluent limitations. See the draft Permit and Fact Sheet Statement of Basis documents for more information.

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 **July 31, 2023**. 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. 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.