



State of Utah

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DWQ-2009-012567

Rusty Netz
Sunnyside Cogeneration Associates
P.O. Box 10
East Carbon, UT 84520

Subject: Clarification of Ground Water Issues Raised by an Internal Environmental Audit

Dear Mr. Netz:

The purpose of this letter is to address the following issues raised by an internal environmental audit conducted at Sunnyside Cogeneration Associates facility at Sunnyside, Utah:

- Ground water discharge permit requirements for storm water detention basins, and
- Monitoring well re-sampling requirements for elevated total dissolved solids (TDS).

In accordance with R317-6-6.2.A.5 of the Administrative Rules for Ground Water Quality Protection, detention basins used for collecting or conveying storm water runoff qualify for ground water discharge permit-by-rule as long as the discharge will not cause ground water degradation above ground water quality standards or the class TDS limit.

Ground Water Discharge Permit By Rule (UAC R317-6-6.2-A.5)

Except as provided in R317-6-6.2.C, the following facilities are considered to be permit by rule and are not required to obtain a discharge permit under R317-6-6.1.*

5. flood control systems including detention basins, catch basins and wetland treatment facilities used for collecting or conveying storm water runoff;

**R317-6-6.2.C The submission of an application for a ground water discharge permit may be required by the Executive Secretary for any discharge permitted by rule under R317-6-6.2 if it is determined that the discharge may be causing or is likely to cause increases above the ground water quality standards or applicable class TDS limits under R317-6-3 or otherwise is interfering or may interfere with probable future beneficial use of the ground water.*

Based on previous site inspections, the storm water sediment pond in question qualifies for permit by rule.

The other question raised by the internal audit pertains to re-sampling requirements under Ground Water Discharge Permit UGW070002 (Permit) for TDS exceedences in monitoring wells. Years of ground water quality monitoring data have shown natural variations in the background TDS can exceed TDS protection levels, and these natural exceedences are not caused by the landfill. Because of this natural variation, the Executive Secretary has allowed the Permittee to provide a satisfactory demonstration that shows the rise in TDS is due to circumstances not related to landfill leachate. This provision is included in Part I.F.2 of the Permit, which is provided below:

In the event total dissolved solids (TDS) exceeds 3,018 mg/l in wells MW-1, MW-2, MW-3, and MW-4 and no other parameters exceed protection levels, the permittee shall prepare a report on the cause of the exceedance for submission with the next regular monitoring report. This report must show an analysis of major ion chemistry at all monitoring points for the current sampling event and any past data needed to evaluate the cause of the exceedance. If the Exceedence Report fails to identify the probable cause for exceeding the Protection Limits in Tables 2, the analysis shall include Piper and Stiff diagrams for water chemistry of the monitoring points, ash leachate, leachate from naturally occurring materials at the site, and water from the ash runoff basin. Other information, such as trend analysis, may also be presented to support the report's conclusions.

In the event the report does not satisfactorily demonstrate that the TDS exceedence was caused by factors other than that of the landfill, the permittee shall follow the procedures in Parts II.F.1 [resampling] and 3, as applicable. Based on available information, the Executive Secretary may require changes in the compliance-monitoring plan to better monitor the landfill's effects on ground water.

Should you have any further questions regarding TDS or sampling requirements, please contact Keith Eagan at keagan@utah.gov or (801) 538-6017.

Sincerely,



Rob Herbert, P.G., Manager
Ground Water Protection Section

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