



State of Utah

SPENCER J. COX  
Governor

DEIDRE HENDERSON  
Lieutenant Governor

Department of  
Environmental Quality

Tim Davis  
Executive Director

DIVISION OF WATER QUALITY  
Candice A. Hasenyager, P.E.  
Director

**March 30, 2026**

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 Director of the Division of Water Quality's intention to modify a Utah Pollutant Discharge Elimination System (UPDES) Permit under the authority of the Utah Water Quality Act, Utah Code § 19-5-106(2)(g). The draft Permit and the Fact Sheet (collectively, the draft Permit documents) are available for review and comment.

**PERMIT INFORMATION**

PERMITTEE NAME: Fossil Rock Resources, LLC  
FACILITY NAME: Fossil Rock Mine  
MAILING ADDRESS: 9815 South Monroe Street, Suite 203  
Sandy, Utah 84070  
TELEPHONE NUMBER: 970-852-0110  
FACILITY LOCATION: 5125 N Cottonwood Canyon Rd  
Orangeville, UT 84537  
UPDES PERMIT NO.: UT0023728  
PERMITTED OUTFALLS: 001, 002, 003 & 004  
OUTFALL LOCATIONS: 001 located at latitude 39° 19' 00" and longitude 111° 11' 20"  
002 located at latitude 39° 19' 03" and longitude 111° 11' 25"  
003 located at latitude 39° 17' 43" and longitude 111° 7' 18"  
004 located at latitude 39° 18' 32" and longitude 111° 11' 6"  
RECEIVING WATERS: Cottonwood Canyon Creek, Grimes Wash

**BACKGROUND**

Fossil Rock Resources, LLC – Fossil Rock Mine (Mine) is an underground coal mine facility with standard industrial classification (SIC) code 1222 for bituminous coal underground mining. The Mine recently restarted mining operations beginning in late 2024 after previous operations had ceased since the Mine was last active in 2001 as formerly owned and operated under the name, PacifiCorp - Energy West Mining Company - Trail Mountain Mine. Currently, there are three (3) permitted discharge outfalls (001, 002, & 003). Discharges from Outfall 001 are associated with an onsite sedimentation pond for collecting surface water runoff from precipitation and snowmelt events at the Mine facility, while discharges from Outfall 002 are associated with any active Mine dewatering operations. Discharges from Outfall 003 are associated with a sedimentation pond that collects surface water runoff from precipitation and snowmelt events at the Mine's offsite waste rock collection site. Current Mine owners have requested a UPDES Permit (Permit) modification to include a new Outfall 004 located downstream of the existing facility to allow the effluent flow limitation to be increased up to 10 million gallons per day (MGD) total for mine dewatering discharges

in anticipation of encountering increased water underground that will need to be dewatered and discharged for continued safe operations of the Mine. Therefore, applicable effluent limitations and monitoring requirements have been included for the new Outfall 004, while remaining unchanged for the existing Outfalls 001, 002 & 003. This Permit modification will authorize discharges from the Mine during the remainder of the five-year Permit cycle as appropriate. Please refer to the draft Permit documents for more information.

### **PUBLIC COMMENTS**

Pursuant to Utah Admin. Code R317-8-6(6.6), any interested person may submit written comments on the draft permit documents 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 Utah Admin. Code R317-8-6(6.12).

Commenters have an affirmative obligation to raise all reasonably ascertainable issues and submit all reasonably available arguments and factual grounds supporting their position, including all supporting material. Supporting material must be included in full and may not be incorporated by reference, unless the material is already part of the administrative record.

Public comments are invited any time prior to the deadline of the close of business on **April 29, 2026**. Written public comments can be submitted to: Jeff Studenka, UPDES Individual Permit Section, Utah Division of Water Quality, PO Box 144870, Salt Lake City, Utah 84114-4870 or by email at: [jstudenka@utah.gov](mailto:jstudenka@utah.gov).

After considering public comments, the Director of the Division of Water Quality will issue a final Permit decision. The draft Permit documents are available for public review under “Public Participation” at [www.waterquality.utah.gov/](http://www.waterquality.utah.gov/). Additionally, if internet access is not available, a copy may be obtained by calling Jeff Studenka at (385) 602-7303.