

SECTION D. PERMIT REOPENER/RECLASSIFICATION OF OUTFALLS

Should any of the monitoring indicate that the discharge causes, has the reasonable potential to cause, or contributes to excursions above water quality criteria, the permit may be reopened for the imposition of water quality based limits and/or whole effluent toxicity limits. Also, this permit may be modified, in accordance with the requirements set forth at 40 CFR Sections 122.44 and 124.14, to include appropriate conditions or limits to address demonstrated effluent toxicity based on newly available information, or to implement any EPA-approved new Tribal water quality standards.

This permit authorizes the discharge of wastewater from 38 outfalls in 3 distinct subcategories. The permittee anticipates creating one new outfall and converting nine existing Alkaline Mine Drainage outfalls under Appendix A. to Western Alkaline Drainage outfalls under Appendix C. For Details of the proposed modifications see the Table and map in Attachment C. Any new outfall or existing outfall reclassified during this permit term shall comply with the effluent limitations and monitoring and reporting requirements of the permit. The permittee shall update the sediment control plan, and seek approval of the updates from the Office of Surface Mining Reclamation and Enforcement and EPA and provide written notification to the EPA at least 30 days prior to the construction of a new, or conversion of an existing outfall, so that EPA may add, terminate or reclassify an outfall in the appropriate Appendix to this permit.

If the permittee wishes authorization for discharge from new outfalls not identified in Attachment C. or for an area not currently being mined, the permittee must seek a major modification to the existing permit pursuant to 40 CFR Section 122.62.

ATTACHMENT C. Summary of Future Modifications

Table 1. Proposed Outfall Locations & Conversion Timeframes

Watershed	Outfall Location	Current Outfall Type	Proposed Outfall Type	Year Outfall Needed
Hosteen	6, 7	Appendix A	Appendix C	2020
North Barber	8	Appendix A	Appendix C	2021
Central Barber	11	Appendix A	Appendix C	2022
Lowe	New Outfall	N/A	Appendix C	2024
Cottonwood	19, 20, 21, 22, and 23	Appendix A	Appendix C	2025

Map of Proposed Outfalls in Table 1.

