



State of Utah

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DIVISION OF WATER QUALITY
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April 25, 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 renew 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:	Ashley Valley Operating, LLC (AVO)
MAILING ADDRESS:	55 Waugh Drive, Suite 550, Houston, TX 77007
TELEPHONE NUMBER:	(281) 455-0552
FACILITY LOCATION:	South 5500 East, Jensen, UT 84035
UPDES PERMIT NO.:	UT0000035
PERMITTED OUTFALLS:	001
RECEIVING WATER:	Un-named Ditch to Union Irrigation Canal and Ashley Creek to the Green River

BACKGROUND

AVO was issued an individual UPDES permit on January 1, 2021. The AVO facility is located in the Colorado River Basin and, thus, must operate in accordance with the Colorado River Basin Salinity Control Program. According to the *Colorado River Basin Salinity Control Program: Utah, Monitoring and Evaluation Report, FY2019* the cumulative cost of offsetting 1 ton of salt in the Uinta Basin is \$155. Due to the efforts made by AVO, a Salinity Cost Reduction was included in the permit through December 31, 2023. AVO has requested an extension of the Salinity Cost Reduction through the end of the current permit. The Division of Water Quality has agreed to provide AVO an 85% reduction for 2024 and 2025 due to the efforts they have made and continue to make to reduce salinity in the Colorado River.

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 **May 26, 2023**. Written public comments can be submitted to: Danielle Lenz, UPDES Surface Water 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.

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Ashley Valley Operating, LLC (AVO)Public Notice- UPDES Permit No. UT0000035

The permit is available for public review under “Public Participation” at www.waterquality.utah.gov/. If internet access is not available, a copy may be obtained by calling Danielle Lenz at (385) 363-8250.

DWQ-2023-004375