

ANTIDegradation REVIEW: APPLICATION UTAH DIVISION OF WATER QUALITY

Revised, May 2010

Introduction

In accordance with Utah Administrative Code (UAC R317-2-3; see *Attachment 2*) an antidegradation review (ADR) is a permit requirement for any project that will increase the level of pollutants in waters of the state. The rule outlines requirements for both Level I and Level II ADR reviews as well as public comment procedures. This application is intended to assist the applicant and Division of Water Quality (DWQ) staff in complying with the rule but is not a substitute for the complete rule in R317-2-3.5. Additional details can be found in the *Utah Antidegradation Implementation Guidance* and relevant sections of the guidance are cited on this application form. For additional clarification on the antidegradation application process and procedures, please contact Chris Bittner or Jeff Ostermiller.

ADRs should be among the first steps of an application for a UPDES permit because the review helps establish project design expectations. ADRs are also required for any project taking place with a stream channel and for applications to fill wetlands as part of the 404 permitting process. In some cases, ADRs are relatively straightforward, literally taking minutes to complete. However, depending on the nature of the project and the characteristic of the receiving water these reviews can sometimes be quite involved. Whenever possible, the Division of Water Quality (DWQ) recommends that the process be initiated at least one year prior to whenever a final approved permit is required to avoid unnecessary delays in permit issuance.

This antidegradation application must be completed and approved by DWQ before any UPDES permit can be issued. DWQ will determine if the project will impair beneficial uses (Level I ADR) using information provided by the applicant. The applicant is responsible for conducting the Level II ADR, if necessary. For the permit to be approved, the Phase II ADR must document that all feasible efforts have been taken to minimize pollution for social or economically beneficial projects resulting in any increase in pollution to waters of the state.

Note that Parts A, B, and D are required for all permits, whereas Parts C and D are only required for Level II ADRs. Once the application is complete, it should be signed, dated, and submitted to the DWQ staff member who is responsible for the UPDES permit or 401 Certification.

Antidegradation Review Application

Part A: Applicant Information

Applicant: The Ensign Bickford Company

Facility Owner: The Ensign-Bickford Company

Facility Location: 8305 S Highway 6, Spanish Fork, UT

Application or Plans Prepared By: Hal Jaussi

Project Name: New Discharge Point

Receiving Water: Spanish Fork River

What Are the Designated Uses of the Receiving Water (R317-2-6)? Water used during irrigation season Spanish Fork pressurized irrigation system.

Category of Receiving Water (Category 1, 2, or 3 from R317-2-3.2, -3.3, and -3.4):
Spanish Fork River – 2B, 3B, 3D, 4

UPDES Permit Number (if appropriate): UT0025283

What is the application for? (check all that apply)

- An application for a UPDES permit for a new facility or project.
- An expansion or modification of an existing wastewater treatment works facility that will result in an additional of a new pollutant not currently covered by the permit.
- An expansion or modification of an existing wastewater treatment works that will result in an increase in the mass or concentration of a pollutant discharged to waters of the state.
- A permit renewal requiring limits for a pollutant not covered by the previous permit.
- An expansion or modification of an existing wastewater treatment works that will result in an increase in volume discharged over the volume used to obtain previous permit limits.
- A proposed UPDES permit renewal with no changes in facility operations.

Part B. Is a Level II ADR required?

This section of the application is intended to help applicants determine if a Level II ADR is required for specific permitted activities. However, the Executive Secretary may require a Level II ADR for an activity that would otherwise be exempt if extenuating circumstances suggest that a more extensive review of alternatives is needed to protect water quality.

B1. Are water quality impacts of the proposed project temporary and limited (Section 3.3.4)? Proposed projects that will have temporary and limited effects on water quality can be exempted from a Level II ADR.

Yes Identify the reasons used to justify this determination from Part B1.1 and proceed to Part G. No Level II ADR is required.

XX **No** (Proceed to Part B2 of the Application)

B1. 1 Complete this question only if the applicant is requesting a Level II review exclusion for temporary and limited projects (see R317-2-3.5(b)(3) and R317-2-3.5(b)(4)). For projects requesting a temporary and limited exclusion please indicate the factor(s) used to justify this determination (check all that apply and provide details as appropriate) (Section 3.3.4 of Implementation Guidance):

The length of time during which water quality will be lowered is limited.
How long?

Water quality impacts are related exclusively to sediment or turbidity and fish spawning will not be impaired.

There is little potential for long-term residual or short-term (acute) negative influences to existing uses.

B2. Will any pollutants use assimilative capacity? For most pollutants, are pollutant concentrations in the effluent higher than the ambient concentrations at critical conditions in the receiving water (Section 3.3.3 of Implementation Guidance)? For some pollutants such as pH, assimilative capacity is used when effluent concentrations are less than the ambient concentrations in the receiving water.

Yes A Level II ADR is required. Proceed to Part C.

X **No** No Level II ADR is required and there is no need to proceed further with application questions.

B3. Is the proposed project to an existing UPDES permit with no proposed changes to the discharge (Section 3.3.3 of Implementation Guidance)?

Yes No Level II ADR is required and there is no need to proceed further with application questions.

No A Level II ADR is required. Proceed to Part C.

B4. Is the permit being renewed with new effluent limits and the corresponding effluent concentrations and load for these parameters will not increase (Section 3.3.3)?

Yes No Level II ADR is required and there is no need to proceed further with application questions.

No A Level II ADR is required. Proceed to Part C.

Part C. Is the degradation from the project socially and economically necessary to accommodate important economic or social development in the area in which the waters are located? *The applicant must provide as much detail as necessary for DWQ to concur that the project is socially and economically necessary when answering the questions in this section. More information is available in Section 6.2 of the Implementation Guidance.*

C1. Optional Independent Report. Questions C2 through C6 are provided for the convenience of applicants. However, in some cases it may be easier to address the factors captured by these questions in a separate report. Applicants that prefer a separate report should record the report name here and proceed to Part D of the application.

Report Name:

C2. Describe the social and economic benefits that would be realized through the proposed project, including the number and nature of jobs created and anticipated tax revenues.

C3. Describe any environmental benefits to be realized through implementation of the proposed project.

C4. Describe any social and economic losses that may result from the project, including impacts to recreation or commercial development.

C5. Summarize any supporting any information from the affected communities on preserving assimilative capacity to support future growth and development.

C6. Please describe any structures or equipment associated with the project that will be placed within or adjacent to the receiving water.

Part D. Identify and rank (from increasing to decreasing potential threat to designated uses) the parameters of concern.

Parameters of concern are parameters in the effluent at concentrations greater than ambient concentrations in the receiving water. More information is available in Section 3.3.3 of the Implementation Guidance. Proceed to Part E.

Part E. Alternative Analysis Requirements of a Level II

Antidegradation Review. *Level II ADRs require the applicant to determine whether there are feasible less-degrading alternatives to proposed project. More information is available in Section 5.5 and 5.6 of the Implementation Guidance.*

E1. Please attach, as an appendix to this application, a report that describes the following factors for all alternative treatment options (see 1) a technical description of the treatment process, including construction costs and continued operation and maintenance expenses, 2) the mass and concentration of discharge constituents, and 3) a description of the reliability of the system, including the frequency where recurring operation and maintenance may lead to temporary increases in discharged pollutants. Most of this information is typically available from a Facility Plan, if available.

Report Name:

E2. Were any of the following alternatives feasible (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Pollutant Trading | <input type="checkbox"/> Total Containment |
| <input type="checkbox"/> Water Recycling/Reuse | <input type="checkbox"/> Improved O&M of Existing Systems |
| <input type="checkbox"/> Land Application | <input type="checkbox"/> Seasonal or Controlled Discharge |
| <input type="checkbox"/> Connection to Other Facilities | <input type="checkbox"/> New Construction |
| <input type="checkbox"/> Upgrade to Existing Facility | |

E3. From the applicant's perspective, what is the preferred treatment option?

E4. Is the preferred option also the least polluting alternative?

Yes

No

If no, what is the least polluting alternative?

If no, provide a summary of the justification for not using the least polluting alternative and if appropriate, provide a more detailed justification as an attachment. Name of attachment:

Part F. Optional Information

F1. Does the applicant want to conduct optional public reviews? More information is available in Section 3.7.1 of the Implementation Guidance

No

Yes

F2. Does the project include an optional mitigation plan?

No Proceed to Part G

Yes Proceed to Part F2.1

Report Name:

F2.1 Does the mitigation plan apply to specific project alternatives?

No

Yes

Part G. Certification of Antidegradation Review

G1. Applicant Certification

The application should be signed by the same responsible person who signed the accompanying permit application or certification.

Based on my inquiry of the person(s) who manage the system or those persons directly responsible for gathering the information, the information in this application and associated documents is, to the best of my knowledge and belief, true, accurate, and complete.

Signature: Hal Janni

Date: June 12, 2020

G2. DWQ Certification and Approval

G2.1 To the best of my knowledge, the ADR was conducted in accordance with the rules and regulations outlined in UAC R-317-2-3.

WQM Section

Signature: _____

Date: _____

G2.2 To the best of my knowledge, all feasible treatment options were examined and a final treatment option was selected that represents the least degrading, yet affordable (as defined in R-317-2-3.5(c) treatment option (this signature is only required for Level II reviews).

DWQ Permitting

Signature: _____

Date: _____