

STATE OF UTAH
DIVISION OF WATER QUALITY
DEPARTMENT OF ENVIRONMENTAL QUALITY
SALT LAKE CITY, UTAH

AUTHORIZATION TO DISCHARGE UNDER THE
UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM (UPDES)

GENERAL PERMIT FOR CONSTRUCTION DEWATERING AND HYDROSTATIC TESTING

In compliance with provisions of the Utah *Water Quality Act, Title 19, Chapter 5, Utah Code Annotated* ("UCA") 1953, as amended (the "Act"),

FACILITY

is hereby authorized to discharge from the construction dewatering/hydrostatic testing sites identified in the *Notice of Intent (NOI)*, issued coverage number **UTG07(COVERAGE)**, under this general permit to receiving waters named:

WATERS OF THE STATE

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

This permit shall become effective on June 1, 2019.

This permit expires at midnight on May 31, 2024.

Signed this 31st day of May, 2019.

A handwritten signature in blue ink, appearing to read "Erica B. Gaddis", is written over a horizontal line.

Erica Brown Gaddis, PhD
Director

DWQ-2018-013235

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I. COVERAGE, EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

A. Coverage Under the General Permit

1. This general UPDES permit shall apply to construction dewatering of uncontaminated groundwater or surface water sources due to construction activities, hydrostatic testing of pipelines or other fluids vessels, water used in disinfection of drinking water vessels and other similar discharges in the State of Utah that have no discharge of process wastewater other than those described in this paragraph.
 - a. Any dewatering discharge that is land-applied and does not reach state waters or the storm drain is not regulated under the Construction Dewatering/Hydrostatic Testing General Permit, although a DWQ Groundwater Section permit may be required. Regulated activities under the Construction Dewatering/Hydrostatic Testing General Permit include:
 - i. *In-stream dewatering*: cofferdams, drill hole or pylon development;
 - ii. *Surface area dewatering*: water pumped from disturbed surface areas (trenches, sumps, excavation pits, or other excavations associated with construction where sediment-laden ground water or surface water/storm inflow must be removed); and
 - iii. *Ground water dewatering*: water discharged from well development, well pump tests, or pumping of ground water from a construction area. Dewatering wells located within an active area of disturbance is subject to the Construction Dewatering/Hydrostatic Testing General Permit. Common methods of ground water dewatering from a construction area include sumps, wells, and well-points.
 - iv. *Hydrostatic Testing*: such as piping systems, gas cylinders, fire extinguishing, storage tanks, boilers, chemical pipelines, and pressure vessels that are tested for strength and leaks.
2. This permit does not authorize discharge from dewatering activities at hazardous waste sites, leaking chemical tanks, the discharge of toxic materials, or discharge of sanitary or industrial wastes (other than what is normally encountered at excavation and construction sites) at any location. This permit does not constitute authorization under 33 U.S.C. 1344 (Section 404 of the Clean Water Act) of any stream dredging or filling operations.
3. An authorization to discharge under this General Permit, where the activity discharges to a municipal or private storm drain owned by another party or discharges to private or public lands or water ways, does not convey any rights or authorization to discharge to the above stated location. The Permittee must contact the owner of the municipal separate storm sewer system (MS4), private storm drain or the private or public lands or water way and obtain permission to discharge.
4. The permittee is authorized to discharge under the terms and conditions of this permit after submission of a completed Notice of Intent (NOI) (Appendix A) and after signature of the Director authorizing coverage between an effective date and an expiration date. A completed NOI consists of either a letter containing the information listed below, completion of the online application process found at the Division of Water Quality website or using the NOI form in the Appendix with all relevant spaces filled out. The NOI should be submitted to the following address:

Department of Environmental Quality
Division of Water Quality
195 North 1950 West
PO Box 144870
Salt Lake City, Utah 84114-4870

The NOI requires the following information:

- a. Name, address, telephone number, site location and descriptive location of the facility, amount of acreage to be disturbed, and location of discharge point(s) (latitude, longitude);
 - b. Name of individual in charge of operation of the facility;
 - c. Name of potential receiving water(s);
 - d. Detail design of any wastewater treatment system and recycle/reuse utilized such as inlet, length, width, depth, volume, detention time and outlet;
 - e. Brief description of the type of activity resulting in the discharge. This shall include the anticipated volume, detention time, and outlet;
 - f. Start date and end date when construction dewatering and/or hydrostatic testing will be or is planned to be accomplished.
 - g. For hydrostatic testing only:
 - i. The type of vessel being tested (e.g. pipe, tank, etc.)
 - ii. The material from which the vessel was constructed (e.g. steep pipe, etc.)
 - iii. Whether the vessel is new or used material.
 - iv. A list of any pollutants that could reasonably be expected in the discharge other than minor amounts of silt/sand/sediment or oil and grease. Used product must be cleaned from the vessel before testing, any oil and grease coating new steel used in vessel construct must be cleaned before testing.
 - v. A description of the fluid material that will be contained and/or transported through the vessel.
 - vi. In the Colorado River Basin where water sources other than shallow wells or the receiving stream are to be used, information demonstrating conformance with the Colorado River Basin Salinity Control Forum, February 28, 1977 policy requirements and revisions thereof.
 - h. Signature of owner, operator, or authorized agent (Part IV.G. Signatory Requirements) and the following certification statement.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.
5. The permittee shall notify the Division of Water Quality (DWQ) in writing within thirty (30) days of the termination of the discharge(s) authorized under the General Permit. The Notice of Termination (NOT) may be either the suggested NOT or any other format of official correspondence that incorporates all of the information required on the NOT form. Instructions for completing the NOT are contained in Appendix B. Signed and completed NOT forms and attachments must be submitted to DWQ.

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6. The owner or operator of a facility excluded from coverage by this general permit solely because that facility already has an individual UPDES permit may request that the individual permit be revoked and that the facility be covered by this general permit. Upon revocation of the individual permit, this general permit shall apply to that facility.
7. Any owner or operator covered by this general permit may request to be excluded from the coverage by applying for an individual UPDES permit. In addition, in accordance with Utah Administrative Code (UAC) R317-8-2.5, the Director may require any owner or operator covered under this permit to apply for and obtain an individual UPDES permit for reasons that include the following:
 - a. The discharge(s) is a significant contributor of pollution. There is significant potential for pollutants other than uncontaminated sediment from excavation, or minor amounts of oil and grease from machinery (e.g. contaminated groundwater, chemicals released during specialized construction, etc.)
 - b. The discharger is not in compliance with the conditions of this general permit; or
 - c. Conditions or standard have changed so that the discharger no longer qualifies for a general permit.
 - d. When an individual UPDES permit is issued to an owner or operator otherwise covered under this general permit, the applicability of the general permit to that owner or operator is automatically terminated upon the effective date of the individual UPDES permit.

B. Requiring an Individual Permit or an Alternative General Permit

1. The Director may require any person authorized by this permit to apply for and/or obtain either an individual UPDES permit or an alternative UPDES general permit. The Director may require any owner or operator authorized to discharge under this permit to apply for an individual UPDES permit only if the owner or operator has been notified in writing that a permit application is required. This notification shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the discharger to file the application, and a statement that on the effective date of the individual UPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. Applications shall be submitted to the address of the Division of Water Quality shown in Part II.G of this permit. The Director may grant additional time to submit the application upon request of the applicant. If an owner or operator fails to submit in a timely manner an individual UPDES permit application as required by the Director, then the applicability of this permit to the individual UPDES permittee is automatically terminated at the end of the day specified for application submittal.
2. Any discharger authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. In such cases, the permittee shall submit an individual application in accordance with the requirement of Utah Administrative Code ("UAC") R317-8-3.8(2)(b)2 with reasons supporting the request, to the Director at the address for the Division of Water Quality in Part II.G. of this permit. The request may be granted by issuance of any individual permit or an alternative general permit if the reasons cited by the permittee are adequate to support the request.
3. When an individual UPDES permit is issued to an owner or operator otherwise subject to this permit, or the owner or operator is authorized for coverage under an alternative UPDES general permit, the applicability of this permit to the individual UPDES permittee is automatically terminated on the effective date of the individual permit or the date of approval for coverage under the alternative general permit, whichever the case

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may be. When an individual UPDES permit is denied to an owner or operator under an alternative UPDES general permit, the applicability of this permit to the individual UPDES permittee is automatically terminated on the date of such denial, unless otherwise specified by the Director.

C. Narrative Standard

It shall be unlawful, and a violation of this permit, for the permittee to discharge or place any waste or other substance in such a way as will be or may become offensive such as unnatural deposits, floating debris, oil, scum or other nuisances such as color, odor taste, or cause conditions which produce undesirable aquatic life or which produce objectionable tastes in edible aquatic organisms; or result in concentrations or combinations of substances which produce undesirable physiological responses in desirable resident fish, or other desirable aquatic life, or undesirable human health effects, as determined by bioassay or other tests performed in accordance with standard procedures.

D. Specific Limitations and Self-Monitoring Requirements

1. Effective immediately and lasting the duration of this permit, the permittee is authorized to discharge from all Outfalls. Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristics	Discharge Limitations ^{a, g}				Monitoring Requirements	
	Average	Average	Daily Min	Daily Max	Measurement Frequency	Sample Type
	30 day	7 day				
Flow, GPD	--	--	--	--	Weekly	Instant
Oil & Grease, visible ^b	--	--	--	--	Daily	Visual Observation
Oil & grease, mg/L ^c	--	--	--	10	Weekly	Grab
pH, Standard Units ^h	--	--	6.5	9.0	Weekly	Grab
Total Suspended Solids, mg/L ^d	25	35 ^e	--	70	Weekly	Grab/Composite
Total Residual Chlorine (TRC), mg/L ^f	--	--	--	--	Daily	Grab

^a See Definitions, Part V for definition of terms.

^b Observe effluent daily for visible Oil & Grease sheen.

^c Sample for Oil and Grease only when a sheen is observed or other reasons to suspect the presence of oil.

^d The Director may allow exceptions to the total suspended solids monthly and weekly limitations on a case-by-case basis where the discharge will not exceed 45 days and the treatment system is designed, built, and operated to meet the maximum concentration limitation and there will be no significant detrimental effect on receiving water quality or downstream beneficial uses.

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- e 7-day Average is a DWQ secondary standard UAC r. 317-3.2 F; The Director may allow exceptions if the duration is short and will not cause a detrimental effect. To receive exception to the 7-day Average monitoring requirement, a letter will need to be submitted to the Director.
 - f The use of chlorinated water for a hydrostatic testing fluid shall not be allowed unless it can be demonstrated that the chlorine dissipates prior to discharge, poses no potential for toxic impacts to the receiving waters or proper dechlorination BMPs and monitoring has been performed. Chlorine sampling will be required when chlorinated water is used and discharged to a stream with a chlorine standard.
 - g The permittee must comply with all conditions of this permit. Any permit noncompliance which includes but is not limited to: violations of any effluent limit detailed in Part I.D. of this permit or violations of the Narrative Standard as stipulated in Part I.C. of this permit constitutes a violation of the Act and is grounds for enforcement action. Part III of this permit further details the compliance responsibilities of the permittee.
 - h pH must be analyzed within 15 minutes.
2. The Director may require additional one time or regular sampling other than that specified above.
 3. Impaired Water Body
 - a. Water intercepted during construction dewatering activities that are discharged into an impaired water body will have additional monitoring and reporting requirements as deemed necessary by the Director. It is the permittees to determine if the receiving water has been designated "impaired". Contact the Division of Water Quality for assistance in making that determination.
 4. Samples taken in compliance with the monitoring requirements specified above shall be taken at the discharge point(s) identified in the NOI.
 5. Samples shall be taken only when discharging and should be taken at a location that provides a representative analysis of the effluent just prior to discharge to the receiving water or if the effluent is commingled with another permitted discharge, prior to such commingling.
 6. The flow rate shall not exceed the maximum capacity of any treatment device.
 7. All points sources discharges will be required to place velocity dissipation devices at discharge locations and along the length of any outfall channel as necessary to insure non-erosive flow velocity from the structure to a water course so that the natural physical and biological characteristics and functions are maintained and protected (e.g. no deleterious effects or significant changes in the hydrological regime in the receiving water).
 8. All waters shall be discharged in a manner to prevent erosion, scouring, or damage to stream banks, streambeds, or ditches.
 9. The concentration of Oil and Grease shall be minimized to the maximum extent practicable.
 10. Best Management Practices (BMPs) includes the development and implementation of a written site-specific Dewatering Control Plan prior to initiating dewatering of uncontaminated groundwater or surface water sources. Details are listed under "Dewatering Control Plan" of the Statement of Bases and Appendix D.

11. Corrective Action practices must be followed as outlined in the Statement of Bases and Appendix E.

II. MONITORING, RECORDING AND REPORTING REQUIREMENTS

A. Representative Sampling

Discharge points shall be designed or modified so that a sample of the effluent can be obtained at a point after the final treatment process and prior to discharge to state waters. Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit and unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. Monitoring points shall not be changed without notification to and approval by the Director. The permittee shall provide access to the Division to sample the discharge at these points.

B. Monitoring Procedures

Monitoring must be conducted according to test procedures approved under Utah Administrative Code ("UAC") R317-2-10, unless other test procedures have been specified in this permit.

C. Flow Measuring Device

At the request of DWQ, the permittee shall show proof of the accuracy of any flow-measuring device or method used in obtaining data submitted in the monitoring report. The flow-measuring device must indicate values within ten (10%) percent of the actual flow being discharged from the facility.

D. Analytical and Sampling Methods for Monitoring and Reporting

The permittee shall install, calibrate, use and maintain monitoring methods and equipment, including biological and indicated pollutant monitoring methods. All sampling shall be performed by the permittee according to specified methods in 40 CFR Part 136; methods approved by EPA pursuant to 40 CFR Part 136; or methods approved by the Director, in the absence of a method specified in or approved pursuant to 40 CFR Part 136.

E. Penalties for Tampering

The Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six months per violation, or by both.

F. Discharge Log

The permittee shall maintain a documented Discharge Log identifying the following information for each permitted outfall:

- 1) The dates and times when a discharge commences and ends;
- 2) Prior to the start of any discharge from an undefined discharge outfall(s), the receiving water for the discharge and the location that the outfall will be located at, including the latitude and longitude to the nearest 15 seconds, general descriptions of the location, and a map showing the discharge locations.
- 3) A description of the pollutant control practices used during construction dewatering, including:
 - a. For all filter devices – document the pollutant control filter maximum flow rate that will maintain compliance with the permit effluent limits

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and a drawing, sketch, and/or written description of the installation and implementation specifications.

- b. For all settling devices – document the residence time and maximum flow rate that will maintain compliance with the permit effluent limits and a drawing, sketch, and/or written description of the installation and implementation specifications.
- c. For all other techniques and methods implemented to remove pollutants prior to discharge, such as but not limited to pump in gravel-packs, sump conditions, and well screens – document the technique used and its intended purpose, the maximum flow rate for operation that will maintain compliance with the permit effluent limits, and a drawing, sketch, and/or written description of the installation and implementation specifications.
- d. If no treatment has been determined necessary to remove pollutants prior to discharge in order to maintain compliance with the permit effluent limits – a statement identifying that no treatment will be provided

4) The method used to measure flow, in accordance with Part II.C.

The log must be updated within 72 hours of the occurrence of any activity requiring documentation in accordance with this permit.

G. Reporting of Monitoring Results

Monitoring results obtained during the previous month shall be summarized and reported on a Discharge Monitoring Report (DMR) Form, no later than the 28th day of the month following the completed reporting period. If no discharge occurs, “**No Discharge**” shall be reported. See Appendix E for example of how to complete a DMR form.

Permittees must maintain a daily log during the periods of dewatering activities (or dewatering discharge). The daily log must contain: date and time of observations, identifications of the person recording the observation, monitoring results (visual or grab sample), inspection observations as identified in the site's Dewatering Control Plan, any problems observed, and any corrective action performed. The permittee must maintain records, including the daily log, for a period of at least three years and make these records available to the *Department upon request*.

Legible copies of these, and all other reports herein, shall be signed and certified in accordance with the requirements of Signatory Requirements (see Part IV.G.), and submitted to the Director, Division of Water Quality at the following address or by using NetDMR services (when available):

Department of Environmental Quality
Division of Water Quality
PO Box 144870
Salt Lake City, Utah 84114-4870

H. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any Compliance Schedule of this permit be submitted no later than 14 days following each schedule date.

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I. Additional Monitoring by the Permittee

If the permittee monitors any parameter more frequently than required by this permit, using test procedures approved under UAC R317-2-10 or as otherwise specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR. Such increased frequency shall also be indicated. Only those parameters required by the permit need to be reported.

J. Record Contents

Records of monitoring information shall include:

1. The date, exact place, and time of sampling or measurements;
2. The individual(s) who performed the sampling or measurements;
3. The date(s) and times(s) analyses were performed;
4. The individual(s) who performed the analyses;
5. The analytical techniques or methods used;
6. The results of such analyses; and
7. The daily log.

K. Retention of Records

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time. A copy of this UPDES permit must be maintained on site during the duration of activity at the permitted location.

L. Twenty-Four Hour Notice of Noncompliance Reporting

1. The permittee shall report any noncompliance which may seriously endanger health or environment as soon as possible, but no later than twenty-four (24) hours from the time the permittee first became aware of the circumstance. The report shall be made to the Division of Water Quality, 801-536-4300 or 24 hour answering service 801-536-4123.
2. The following occurrences of noncompliance shall be reported by telephone 801-536-4123 as soon as possible but no later than 24 hours from the time the permittee becomes aware of the circumstances:
 - a. Any noncompliance which may endanger health or the environment;
 - b. Any unanticipated bypass which exceeds any effluent limitation in the permit (*See Part III.G. Bypass of Treatment Facilities*); or
 - c. Any upset which exceeds any effluent limitation in the permit (*See Part III.H. Upset Conditions*); or
 - d. Violations of maximum daily discharge limitation for any of the pollutants listed in the permit.

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3. A written submission shall also be provided within five days of the time that the permittee becomes aware of the circumstances. The written submission shall contain:
 - a. A description of the noncompliance and its cause;
 - b. The period of noncompliance, including exact dates and times;
 - c. The estimated time noncompliance is expected to continue if it has not been corrected;
 - d. Steps taken or planned to reduce, eliminate and prevent reoccurrence of the noncompliance;
 - e. Steps taken, if any, to mitigate the adverse impacts on the environment and human health during the noncompliance period.
4. The Director may waive the written report on a case-by-case basis if the oral report has been received within 24 hours by the Division of Water Quality, 801-536-4300.

M. Other Noncompliance Reporting

Instances of noncompliance not required to be reported within 24 hours shall be reported at the time that monitoring reports for Part II.G. are submitted. The reports shall contain the information listed in Part II.L.3.

N. Inspection and Entry

The permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspection at reasonable times any facilities , equipment (including monitoring and control equipment), practices or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the Act, any substances or parameters at any location.

III. COMPLIANCE RESPONSILIBILITIES

A. Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

B. Penalties for Violations of Permit Conditions

The Act provides that any person who violates a permit condition implementing provisions of the Act is subject to a civil penalty not to exceed \$10,000 per day of such violation. Any person who willfully or negligently violates permit conditions of the Act is subject to a fine not exceeding \$25,000 per day of violation. Any person convicted under UCA 19-5-115(2) a second time shall be punished by a fine not exceeding \$50,000 per day. Except as provided at Part III.G. Bypass of Treatment Facilities and Part III.H. Upset Conditions, nothing in this permit shall be construed to relieve the permittee of the civil or criminal penalties for noncompliance.

C. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

D. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

E. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

F. Removed Substances

Collected screening, grit, solids, sludge, or other pollutants removed in the course of treatment shall be buried or disposed of in such a manner so as to prevent any pollutant from entering any waters of the state or creating a health hazard. Sludge/digester supernatant and filter backwash shall not directly enter either the final effluent or waters of the state by any other direct route.

G. Bypass of Treatment Facilities

1. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but if it also is for essential

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maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 2 and 3 of this section.

2. Prohibition of bypass

- a. Bypass is prohibited and the Director may take enforcement action against a permittee for a bypass, unless:
 - i. The bypass was unavoidable to prevent loss of human life, personal injury, or severe property damage;
 - ii. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and,
 - iii. The permittee submitted notices as required under paragraph 2 of this section.
- b. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph 3.a. of this section.

3. Notice

- a. Anticipated bypass. Except as provided above in paragraph 2 (Prohibition of bypass) and below in paragraph 3.b., if the permittee knows in advance of the need for a bypass, it shall submit prior notice, at least ninety days before the date of bypass. The prior notice shall include the following unless otherwise waived by the Director:
 1. Evaluation of alternative to bypass, including cost benefit analysis containing an assessment of anticipated resource damages;
 2. A specific bypass plan describing the work to be performed including scheduled dates and times. The permittee must notify the Director in advance of any changes to the bypass schedule;
 3. Description of specific measures to be taken minimize environmental and public health impacts;
 4. A notification plan sufficient to alert all downstream users, the public and others reasonably expected to be impacted by the bypass;
 5. A water quality assessment plan to include sufficient monitoring of the receiving water before, during and following the bypass to enable evaluation of public health risks and environmental impacts; and
 6. Any additional information requested by the Director.
- b. Emergency Bypass. Where ninety days advance notice is not possible, the permittee must notify the Director, and the Director of Department of Natural Resources, as soon as it becomes aware of the need to bypass and provide to the Director the information in paragraph 3.a(1) through (6) (above) to the extent practicable.
- c. Unanticipated Bypass. The permittee shall submit notice of an unanticipated bypass to the Director as required under Part II.L., Twenty-Four Hour Notice of Noncompliance Reporting. The permittee shall also immediately notify the Director of the Department of Natural Resources, the public and downstream users and shall

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implement measure to minimize impacts to public health and environment to the extent practicable.

H. Upset Conditions

1. Effect of an upset. An upset constitutes an affirmation defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of paragraph 2 of this section are met. Director's administrative determination regarding a claim of upset cannot be judiciously challenged by the permittee until such time as an action is initiated for noncompliance.
2. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An upset occurred and that the permittee can identify the causes(s) of the upset;
 - b. The permitted facility was at the time being properly operated;
 - c. The permittee submitted notice of the upset as required under Part II.L., Twenty-Four Hour Notice of Noncompliance Reporting; and,
 - d. The permittee complied with any remedial measures required under Part III.D., Duty to Mitigate.

I. Toxic Pollutants

The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of The Water Quality Act of 1987 for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even in the permit has not yet been modified to incorporate the requirement.

J. Changes in Discharge of Toxic Substances

Notification shall be provided to the Director as soon as the permittee knows of, or has reason to believe:

1. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels"
 - a. One hundred micrograms per liter (100 ug/L);
 - b. Two hundred micrograms per liter (200 ug/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/L) for 2,4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
 - c. Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with UAC R317-8-3.4(7) or (10); or,
 - d. The level established by the Director in accordance with UAC R317-8-4.2(6)
2. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels"
 - a. Five hundred micrograms per liter (500 ug/L);
 - b. One milligram per liter (1 mg/L) for antimony;

PART III
DISCHARGE PERMIT NO. UT0070000

- c. Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with UAC R317-8-3.4(9); or,
- d. The level established by the Director in accordance with UAC R317-8-4.2(6).

K. Industrial Pretreatment

Any wastewaters discharged to the sanitary sewer, either as a direct discharge or as a hauled waste, are subject to Federal, State and local pretreatment regulations. Pursuant to Section 307 of the Water Quality Act of 1987, the permittee shall comply with all applicable federal General Pretreatment Regulations promulgated at 40 CFR 403, the State Pretreatment Requirements at UAC R317-8-8, and any specific local discharge limitations developed by the Publicly Owned Treatment Works (POTW) accepting the wastewaters.

In addition, in accordance with 40 CFR 403.12(p)(1), the permittee must notify the POTW, the EPA Regional Waste Management Director, and the State hazardous waste authorities, in writing, if they discharge any substance into a POTW which is otherwise disposed of would be considered a hazardous waste under 40 CFR 261. This notification must include the name of the hazardous waste, the EPA hazardous waste number, and the type of discharge (continuous or batch).

IV. GENERAL REQUIREMENTS

A. Planned Changes

The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when the alteration or addition could significantly change the nature or increase the quantity of parameters discharged or pollutant sold or given away. This notification applies to pollutants, which are not subject to effluent limitations in the permit. In addition, if there are any planned substantial changes to the permittee's existing sludge facilities or their manner of operation or to current sludge management practices of storage and disposal, the permittee shall give notice to the Director of any planned changes at least 30 days prior to their implementation.

B. Anticipated Noncompliance

The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity, which may result in noncompliance with permit requirements.

C. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

D. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall apply for and obtain a new permit. The application shall be submitted at least 180 days before the expiration date of this permit.

E. Duty to Provide Information

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

F. Other Information

When the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or any report to the Director, it shall promptly submit such facts or information.

G. Signatory Requirements

All applications, reports or information submitted to the Director shall be signed and certified.

1. All permit applications shall be signed by either a principal executive officer or ranking elected official.
2. All reports required by the permit and other information requested by the Director shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

PART IV
DISCHARGE PERMIT NO. UT0070000

- a. The authorization is made in writing by a person described above and submitted to the Director, and,
- b. The authorization specifies either an individual or a position having responsibility for the operation of the construction site, regulated facility, such as the position of lead operator, foreman, plant manager, superintendent, position of equivalent responsibility, an individual or position having responsibility for environmental matters or an individual having specific environmental responsibility over water discharge matters. A duly authorized representative may thus be either a named individual or any individual occupying a named position.

3. **Changes to authorization**

If an authorization under *paragraph IV.G.2* is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of *paragraph IV.G.2*, must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.

4. **Certification**

Any person signing a document under this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

H. **Penalties for Falsification of Reports**

The *Act* provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction be punished by a fine of not more than \$10,000.00 per violation, or by imprisonment for not more than six months per violation, or by both.

I. **Availability of Reports**

Except for data determined to be confidential under *UAC R317-8-3.2*, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the office of Director. As required by the *Act*, permit applications, permits and effluent data shall not be considered confidential.

J. **Oil and Hazardous Substance Liability**

Nothing in this permit shall be construed to preclude the permittee of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under the *Act*.

K. **Property Rights**

The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

PART IV
DISCHARGE PERMIT NO. UT0070000

L. Severability

The provisions of this permit are severable, and if any provisions of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

M. Transfers

This permit may be automatically transferred to a new permittee if:

1. The current permittee notifies the Director at least 20 days in advance of the proposed transfer date;
2. The notice includes a written agreement between the existing and new permittee's containing a specific date for transfer of permit responsibility, coverage, and liability between them; and,
3. The Director does not notify the existing permittee and the proposed new permittee of his or her intent to modify, or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in paragraph 2 above.

N. State or Federal Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by *UCA 19-5-117* and *Section 510* of the *Act* or any applicable Federal or State transportation regulations, such as but not limited to the Department of Transportation regulations.

O. Water Quality - Reopener Provision

This permit may be reopened and modified (following proper administrative procedures) to include the appropriate effluent limitations and compliance schedule, if necessary, if one or more of the following events occurs:

1. Water Quality Standards for the receiving water(s) to which the permittee discharges are modified in such a manner as to require different effluent limits than contained in this permit.
2. A final wasteload allocation is developed and approved by the State and/or EPA for incorporation in this permit.
3. Revisions to the current CWA § 208 area wide treatment management plans or promulgations/revisions to TMDLs (40 CFR 130.7) approved by the EPA and adopted by DWQ which calls for different effluent limitations than contained in this permit.

P. Toxicity Limitation - Reopener Provision

This permit may be reopened and modified (following proper administrative procedures) to include whole effluent toxicity (WET) testing, a WET limitation, a compliance schedule, a compliance date, additional or modified numerical limitations, or any other conditions related to the control of toxicants if toxicity is detected during the life of this permit.

Q. Storm Water-Reopener Provision

At any time during the duration (life) of this permit, this permit may be reopened and modified (following proper administrative procedures) as per *UAC R317.8*, to include, any applicable storm water provisions and requirements, a storm water pollution prevention plan,

PART IV
DISCHARGE PERMIT NO. UT0070000

a compliance schedule, a compliance date, monitoring and/or reporting requirements, or any other conditions related to the control of storm water discharges to "waters-of-State".

V. DEFINITIONS

- A. The "7-day (and weekly) average", other than for *E. coli* bacteria, fecal coliform bacteria, and total coliform bacteria, is the arithmetic average of all samples collected during a consecutive 7-day period or calendar week, whichever is applicable. Geometric means shall be calculated for *E. coli* bacteria, fecal coliform bacteria, and total coliform bacteria. The 7-day and weekly averages are applicable only to those effluent characteristics for which there are 7-day average effluent limitations. The calendar week, which begins on Sunday and ends on Saturday, shall be used for purposes of reporting self-monitoring data on discharge monitoring report forms. Weekly averages shall be calculated for all calendar weeks with Saturdays in the month. If a calendar week overlaps two months (i.e., the Sunday is in one month and the Saturday in the following month), the weekly average calculated for that calendar week shall be included in the data for the month that contains Saturday.
- B. The "30-day (and monthly) average," other than for *E. coli* bacteria, fecal coliform bacteria and total coliform bacteria, is the arithmetic average of all samples collected during a consecutive 30-day period or calendar month, whichever is applicable. Geometric means shall be calculated for *E. coli* bacteria, fecal coliform bacteria and total coliform bacteria. The calendar month shall be used for purposes of reporting self-monitoring data on discharge monitoring report forms.
- C. "Act," means the *Utah Water Quality Act*.
- D. "Acute toxicity" occurs when 50 percent or more mortality is observed for either test species at any effluent concentration (lethal concentration or "LC₅₀").
- E. "Best Management Practices" ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
- F. "Bypass," means the diversion of waste streams from any portion of a treatment facility.
- G. "Composite Samples" shall be flow proportioned. The composite sample shall, as a minimum, contain at least four (4) samples collected over the compositing period. Unless otherwise specified, the time between the collection of the first sample and the last sample shall not be less than six (6) hours nor more than 24 hours. Acceptable methods for preparation of composite samples are as follows:
 - 1. Constant time interval between samples, sample volume proportional to flow rate at time of sampling;
 - 2. Constant time interval between samples, sample volume proportional to total flow (volume) since last sample. For the first sample, the flow rate at the time the sample was collected may be used;
 - 3. Constant sample volume, time interval between samples proportional to flow (i.e., sample taken every "X" gallons of flow); and,
 - 4. Continuous sample volume, with sample collection rate proportional to flow rate.
- H. "CWA," means *The Federal Water Pollution Control Act*, as amended, by *The Clean Water Act of 1987*.

PART V
DISCHARGE PERMIT NO. UT0070000

- I. "Daily Maximum" (Daily Max.) is the maximum value allowable in any single sample or instantaneous measurement.
- J. "EPA," means the United States Environmental Protection Agency.
- K. "Director," means Director of the Division of Water Quality.
- L. A "grab" sample, for monitoring requirements, is defined as a single "dip and take" sample collected at a representative point in the discharge stream.
- M. "Illicit discharge" means any discharge to a municipal separate storm sewer that is not composed entirely of storm water except discharges pursuant to a UPDES permit (other than the UPDES permit for discharges from the municipal separate storm sewer) and discharges from firefighting activities, fire hydrant flushings, potable water sources including waterline flushings, uncontaminated ground water (including dewatering ground water infiltration), foundation or footing drains where flows are not contaminated with process materials such as solvents, springs, riparian habitats, wetlands, irrigation water, exterior building wash-down where there are not chemical or abrasive additives, pavement wash-waters where spills or leaks or hazardous materials have not occurred and where detergents are not used, and air conditioning condensate.
- N. An "instantaneous" measurement, for monitoring requirements, is defined as a single reading, observation, or measurement.
- O. "NOI" means "Notice of Intent", it is an application form that is used to obtain coverage under the General Permit for Construction Dewatering/Hydrostatic Testing.
- P. "NOT" means "Notice of Termination", it is a form used to terminate coverage under the General Permit for Construction Dewatering/Hydrostatic Testing.
- Q. "Point Source" means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharges. This term does not include return flows from irrigated agriculture or agriculture storm water runoff.
- R. "Severe Property Damage," means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- S. "Significant materials" includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under Section 101(14) of CERCLA; any chemical the facility is required to report pursuant to EPCRA Section 313; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges.
- T. "Significant spills" includes, but is not limited to: release of oil or hazardous substances in excess of reportable quantities under Section 311 of the Clean Water Act (see 40 CFR 110.10 and 40 CFR 117.21) or Section 102 of CERCLA (see 40 CFR 302.4).
- U. "Time-weighted composite" means a composite sample consisting of a mixture of equal volume aliquots collected at a constant time interval.
- V. "Upset," means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond

PART V
DISCHARGE PERMIT NO. UT0070000

the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.

- W. "Waste pile" means any non-containerized accumulated of solid, non-flowing waste that is used for treatment or storage.

Appendix A

Notice of Intent (NOI) required information

The NOI can be completed on the NOI form or through the online database



UTAH DEPARTMENT of
ENVIRONMENTAL QUALITY
**WATER
QUALITY**

UPDES General Permit for Construction Dewatering and Hydrostatic Testing

NOI

Notice of Intent (NOI)
for Coverage Under the
UPDES General Permit for Construction Dewatering and Hydrostatic Testing
UPDES Permit No. UTG070000

Before completing this form, the applicant needs to read the Construction Dewatering and Hydrostatic Testing (CDHT) General Permit. Certification of this Notice of Intent (NOI) is certification with the requirements in the CDHT. This NOI must be completed by the owner/operator responsible for construction dewatering activities who are seeking coverage under the CDHT. You must print or type legibly; forms that are not legible, incomplete, or unsigned will be returned. You must maintain a copy of the completed NOI form for your records.

Part I. Application Status *(check one)*

- ☐ New – No prior CDHT authorization or authorization request for this project/activity
- ☐ Resubmitted - UPDES Permit Coverage No. **UTG07** _____
- ☐ Renewal - UPDES Permit Coverage No. **UTG07** _____

Part II. Applicant Information

Organization Name: _____

Contact Person: _____

Title: _____

Mailing Address: _____

Street (PO Box): _____

City: _____

State: _____

Zip: _____

Phone: _____

Email: _____

Part III. Site/Project Information

Site/Project Name: _____

Project Street/Location: _____

City: _____

State: _____

Utah

Zip: _____

Project Description: _____

Date construction dewatering or hydrostatic testing is anticipated to begin: _____

Date construction dewatering or hydrostatic testing is anticipated to end: _____

Rough estimate of average discharge flow rate [gallons per minute (gpm)] _____

gpm

Additional comments: _____

Appendix A (page 2)**Part IV. Outfalls and Receiving Water(s)**

Provide the latitude and longitude to the nearest second for each dewatering outfall. The specified location should be after all treatment and before release to the receiving water. Provide the name of the initial receiving water. If the initial receiving water is unnamed, please also indicate the closed named drainage the receiving water flows into (i.e. unnamed tributary of City Creek). Attach additional sheets if necessary for more outfalls.

Each outfall to a different receiving water segment is subject to additional application fees and annual fees.

Outfall No.	Latitude	Longitude	Receiving Surface Waters (Name)
001			

MAP: Attach a USGS topographic map or aerial photo extending one mile beyond the property boundaries of the site or facility/activity identified in Section B depicting the facility or activity boundaries, any treatment area(s), outfall(s), major drainage patterns, and the receiving surface waters stated above.

☐ Map Attached

Part V. Dewatering Control Plan

Dewatering Control Plan: will be completed prior to beginning construction dewatering, and implemented as part of the dewatering project. The Dewatering Control Plan will be maintained, and available to DWQ for on-site inspection. *(DWQ does not require submittal of this Plan)*

Dewatering discharge to state surface waters will be controlled by Best Management Practices evaluated in the Dewatering Plan, including *(indicate which of the following will be employed to the extent known):*

- | | |
|---|---|
| <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown | Run-on prevention/diversion |
| <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown | Pumping process pretreatment (i.e. filtering sump or submersible pump protection) |
| <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown | Directed through vegetated swale prior to discharge |
| <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown | Constructed settling pond or structure, including hay bales |
| <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown | Dewatering bags |
| <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown | Anionic polymer-based flocculants and/or coagulants in accordance with manufacturers specifications |
| <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown | Erosion control for the discharge, including rip rap or baffles. |
| <input type="checkbox"/> Yes <input type="checkbox"/> No | Other, <i>describe</i> |

Part VI. Certification Information**All Applicants Must Complete the Following Certification**

I certify under penalty of law that all construction dewatering and/or hydrostatic testing operations at the above facility that were authorized by the UPDES General Permit for Construction Dewatering and Hydrostatic Testing, UPDES Permit No. UTG070000 have been eliminated or that I am no longer the operator of the facility. I understand that by submitting the Notice of Termination, I am no longer covered under the general permit. I also understand that the submittal of this

notice of termination does not release an operator from liability for any violations of this permit of the Water Quality Act.

Printed Name: _____

Title: _____

Signature: _____

Organization: _____

Date (mm/dd/yy): _____

Email: _____

Appendix A (page 3)

Instructions for Completing a Notice of Intent Form (NOI) for Construction Dewatering and Hydrostatic Testing General Permit.

Important: A Notice of Intent (NOI) form will not be considered complete unless you answer every question. If an item does not apply to you, enter "Not Applicable" to show that you considered the question. The appropriate fees must be paid for coverage under CDHT General Permit.

Part II: Application Status

Check the box that applies to your project and provide the requested information.

Part III: Site/Project Information

Identify the site or project name that is the source of the construction dewatering and hydrostatic discharge. The location of the site is the specific area where the activity is physically conducted. Give the address or location and the geographical coordinate information.

Part IV. Outfalls and Receiving Water(s)

Outfalls are defined as a disposal system through which effluent or waste leaves the facility or site. An outfall location is considered to be a discrete channel, conveyance, structure or flow path from which discharge leaves the facility after all treatment, prior to discharge into state surface waters. Water bodies used solely for treating, transporting, or impounding pollutants shall not be considered surface water.

Part V. Dewatering Control Plan

Applicants are to certify that they will complete and implement a site specific Dewatering Control Plan for their dewatering activities.

Part VI. Certification Information

The NOIs, must be signed as follows:

- 1) For a corporation, a responsible corporate officer shall sign the NOT, a responsible corporate officer means:
 - a. A President, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation; or
 - b. The manager of one or more manufacturing, production, or operating facilities, if

- i. The manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental statutes and regulations;
 - ii. The manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and
 - iii. Authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- 2) For a partnership of sole proprietorship, the general partner or the proprietor, respectively; or
 - 3) For a municipality, state or other public agency, either a principal executive officer or ranking elected official shall sign the application; in this subsection, a principal executive officer of any agency means;
 - a. The chief executive officer of the agency; or
 - b. A senior executive officer having responsibility for the overall operations of a principal geographic unit or division of the agency.

Include the name, title, and email address of the person signing the form and the date of signing. An unsigned or undated NOI will not be considered valid to receive permit coverage.

You are required to comply with all conditions and reporting requirements until the NOT is submitted to DWQ, including submission of Discharge Monitoring Reports (DMR).

Where to File NOI form:

Please submit the original form with a signature in ink to the below address. Remember to retain a copy for your records.

NOTs sent by mail:

**Division of Water Quality
195 North 1950 West
PO Box 144870
Salt Lake City, UT 84114-4870**

PART V
DISCHARGE PERMIT NO. UT0070000

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Appendix B

Notice of Termination (NOT) required information

The NOT can be completed on the NOT form or through the online database



UTAH DEPARTMENT of
ENVIRONMENTAL QUALITY
**WATER
QUALITY**

UPDES General Permit for Construction Dewatering and Hydrostatic Testing

NOT

Notice of Termination (NOT)

for Coverage Under the UPDES General Permit for Construction Dewatering and Hydrostatic Testing
UPDES Permit No. UTG070000

This form is to be submitted when a discharge permit is no longer required or necessary. Part I through Part III identifies the site and operator/facility that will no longer request coverage under the UPDES General Permit for Construction Dewatering and Hydrostatic Testing Permit No. UTG070000. You must type or print legibly, forms that are not legible or are unsigned will be returned. Do not leave blank spaces. It is recommended that you maintain a copy of the completed form for your records. The NOT must be submitted within thirty (30) days upon completion of all excavation dewatering activities.

Part I. Permit Information

UPDES Permit Coverage No. UTG07

Date all dewatering activities ceased

Estimated total volume discharged

Basis for terminating permit coverage

☐ Project Completed ☐ No groundwater at construction site

☐ Other (explain)

Part II. Applicant Information

Organization Name:

Contact Person:

Title:

Mailing Address:

Street (PO Box):

City:

State:

Zip:

Phone:

Email:

Part III. Site/Project Information

Site/Project Name:

Project Street/Location:

City:

State:

Utah

Zip:

Project Description:

Latitude:

Longitude:

Part IV. Certification Information

All Applicants Must Complete the Following Certification

I certify under penalty of law that all construction dewatering and/or hydrostatic testing operations at the above facility that were authorized by the UPDES General Permit for Construction Dewatering and Hydrostatic Testing, UPDES Permit No. UTG070000 have been eliminated or that I am no longer the operator of the facility. I understand that by submitting the Notice of Termination, I am no longer covered under the general permit. I also understand that the submittal of this notice of termination does not release an operator from liability for any violations of this permit of the Water Quality Act.

Printed Name:

Title:

Signature:

Organization:

Date (mm/dd/yy):

Email:

Appendix B (page 2)

Instructions for Completing a Notice of Termination Form (NOT) for Construction Dewatering and Hydrostatic Testing General Permit.

Who May File an NOT Form:

Permittees with an active coverage under the Utah Pollutant Discharge Elimination System (UPDES) General Permit for Construction Dewatering and Hydrostatic Testing may submit an NOT form when all dewatering activities have ceased. Only those permittees who submit an NOI to receive discharge authorization are required to submit an NOT.

Completion of the dewatering means all pumping of groundwater or surface water authorized under the permit have ceased. The termination shall be filed within thirty (30) days upon completion of all pumping activity which produces a discharge to either the land or a water body. All BMP measures put in place to manage the discharge shall also be removed prior to submittal of the NOT.

Completing the Form

Type or print, in the appropriate areas only. "NA" can be entered in areas that are not applicable. If you have any questions about how or when to use this form, contact the Division of Water Quality Surface Water Section at 801.536.4300 or email dewatering@utah.gov.

Part I. Permit Number

Enter the existing UPDES General Permit Coverage Number for Construction Dewatering and Hydrostatic Testing assigned at the time the Notice of Intent (NOI) was submitted. If you do not know the coverage permit number, you can find contact the Division of Water Quality Surface Water Section at 801.536.4300 or email dewatering@utah.gov.

Part II. Applicant Information

Provide the Organization Name, Contact Person, or any other entity conducting the discharge activities described in the NOI and is covered by the permit coverage number identified in Part I. The entity responsible for conducting the dewatering operations is the legal entity that controls the site operation, rather than the site/project manager.

Enter the permittee's complete mailing address, telephone number and email address.

Part III. Site/Project Information

Enter the official or legal name and complete street address, including city, state and zip code. If the project or site lacks a street address, indicate the general location of the site (e.g. Intersection of State Highways and major road ways). Include a project description and the latitude and longitude of the project site. Complete site information must be provided for termination of permit coverage to be valid.

Part IV. Certification Information

The NOTs, must be signed as follows:

- 1) For a corporation, a responsible corporate officer shall sign the NOT, a responsible corporate officer means:
 - a. A President, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation; or
 - b. The manager of one or more manufacturing, production, or operating facilities, if
 - i. The manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental statutes and regulations;
 - ii. The manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and
 - iii. Authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- 2) For a partnership of sole proprietorship, the general partner or the proprietor, respectively; or
- 3) For a municipality, state or other public agency, either a principal executive officer or ranking elected official shall sign the application; in this subsection, a principal executive officer of any agency means;
 - a. The chief executive officer of the agency; or
 - b. A senior executive officer having responsibility for the overall operations of a principal geographic unit or division of the agency.

Include the name, title, and email address of the person signing the form and the date of signing. An unsigned or undated NOT will not be considered valid terminated of permit coverage.

You are required to comply with all conditions and reporting requirements until the NOT is submitted to DWQ, including submission of Discharge Monitoring Reports (DMR).

Where to File NOT form:

Please submit the original form with a signature in ink to the below address. Remember to retain a copy for your records.

NOTs sent by mail:

Division of Water Quality
195 North 1950 West
PO Box 144870
Salt Lake City, UT 84114-4870

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Appendix C

Discharge Monitoring Report Form
Discharge Monitoring Report Example

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)**

PERMITTEE NAME/ADDRESS (include Facility Name/Location if Different)

**ORGANIZATION
NAME**

**MAILING
ADDRESS**

**PROJECT/SITE
NAME**

**PROJECT/SITE
LOCATION**

FROM

UTG07					
PERMIT NUMBER					
DISCHARGE NUMBER					

MONITORING PERIOD						
YEAR	MO	DAY		YEAR	MO	DAY
			TO			

☐ Check here if NO DISCHARGE

NOTE:

Read instructions before completing this form

PARAMETER		QUANTITY OR LOADING			QUANTITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
FLOW, GPD	SAMPLE MEASUREMENT			GAL/DAY							
	PERMIT REQUIREMENT	REG MON 30-DAY AVG	REG MON 7-DAY AVG							WEEKLY (01/07)	INSTANT
OIL & GREASE, VISIBLE	SAMPLE MEASUREMENT			YES=1 NO=0				VI			
	PERMIT REQUIREMENT		0 DAILY MAX							DAILY (01/01)	VISUAL
OIL & GREASE, MG/L	SAMPLE MEASUREMENT							MG/L			
	PERMIT REQUIREMENT						10.0 DAILY MAX			WEEKLY (01/07)	GRAB
PH, STANDARD UNIT	SAMPLE MEASUREMENT							SU			
	PERMIT REQUIREMENT					6.5 DAILY MIN	9.0 DAILY MAX			WEEKLY (01/07)	GRAB
TOTAL SUSPENDED SOLIDS, MG/L	SAMPLE MEASUREMENT							MG/L			
	PERMIT REQUIREMENT				25 30-DAY AVE	35 7-DAY AVE	70 DAILY MAX			WEEKLY (01/07)	GRAB/ COMPOSITE
TOTAL RESIDUAL CHLORINE (TRC), MG/L	SAMPLE MEASUREMENT							MG/L			
	PERMIT REQUIREMENT						SEE PERMIT			DAILY (01/01)	GRAB

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT OF KNOWING VIOLATIONS.	TELEPHONE		DATE			
TYPED OR PRINTED		SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	AREA CODE	NUMBER	YEAR	MO	DAY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil and Grease Monitoring is required if a visual sheen is observed or believed present. Put *** for Not Required on parameter
Total Chlorine Residual; for hydrostatic testing discharging to a stream wit chlorine standard. Put *** for Not Required on parameter

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)**

PERMITTEE NAME/ADDRESS (include Facility Name/Location if Different)

ORGANIZATION NAME	ABC
MAILING ADDRESS	135 N 555 W SLC, UT 84112
PROJECT/SITE NAME	ABC location
PROJECT/SITE LOCATION	133 N 600 W SLC, UT 84112

UTG07	3	0	0	0
PERMIT NUMBER				

001
DISCHARGE NUMBER

MONITORING PERIOD						
YEAR	MO	DAY		YEAR	MO	DAY
19	01	01	TO	19	01	31

ALL Yellow sections need to be completed or the NO Discharge box needs to be marked if there was no discharge.

☐ Check here if NO DISCHARGE

NOTE:
Read instructions before completing this form

PARAMETER		QUANTITY OR LOADING			QUANTITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
FLOW, GPD	SAMPLE MEASUREMENT	200	300	GAL/DAY					0	WEEKLY	INSTANT
	PERMIT REQUIREMENT	REG MON 30-DAY AVG	REG MON 7-DAY AVG							WEEKLY (01/07)	INSTANT
OIL & GREASE, VISIBLE	SAMPLE MEASUREMENT		0	YES=1 NO=0				VI	0	DAILY	VISUAL
	PERMIT REQUIREMENT		0 DAILY MAX							DAILY (01/01)	VISUAL
OIL & GREASE, MG/L	SAMPLE MEASUREMENT						< 5	MG/L	0	WEEKLY	GRAB
	PERMIT REQUIREMENT						10.0 DAILY MAX			WEEKLY (01/07)	GRAB
PH, STANDARD UNIT	SAMPLE MEASUREMENT					7.0	8.5	SU	0	WEEKLY	GRAB
	PERMIT REQUIREMENT					6.5 DAILY MIN	9.0 DAILY MAX			WEEKLY (01/07)	GRAB
TOTAL SUSPENDED SOLIDS, MG/L	SAMPLE MEASUREMENT				12	15	15	MG/L	0	WEEKLY	GRAB
	PERMIT REQUIREMENT				25 30-DAY AVG	35 7-DAY AVG	70 DAILY MAX			WEEKLY (01/07)	GRAB/COMPOSITE
TOTAL RESIDUAL CHLORINE (TRC), MG/L	SAMPLE MEASUREMENT						No	MG/L	0	DAILY	GRAB
	PERMIT REQUIREMENT						SEE PERMIT			DAILY (01/01)	GRAB

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT OF KNOWING VIOLATIONS.			TELEPHONE		DATE		
JOHN DOE/OWNER				8014444444		19	02	28
TYPED OR PRINTED		SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	AREA CODE	NUMBER	YEAR	MO	DAY	

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil and Grease Monitoring is required if a visual sheen is observed or believed present. Put *** for Not Required on parameter Total Chlorine Residual; for hydrostatic testing discharging to a stream wit chlorine standard. Put *** for Not Required on parameter

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Appendix D
Dewatering Control Plan Guidelines



UPDES General Permit for Construction Dewatering and Hydrostatic Testing (CDHT)

Appendix D DEWATERING CONTROL PLAN GUIDELINES

The permittee is required to develop and implement a written site-specific Dewatering Control Plan *prior to initiating dewatering*. The plan must be maintained and available for inspection on-site, and must include:

- 1) Evaluation, installation and maintenance of Best Management Practices (BMPs), including but not limited to:
 - a. Run-on prevention and/or ground water exclusion methods (where low permeability cut-off walls are used to keep water out of the excavation);
 - b. Erosion control to prevent surface water/storm water contamination of site (i.e. soil roughening, riprap, mulching, geotextiles, etc.) Excavated material must be transported and stockpiled in such a manner as to prevent its erosion returning to the receiving stream;
 - c. Treatment at dewatering pump intake (i.e., filtering sump, wrapping submersible pump in filter fabric);
 - d. Sediment Control for dewatering discharge (i.e. constructed settling pond, dewatering bags, fiber rolls, vegetated buffers, etc.); and
 - e. Proper use of anionic flocculants and coagulants, if needed (including maintaining MSDSs and following manufacturers' recommendations).
- 2) Measures taken to prevent first flush/initial purge discharges from entering state surface waters. If not possible, minimizing turbidity and TSS in this initial discharge through use of land application, settling ponds, or other BMPs.
- 3) Measures taken to prevent spilled or leaking fuels and lubricants from entering the watercourse. If an oil sheen is observed in the discharge, a grab sample must be taken for analysis and the dewatering discharge must be stopped until the source of the oil is eliminated.
- 4) Measures taken to minimize erosion from the discharge through the use of flow dissipation devices such as rip rap, baffles, or other methods, as necessary. The discharge shall not cause or result in erosion to the area of the discharge of the surrounding stream banks.
- 5) Discharge monitoring procedures for the site to ensure that monitoring is effective and must cover all times of discharge (including weekends and holidays if applicable). The Dewatering Plan must include an identification of the person(s) responsible, monitoring frequency, any necessary and its maintenance, including calibration materials, and record-keeping in the daily log. The monitoring procedures must also ensure that both visual monitoring and sampling is conducted at times representative of operations on-site (the plan must address how the responsible parties will ensure that monitoring is conducted at times the site has construction activity).
- 6) BMP inspection procedures in order to prevent breakdowns or failures of the control equipment. The permittee must include the inspection frequency, person(s) responsible, and extent of the inspections (including erosion prevention, dewatering operations, dewatering treatment, and discharge quality), and recordkeeping in the daily log. The permittee must also include names/numbers for off-house notification of responsible personnel in the event of an emergency.
- 7) Corrective action protocol, including roles and responsibilities for observing and reporting any failures to the permittee's responsible official or their designee, and what site-specific steps may be required to regain compliance.
- 8) Control Measures to control Erosion, Sediment and Runoff

PART V
DISCHARGE PERMIT NO. UT0070000

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Appendix E
Corrective Action Requirements



UTAH DEPARTMENT of
ENVIRONMENTAL QUALITY
**WATER
QUALITY**

UPDES General Permit for Construction Dewatering and Hydrostatic Testing (CDHT)

Appendix E CORRECTIVE ACTION PRACTICES

Upon any visual observation of Best Management Practices (BMPs) failure, inadequate BMPs, elevated turbidity, or an oil sheen, the following steps must be conducted:

- 1) Take a grab sample for analysis anytime there is an observation of elevated turbidity and/or oil and grease.
- 2) Cease discharge of dewatering effluent until the issue is resolved.
- 3) Conduct a site-wide inspection to observe operating conditions and BMP maintenance.
- 4) Address any BMP failures by determining whether there was a failure in design, installation, or maintenance and perform the appropriate measures to fix the failure, including determining whether BMPs should be modified or if additional measures must be taken.
- 5) Document the issue and resolutions in the daily log and update the Dewatering Plan.
- 6) Notify the Division of Water Quality.
 - a. To report incidents "Initial Non-Compliance Notification" form is available. *See Appendix G.*
- 7) Include a report with the next DMR submittal.

PART V
DISCHARGE PERMIT NO. UT0070000

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Appendix F
Initial Non Compliance Notification Form



UTAH DEPARTMENT of
ENVIRONMENTAL QUALITY
**WATER
QUALITY**

Division of Water Quality (DWQ) UPDES Program

INITIAL NON-COMPLIANCE NOTIFICATION

Date of Report: _____ DWQ Notification Date: _____ DWQ Contact: _____

Facility Name: _____ UPDES Permit No.: _____

Facility Contact: _____ Title: _____

Phone Number: _____ Email Address: _____

Incident Type:

- ☐ Permit Violation ☐ Order Violation ☐ Anticipated Non-Compliance ☐ Bypass ☐ Overflow
☐ Other _____

Date(s) of Non-Compliance: _____ Location of Discharge: _____

Volume Discharge: _____ gallons Water Body Impacted: _____

Description of non-compliance(s) and cause(s):

Clean-up Activities:

Explanation:

Resolution/Plan of Resolution:

Has event ceased? ☐ Yes ☐ No If so, when? _____

Was event due to plant upset? ☐ Yes ☐ No UPDES Discharge Permit limits violated? ☐ Yes ☐ No

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment of knowing violations.

PRINT Signatory Authority

Signature

Title

Date

The Division of Water Quality may request additional information.

OFFICE USE ONLY

Date received: ____/____/____ Received by: _____ Document No: _____

via: ☐ Email ☐ Fax ☐ Webportal ☐ Mail ☐ Hand Delivery

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FACT SHEET STATEMENT OF BASIS
GENERAL PERMIT FOR CONSTRUCTION DEWATERING
AND/OR HYDROSTATIC TESTING
Permit Number UTG070000

STANDARD INDUSTRIAL CLASSIFICATION (SIC) CODES AND NATIONAL AMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS) CODES:

The SIC codes for Construction are 1521 through 1629 and Excavation is 1794. The NAICS code for Construction is series 23 with the Site Preparation Contractors code specified as 238910.

APPROPRIATENESS OF THE GENERAL PERMIT:

Utah Administration code (UAC) R317-8-2.5 authorizes the issuance of General Permits for categories of point sources within the same geographical area with discharges that are from similar types of operations and wastes, and that require similar effluent limitations and monitoring.

During the last five years, there were over 388 Construction Dewatering/Hydrostatic Testing projects authorized to discharge in the State with coverage under the general permit. A similar number of projects are expected to occur during this permit cycle. Maintaining the Construction Dewatering/Hydrostatic Testing permitting process as a streamlined general permit saves times and fees for prospective permittees and makes better use of resources at the Division of Water Quality.

NOTICE OF INTENT FOR GENERAL CONSTRUCTION/HYDROSTATIC TESTING PERMIT:

The application process for a general permit is less burdensome than for individual UPDES permits. *Utah Administrative Code R317-8-2.5(2)(b)1* and *R317-8-3* allows streamlining of the application process for general permits by using notice of intents (NOIs) for applications. NOIs require minimal information, no previous water quality monitoring data, and can be filled out and submitted in a short period of time. The information required should be readily available to the prospective permittee if the project has been thoroughly and thoughtfully planned out.

Though the Construction Dewatering/Hydrostatic Testing General Permit is drafted to include most if not all Construction Dewatering/Hydrostatic Testing projects, it is possible that a project is complicated with conditions or risks that are not clearly addressed by the Construction Dewatering/Hydrostatic Testing General Permit. For these cases the *Director* may revoke or terminate permit coverage (in accordance with *UAC R317-8-5.6* and *6.2*). In addition, the Director may require any person authorized by this general permit to apply for and obtain an individual permit.

COVERAGE UNDER THE GENERAL PERMIT:

This general permit shall apply to construction dewatering and/or hydrostatic testing of pipelines, tanks, or other vessels located in the State of Utah. This permit may also be applied to other discharges related to construction activities, such as wheel washing at construction egress points, concrete cutting fluid

(provided there are no additives to the water), drinking water pump testing or well development, etc. Discharges other than actual construction dewatering and hydrostatic testing must be identified and described in the NOI. The *Director* may deny coverage from such a discharge, thereby disallowing the discharge, or require an individual permit. Except for suspended solids and oil & grease (which are limited in the permit) a discharge under this permit must be compatible with the water quality standards of the stream they are discharging to. The *Director* may require discharge sample analysis to demonstrate that the discharge is compatible. Discharges covered by this permit shall have no sanitary chemical or fuel tanks. Tested vessels must not have residual product left in the vessel before testing. **This permit cannot address toxic pollutants or other pollutants such as petroleum hydrocarbons, metals, acids, caustics, dissolved solids, sewage, nutrients, herbicides, pesticides, organics, inorganics, radiological contaminants, or other contaminants.**

BASIS FOR EFFLUENT LIMITATIONS:

Total Suspended Solids

The total suspended solids (TSS) weekly and monthly limits are determined by secondary treatment standard as contained in *UAC R317-1-3.2*. The maximum value of 70 mg/L for TSS is based on best professional judgment and is the same as in the previous permit.

The permit limits for TSS are difficult for some project managers to comply with due to treatment limitations or space restrictions for treatment. For these cases the permittee may elect to petition the Director to allow exceptions to the TSS monthly and weekly limitations, in accordance with *UAC R317-1-3.2 F*. The Director may allow a variance in cases where the discharge will be of short duration and where there will be no significant detrimental effect on receiving water quality or downstream beneficial uses. An applicant wishing to be considered for the variance must submit a proposal to the Director which includes:

- 1) Estimated costs of full compliance
- 2) Arguments justifying a variance
- 3) Details of any proposed wastewater treatment for the discharge
- 4) Estimated impacts to the receiving water body, and
- 5) Where the discharge will be impacting a water body classified as 3A, 3B, 3C, the prospective permittee must inform the Aquatic Section of Wildlife Resources (Department of Natural Resources) of the request

A variance must be obtained prior to submission of the NOI.

pH

The limit for pH is 6.5 to 9.0 as determined by secondary treatment standards contained in *UAC R317-1-3.2 D*.

Oil and Grease

Oil and Grease is limited to 10.0 mg/L based on best professional judgment and shall be minimized to the maximum extent practicable.

Hydrostatic Testing, Chlorine

When surface water is drawn for hydrostatic testing, the permittee is allowed to discharge to the original stream at the same concentration of the intake water when the intake water concentration exceeds the permit limits. The use of chlorinated water for a hydrostatic testing fluid shall not be allowed unless it can be demonstrated that the chlorine dissipates prior to discharge and poses no potential for toxic impacts to the receiving waters.

Colorado River Basin

Water intercepted during construction dewatering in the Colorado River Basin would probably eventually reach the Colorado River Basin, if the Construction Dewatering/Hydrostatic Testing water is from a source which would not normally reach the river system it must have the Director's approval for compliance with the Colorado River Basin Salinity Control Forum Policy.

Impaired Water Body

Water intercepted during construction dewatering activities that are discharged into an impaired water body will have additional monitoring and reporting requirements as deemed necessary by the Director. It is the permittees responsibility to contact the Division of Water Quality to ensure the water body is not impaired.

Additional Sampling

The Director may require additional one time or regular sampling other than that specified under Self-Monitoring Requirements.

Samples taken in compliance with the Self-Monitoring Requirements specified shall be taken at the discharge point(s) identified in the NOI.

All point source discharges will be required to place velocity dissipation devices at discharge locations and along the length of any outfall channel as necessary to ensure non-erosive flow velocity from the structure to a water course so that the natural physical and biological characteristics and functions are maintained and protected (e.g. no deleterious effects or significant changes in the hydrological regime in the receiving water).

The concentration of Oil & Grease shall be minimized to the maximum extent practicable.

In the Colorado River Basin, all water used for hydrostatic testing from a source that would not normally reach the Colorado River System must comply with the Colorado River Salinity Control Forum Policy of February 1977.

Best Management Practices (BMPs) includes the develop and implement a written site-specific Dewatering Control Plan *prior to initiating dewatering* for the control of surface runoff shall be developed, implemented and maintained for the control of storm water runoff. Details are listed under "Dewatering Control Plan" of this Statement of Basis.

SELF-MONITORING REQUIREMENTS:

Effluent Characteristics	Discharge Limitations ^{a, g}				Monitoring Requirements	
	Average	Average	Daily Min	Daily Max	Measurement Frequency	Sample Type
	30 day	7 day				
Flow, GPD	--	--	--	--	Weekly	Instant
Oil & Grease, visible ^b	--	--	--	--	Daily	Visual Observation
Oil & grease, mg/L ^c	--	--	--	10	Weekly	Grab
pH, Standard Units ^h	--	--	6.5	9.0	Weekly	Grab
Total Suspended Solids, mg/L ^d	25	35 ^e	--	70	Weekly	Grab/Composite
Total Residual Chlorine (TRC), mg/L ^f	--	--	--	--	Daily	Grab

^a See Definitions, *Part V* for definition of terms.

^b Observe effluent daily for visible Oil & Grease sheen.

^c Sample for Oil and Grease only when a sheen is observed or other reasons to suspect the presence of oil.

^d The Director may allow exceptions to the total suspended solids monthly and weekly limitations on a case-by-case basis where the discharge will not exceed 45 days and the treatment system is designed, built, and operated to meet the maximum concentration limitation and there will be no significant detrimental effect on receiving water quality or downstream beneficial uses.

^e 7-day Average is a DWQ secondary standard UAC R317-3.2 F; The Director may allow exceptions if the duration is short and will not cause a detrimental effect. To receive exception to the 7-day Average monitoring requirement, a letter will need to be submitted to the Director.

^f The use of chlorinated water for a hydrostatic testing fluid shall not be allowed unless it can be demonstrated that the chlorine dissipates prior to discharge, poses no potential for toxic impacts to the receiving waters or proper dechlorination BMPs and monitoring has been performed. Chlorine sampling will be required when chlorinated water is used and discharged to a stream with a chlorine standard.

^g The permittee must comply with all conditions of this permit. Any permit noncompliance which includes but is not limited to: violations of any effluent limit detailed in *Part I.D.* of this permit or violations of the Narrative Standard as stipulated in *Part I.C.* of this permit constitutes a violation of the Act and is grounds for enforcement action. *Part III* of this permit further details the compliance responsibilities of the permittee.

^h pH must be analyzed within 15 minutes.

REPORTING REQUIREMENTS FOR DISCHARGE MONITORING REPORTS:

Discharge monitoring reports (DMRs) are to be completed every month and submitted to the Division of Water Quality on a monthly basis. DMRs must be submitted on the approved form.

BIOMONITORING REQUIREMENTS:

As part of a nationwide effort to control toxic discharges, biomonitoring requirements are being included in permits for facilities where effluent toxicity is an existing or potential concern. In Utah, this is done in accordance with the *Utah Pollutant Discharge Elimination System Permit and Enforcement Guidance Document for Whole Effluent Toxicity Control (Biomonitoring)*, dated February 2018. Authority to require effluent biomonitoring is provided in *Permit Conditions, UAC R317-8-4.2, Permit Provisions, UAC R317-8-5.3 and Water Quality Standards, UAC R317-2-5 and R317-2-7.2*. Since the activities allowed to be covered by this permit, should not have a reasonable potential for toxicity occurring in the discharge, the permit will not have requirements to conduct any whole effluent toxicity (WET) testing (biomonitoring). If it is discovered that a project has reasonable potential for toxicity, this permit will be revoked, and the project will be covered by a different permit. There is a reopener provisions in the advent that general construction activities where toxicity becomes common enough occurrence that the permit needs to address toxicity.

STORM WATER:

Storm water permit requirements are not covered under this permit. Coverage under the Storm Water General Permit for construction activities is required for projects which disturb one acre or greater. These sites must develop and implement a sediment and erosion control plan or Storm Water Pollution Prevention Plan (SWPPP) utilizing Best Management Practices (BMP) for the control of storm water runoff. All sites 1 acre or greater are required to submit a Notice of Intent with the State prior to any disturbance. The permit may be waived for small construction sites that disturb between 1 to 5 acres if construction will begin and commence (meaning final stabilization) between January 1 and April 30 of the same calendar year (Low Erosivity Waiver). Reasonable measures to control erosion and sediment transport must still be used in case runoff occurs during the time period. All point source discharges will be required to place velocity dissipation devices at discharge locations along the length of any outfall channel as necessary to insure non-erosive velocity flow from the structure to water course so that the natural physical and biological characteristics and functions are maintained and protected (e.g. no significant changes in the hydrological regime of the receiving water). A copy of the permit can be viewed and downloaded at the Division of Water Quality website.

DEWATERING CONTROL PLAN:

The permittee is required to develop and implement a written site-specific Dewatering Control Plan *prior to initiating dewatering*. The plan must be maintained and available for inspection on-site, and must include:

- 1) Evaluation, installation and maintenance of BMPs, including but not limited to:

- a. Run-on prevention and ground water exclusion methods (where low permeability cut-off walls are used to keep water out of the excavation);
 - b. Erosion control to prevent surface water/storm water contamination of site (i.e. soil roughening, riprap, mulching, geotextiles, etc.) Excavated material must be transported and stockpiled in such a manner as to prevent its erosion returning to the receiving stream;
 - c. Treatment at dewatering pump intake (i.e., filtering sump, wrapping submersible pump in filter fabric);
 - d. Sediment Control for dewatering discharge (i.e. constructed settling pond, dewatering bags, fiber rolls, vegetated buffers, etc.); and
 - e. Proper use of anionic flocculants and coagulants, if needed (including maintaining MSDSs and following manufacturers' recommendations).
- 2) Measures taken to prevent first flush/initial purge discharges from entering state surface waters. If not possible, minimizing turbidity and TSS in this initial discharge through use of land application, settling ponds, or other BMPs.
- 3) Measures taken to prevent spilled or leaking fuels and lubricants from entering the watercourse. If an oil sheen is observed in the discharge, a grab sample must be taken for analysis and the dewatering discharge must be stopped until the source of the oil is eliminated.
- 4) Measures taken to minimize erosion from the discharge through the use of flow dissipation devices such as rip rap, baffles, or other methods, as necessary. The discharge shall not cause or result in erosion to the area of the discharge of the surrounding stream banks.
- 5) Discharge monitoring procedures for the site to ensure that monitoring is effective and must cover all times of discharge (including weekends and holidays if applicable). The Dewatering Control Plan must include an identification of the person(s) responsible, monitoring frequency, any necessary and its maintenance, including calibration materials, and record-keeping in the daily log. The monitoring procedures must also ensure that both visual monitoring and sampling is conducted at times representative of operations on-site (the plan must address how the responsible parties will ensure that monitoring is conducted at times the site has construction activity).
- 6) BMP inspection procedures in order to prevent breakdowns or failures of the control equipment. The permittee must include the inspection frequency, person(s) responsible, and extent of the inspections (including erosion prevention, dewatering operations, dewatering treatment, and discharge quality), and recordkeeping in the daily log. The permittee must also include names/numbers for off-house notification of responsible personnel in the event of an emergency.
- 7) Corrective action protocol, including roles and responsibilities for observing and reporting any failures to the permittee's responsible official or their designee, and what site-specific steps may be required to regain compliance.
- 8) Control Measures :
 - a. Erosion Control
 - b. Sediment Control
 - c. Runoff Control

CORRECTIVE ACTION

Upon any visual observation of BMP failure, inadequate BMPs, elevated turbidity, or an oil sheen, the following steps must be conducted:

- 1) Take a grab sample for analysis anytime there is an observation of elevated turbidity and/or oil and grease.
- 2) Cease discharge of dewatering effluent until the issue is resolved.
- 3) Conduct a site-wide inspection to observe operating conditions and BMP maintenance.
- 4) Address any BMP failures by determining whether there was a failure in design, installation, or maintenance and perform the appropriate measures to fix the failure, including determining whether BMPs should be modified or if additional measures must be taken.
- 5) Document the issue and resolutions in the daily log and update the Dewatering Plan.
- 6) Notify the Division of Water Quality.
- 7) Include a report with the next DMR submittal.

SUMMARY OF CHANGES FROM PREVIOUS PERMIT:

Best Management Practices (BMPs) have been expanded to a site-specific Dewatering Control Plan and Corrective Action Plan. The Notice of Termination (NOT) requirements have been included with instruction forms. Notification of impaired water bodies provisions have been added to the permit with additional sampling requirements on case-by-case bases. Facility and project verification requirement for projects to discharge into a private or public storm water system.

PERMIT DURATION:

It is recommended that this permit be effective for a duration of five (5) years.

Drafted by

Sarah Leavitt

Utah Division of Water Quality

October 19, 2018

PUBLIC NOTICE

Began: April 3, 2016

Ended: May 6, 2019

Comments will be received at: 195 North 1950 West
PO Box 144870
Salt Lake City, UT 84114-4870

The Public Noticed of the draft permit was published in the Deseret News and Tribune.

No comments were received during the public comment period. Therefore, the permit and FSSOB are the same as the draft document that were public noticed.

ADDENDUM TO FSSOB

During finalization of the Permit certain dates, spelling edits and minor language corrections were completed. Due to the nature of these changes they were not considered Major and the permit is not required to be re Public Noticed.

May 9, 2019

DWQ-2018-013234