



State of Utah

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May 16, 2023

DIVISION OF WATER QUALITY
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
PUBLIC NOTICE TO MODIFY THE GENERAL PERMIT FOR DISCHARGES FROM SMALL
MUNICIPAL SEPARATE STORM SEWER SYSTEMS

PURPOSE OF PUBLIC NOTICE

The purpose of this public notice is to declare the state of Utah's intention to modify a Utah Pollutant Discharge Elimination System (UPDES) permit under authority of the Utah Water Quality Act, Section 19-5-104 and 107, Utah Code Annotated 1953, as amended. Said "permit" refers to UPDES permit and the statement of basis, including the total maximum daily loads (TMDL's) if applicable, as per section 303 (d) of the Federal Clean Water Act (CWA).

PERMIT INFORMATION

PERMIT NAME: UPDES General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (MS4s)

PERMIT NO: UTR090000

BACKGROUND

The Federal Clean Water Act requires that stormwater discharges from certain types of facilities be authorized under stormwater discharge Permits. (See 40 CFR 122.26.) The goal of the stormwater permits program is to reduce the amount of pollutants entering streams, lakes and rivers as a result of runoff from residential, commercial and industrial areas. The original 1990 regulation (Phase I) covered municipal (i.e., publicly-owned) storm sewer systems for municipalities over 100,000 population. The regulation was expanded in 1999 to include smaller municipalities. This expansion of the program to include small MS4s is referred to as Phase II. This Permit covers new or existing discharges composed entirely of stormwater from Phase II, or Small Municipal Separate Storm Sewer Systems (MS4) Permittees statewide.

The State of Utah was granted primacy in the National Pollutant Discharge Elimination System (NPDES) program by USEPA in 1987. In Utah, stormwater discharge Permits are issued by the Director. Utah's program is known as the Utah Pollutant Discharge Elimination System (UPDES) Program. The requirements of this Permit are intended to reduce the discharge of pollutants to the maximum extent practicable and meet water quality standards through the development and implementation of a Storm Water Management Program (SWMP).

This Permit serves as a modification of the previous General Permit for Discharges from Small Municipal Separate Storm Sewers (MS4s), UTR090000, issued May 12, 2021.

This Permit is intended to cover new or existing discharges composed entirely of stormwater from MS4s required by the State to obtain a permit, of which there are 77 at the time of this Permit Renewal.

This Permit Modification includes significant changes in regard to the Special Conditions section. This section was updated to include requirements of MS4s under the *Jordan River Watershed Wide Escherichia coli (E. coli) TMDL*. See the Fact Sheet Statement of Basis for a complete list of modifications.

PUBLIC COMMENTS

During the public comment period provided under Utah Administrative Code (UAC) R317-8-6.5, any interested person may submit written comments on the draft permit and may request a public hearing if no hearing has already been scheduled. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing. All comments will be considered in making the final decision and shall be answered as provided in UAC R317-8-6.12. Public comments are invited any time prior to the close of business on **June 16, 2023**. Written public comments can be submitted to: Kelsee York, General Permitting Section, Utah Division of Water Quality, PO Box 144870, Salt Lake City, Utah 84114-4870 or by email at: wqcomments@utah.gov. After considering public comment the Utah Water Quality Board may execute the permit change, revise it, or abandon it. The permit and associated documents are available for public review under “Public Notices” at <https://deq.utah.gov/division-water-quality>. If internet access is not available, a copy may be obtained by calling Kelsee York at 385-260-2760.