



State of Utah

SPENCER J. COX  
*Governor*

DEIDRE HENDERSON  
*Lieutenant Governor*

Department of  
Environmental Quality

Kimberly D. Shelley  
*Executive Director*

DIVISION OF WATER QUALITY  
Erica Brown Gaddis, PhD  
*Director*

**April 14, 2021**

UTAH DIVISION OF WATER QUALITY  
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY  
PUBLIC NOTICE TO MODIFY THE UTAH POLLUTANT DISCHARGE ELIMINATION  
SYSTEM CONCENTRATED AQUATIC ANIMAL PRODUCTION FACILITY (CAAPF)  
GENERAL PERMIT PERMIT NO. UTG130000

**PURPOSE OF PUBLIC NOTICE**

THE PURPOSE OF THIS PUBLIC NOTICE IS TO DECLARE THE STATE OF UTAH'S INTENTION TO MODIFY THE UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM (UPDES) CONCENTRATED AQUATIC ANIMAL PRODUCTION FACILITY GENERAL PERMIT (CAAPF), NO. UTG130000, UNDER AUTHORITY OF THE UTAH WATER QUALITY ACT, SECTION 19-5-104 AND 107, UTAH CODE ANNOTATED 1953, AS AMENDED. THIS NOTICE INCLUDES THE PROPOSED MODIFICATIONS TO THE CAAPF GENERAL PERMIT AND FACT SHEET STATEMENT OF BASIS (FSSOB) FOR THE PROPOSED CHANGES.

**BACKGROUND**

This permit modification, if implemented, will make changes to the CAAPF General Permit issued on April 6, 2020. The Federal Clean Water Act requires permitting of certain aquatic animal production facilities, such as fish hatcheries. Permit requirement is based on thresholds of the weight of fish produced each year or the weight of the feed fed per month to aquatic animals. The CAAPF General Permit is required by the aquatic animal production facilities that meet the permit thresholds, such as large fish hatcheries.

The CAAPF permit prohibits the use of copper pesticides by CAAPF operations. The presence of nuisance pests has become an issue in some areas of the State, so the permit is being modified to allow the application of copper pesticides for the treatment of nuisance pests, aquatic plants, and algae. Each facility that utilizes copper treatments will need to comply with the proposed permit modifications, included in this notice, that allow the use of copper-based pesticides.

During preparation of this proposed permit modification certain dates, spelling edits, table of contents changes, and minor language corrections may have been completed. Due to the nature of these changes, they were not considered major and are not required to be included in the public notice. These changes were made to improve readability and clarify the requirements of this permit. The vast majority of the permit remains unchanged from the CAAPF permit issued in April 2020.

Page 2

Public Notice

Concentrated Aquatic Animal Production Facility General Permit (CAAPF)

Permit No. UTG130000

### **PUBLIC COMMENTS**

During the public comment period provided under 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 R317-8-6.12.

Public comments are invited any time prior to the deadline of the close of business on **May 14, 2021**. Written public comments can be submitted to:

Donald Hall, General Permitting Section  
Utah Division of Water Quality  
PO Box 144870  
Salt Lake City  
Utah 84114-4870  
[dghall@utah.gov](mailto:dghall@utah.gov)

After considering public comment the Utah Division of Water Quality may execute the permit modification, revise it, or abandon it. The permit is available for public review under “UPDES Discharge Permits” at [deq.utah.gov/public-notices-archive/water-quality-public-notices](http://deq.utah.gov/public-notices-archive/water-quality-public-notices). If internet access is not available, a copy may be obtained by calling Donald Hall (801) 536-4492. Please contact Donald Hall at [dghall@utah.gov](mailto:dghall@utah.gov), if you have any questions.

DWQ-2021-006355