



State of Utah

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Environmental Quality

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DIVISION OF WATER QUALITY
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Director

October 4, 2023

**DIVISION OF WATER QUALITY
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
PUBLIC NOTICE OF VARIANCE TO TBPEL IMPLEMENTATION**

PURPOSE OF PUBLIC NOTICE

The purpose of this public notice is to declare the State of Utah's intention to grant a variance to the Technology Based Phosphorus Effluent Limit (TBPEL) to The United States Bureau of Reclamation (USBR) – Flaming Gorge Dam Wastewater Treatment Plant (Flaming Gorge). Pursuant to *UAC R317-1-3.3* and corresponding provisions of the Utah Water Quality Act.

PERMIT INFORMATION

PERMITTEE NAME: USBR – Flaming Gorge
MAILING ADDRESS: 5995 Flaming Gorge Visitor Center
Dutch John, Utah 84023
TELEPHONE NUMBER: (435) 885-3231
FACILITY LOCATION: 5995 Flaming Gorge Visitor Center
Dutch John, Utah 84023
UPDES PERMIT NO.: UT0020338
OUTFALLS: 001
OUTFALL LOCATION: LAT 40° 54' 30" and LONG 109° 25' 25"
RECEIVING WATERS: Green River

BACKGROUND

In a letter dated July 31, 2023, USBR submitted a request for a Variance to the TBPEL for Permit No. UT0020338. The Variance Request is based on the fact that Flaming Gorge contributes a small percent of the phosphorus loading in the Green River, which is not listed as impaired due to any nutrient load. DWQ has determined that USBR has established that the TBPEL is unnecessary to protect water downstream from the point of discharge, within the meaning of *UAC R317-1-3.3.C.1.c*. This variance does not extend beyond November 30, 2027, the expiration date of USBR's existing UPDES permit.

PUBLIC COMMENTS

During the public comment period provided under Utah Administrative Code (UAC) R317-8-6.5, any interested person may submit written comments on the draft permit and may request a public hearing if no hearing has already been scheduled. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing. All comments will be considered in making the final decision and shall be answered as provided in UAC R317-8-6.12. Public comments are invited any time prior to the deadline of the close of business on **November 6, 2023**. A public hearing can be requested, although must be filed during the comment period.

Written public comments can be submitted to: Danielle Lenz, UPDES Surface Water Section, Utah Division of Water Quality, PO Box 144870, Salt Lake City, Utah 84114-4870 or by email at: dlenz@utah.gov. After considering public comment the Utah Division of Water Quality may execute the permit issuance, revise it, or abandon it. The permit is available for public review under “Public Participation” at www.waterquality.utah.gov/.

If internet access is not available, a copy may be obtained by calling Danielle Lenz at (385) 363-8250.

DWQ-2023-121659