

## **FACT SHEET STATEMENT OF BASIS**

### **UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM (UPDES) GENERAL PERMIT FOR DRINKING WATER TREATMENT PLANTS (DWTP)**

**PERMIT NUMBER UTG640000**

**The State of Utah in compliance with the *Utah Water Quality Act, Utah Code Title 19, Chapter 5, as amended, (the "Act")* will issue permits for drinking water treatment plants.**

#### **GENERAL PERMIT INFORMATION**

Utah Administrative Code R317-8-2.5 authorizes the issuance of general permits to categories of point sources within the same geographical area, which involve similar types of operations, discharges the same types of wastes, and require similar effluent limitations and pollution control measures. The Drinking Water Treatment Plant General Permit (DWTP) is intended to permit wastewater discharges associated with domestic drinking water treatment facilities that do not discharge any wastewater into Waters of the State under normal operating conditions. There are approximately forty-three drinking water treatment facilities that are currently covered under this permit. This permit replaces the previous DWTP that was issued on July 01, 2018. This general permit coverage will expire five years from the issued date.

#### **BACKGROUND OF PERMIT**

The State of Utah was granted primacy over the National Pollutant Discharge Elimination System (NPDES) program by the US Environmental Protection Agency (EPA) in 1987 under the Clean Water Act (CWA). Under this grant of primacy, the Division of Water Quality (DWQ) administers the Utah Pollution Elimination System (UPDES) program (CWA Section 402) to protect the Waters of the State. DWQ is issuing a new DWTP that complies with state and federal standards for drinking water treatment plants within the boundaries of the State of Utah except those facilities within Indian territory. DWQ presently handles most drinking water treatment facilities permit coverage by issuing general permits, although it reserves the authority to issue individual permits as needed.

#### **GENERAL PERMIT COVERAGE**

The DWTP allows for a discharge in emergency overflow situations to prevent flooding and/or severe property damage. The other allowable discharge under this permit is untreated, excess intake water, based on best professional judgment, and provided no significant detrimental water quality impacts result. No chemicals can be added to the water before returning it to the original water course. The return flow must be conducted regularly or continually to minimize "slugging," and the discharge be managed to prevent erosion, scouring, or damage to stream banks, streambeds, or ditches.

Water treatment plants are designed for the conditions required herein and should be able to meet the required effluent limitations if such systems are properly operated and maintained. Best management practices for the operation of the treatment system are required to ensure stable operating conditions and minimize the likelihood of upsets or accidental discharges. This permit requires proper storage and handling of water treatment chemicals to help prevent any pollutants from these materials entering the waters of the State.

If a discharge permitted under the DWTP conditions occurs, the discharge must meet effluent limitations listed in Part I.B.1., Table 1. Limitations are based on applicable federal and state regulations as defined in the Utah Administration Code R317. The DWTP permit requires that any discharges be monitored visually, sampled for the parameters found in Table 1, and recorded as described in Part II. All noncompliance events shall be reported to the state by telephone within 24 hours and a written report shall be submitted within five days of the discharge to the State.

To obtain coverage under the DWTP, the Facility must submit an NOI with appropriate information. Upon applying for the DWTP general permit or renewing the permit the facility must submit the source water data including total suspended solids (TSS), Metals, Organics, and the other parameters specific to the stream.

### BASIS FOR LIMITATIONS

Limitations on TSS, Iron, Aluminum, Chlorine, and pH are based on water quality in-stream standards. Limitations for Chloramine, Chlorine Dioxide, Chlorine, and Chlorite are based on a de minimis actual effect on ground water quality. Limitation for Total Residual Chlorine (TRC) is the water quality in-stream standard. The TRC permit limit is below many of the TRC tests detection limit. The TRC permit limit is a conservative value because it does not take into account any mixing of the discharge with the receiving water body. The footnote for TRC requires that a test result needs to register non-detect to comply with the permit, it also requires that a TRC test method must be used where the detection limit is 0.04 mg/L or below. The permit limitations and monitoring are:

Effluent Characteristics	Effluent Limitations For Discharges to Waters of the State /a		Effluent Limitations For Discharges for Land Disposal /b		Monitoring Requirements	
	Daily Minimum	Daily Maximum	Daily Minimum	Daily Maximum	Measurement Frequency /d	Sample Type
	Parameters					
Flow, MGD	NA	NA	NA	NA	Daily	Estimated
Total Suspended Solids, mg/L	NA	25	NA	NA	Daily	Grab
Iron, mg/L	NA	1.0	NA	NA	Daily	Grab
Aluminum, mg/L /c	NA	0.087	NA	NA	Daily	Grab

Total Residual Chlorine, mg/L	NA	0.019 /e	NA	NA	Daily	Grab
Chloramine as Cl <sub>2</sub> , mg/L	NA	NA	NA	4.0	Daily	Grab
Chlorine Dioxide, mg/L	NA	NA	NA	0.8	Daily	Grab
Chlorine as Cl <sub>2</sub> , mg/L	NA	NA	NA	4.0	Daily	Grab
Chlorite, mg/L	NA	NA	NA	1.0	Daily	Grab
pH, Standard Units	6.5	9.0	6.5	9.0	Daily	Grab

NA – Not Applicable

- /a Discharges to waters of the State must meet the in-stream Water Quality Standards approved under Utah Administrative Code R317-2-14 for the above parameters for all stream classifications.
- /b Discharges for Land Disposal must meet the above limits to have a de minimis actual effect on ground water quality and thus get a ground water discharge permit by rule.
- /c Permit limits, monitoring and reporting requirements for Aluminum shall not be required if Aluminum is not a constituent of the solution utilized as part of the water treatment process.
- /d Monitoring and sampling is required only on those days that a discharge from a facility’s treatment system occurs.
- /e The limit for Total Residual Chlorine is the in-stream water quality standard. Due to analytical capability available at the time this permit was issued any sampling of the effluent that results in a non-detect that is less than 0.04 mg/L will not be considered a violation of this permit.

NOTE: The Director may require additional monitoring or supplemental effluent limitations for discharges into an impaired waterbody or to ensure that a facility’s discharge complies with water quality standard.

NOTE: Any discharge that is for land disposal and ends up having an overland flow to Waters of the State must meet both sets of effluent limitations.

**CHANGES FROM THE PREVIOUS UTAH DWTP**

Minor edits to the language, format and descriptions were made to the permit for clarification and to reflect updated terminology to maintain consistency with UPDES permits. Substantial changes that were updated in the permit are identified below.

**Part I.**

The notice of intent (NOI) form has been updated. The changes were made to clarify information needed for DWTP coverage. The updated NOI can be found on DWQ's website.

A discharge location will be required on the NOI. The modification was based on the requirements of the EPA Region 8 NPDES Drinking Water General Permit.

The permit was updated to include DWQ's ability to receive online submissions. Documents required by this permit can be submitted by mail or to DWQ's electronic document portal <https://deq.utah.gov/waterquality/water-quality-electronic-submissions>.

Part I.A.7 General Coverage was updated to include Narrative Standards. This change was made to include water quality standards applicable to all Waters of the State.

A Notice of Termination (NOT) was added for termination of the permit, Part I.A.6. The NOT form can be found on DWQ's website. This addition was made to allow permitted facilities to notify DWQ when coverage is no longer needed to officially end permit coverage.

A statement of specific limitations of discharge(s) was included in Part I.B. This change was made to clarify that the discharge locations provided in the NOI are the only outfalls designated as discharge locations. Discharges at any location not authorized under a UPDES permit are violations of the *Act*. This clarification of coverage was added to the permit based on EPA NPDES Region 8 permit and State standards.

A note was added to the Effluent Limitations and Monitoring Requirements Table-1 to notify facilities that the Director may require additional monitoring or supplemental effluent limitations for discharges into an impaired water body or to ensure the facility complies with water quality standards. This change was made to comply with Utah's antidegradation program.

A note was removed from the permit; "Discharges to impoundments which totally contain the flow with disposal through evaporation or seepage are not subject to either sets of limits." To Part I.B.1. This permit is not intended to permit land discharge or for discharges other than at the designated outfall locations listed on the NOI that adhere to the allowable discharges (Part I.B).

## **Part II.**

Monitoring requirements were adjusted to include monitoring, sampling, recording and reporting requirements for all discharges. This update in the permit still allows for the discharge of routine, excess, untreated water (Part I.B.1.c.), but includes the same requirements for all discharges described in Parts II.A – II.I. This change was made to include the EPA Region 8 NPDES

requirements and protect the waters of the state from potential pollutants or contamination that would be in violation of the *Act*.

Part II.B has been updated and Parts II.D. and II.E. were added to the renewal to include current EPA standards (40 C.F.R. Part 136), for monitoring and sampling. These provisions were added to give the permitted facility clear and specific guidance on sampling. All samples required should be representative of the discharge water in the volume and nature. Flow measuring devices and sampling methods shall be performed by the EPA approved methods.

Reporting requirements have been revised in this permit. All monitoring reports shall be submitted to DWQ on the 28<sup>th</sup> day of the month following the month the discharge has occurred. The DWTP requires the submission of monitoring reports of all discharge events. The previous permit only required written and oral notification of noncompliance reporting. All discharge monitoring must be completed as listed Part I.B., Table 1. The reports can be submitted electronically or by mail and include the reporting requirements of the permit (Part II.F.). This modification was made in conjunction with the additional monitoring and sampling requirements for the excess, untreated water. This reporting modification adheres to EPA Region 8 standards and to provide Utah the discharge event information.

Noncompliance reporting was updated in the permit to include the electronic reporting option for submissions in Part II.I.5.

### **Part III.**

No changes were made.

### **Part IV.**

The permittee shall apply to obtain a new permit if they have not applied for a permit before the expiration date (Part IV.D). This was updated from the previous permit to include renewal actions to provide consistency with other Utah General Permits.

Part IV.G was updated to include current federal and state penalties for falsification of reports.

The Water Quality Reopener provision was updated (Part IV.N.). These two updates included a wasteload allocation provision and a TMDL provision. If the EPA or the state approves either of these changes, this would allow for a permit modification following proper administrative procedures.

A Toxicity Limitation (Part IV.P) reopener provision was added to maintain consistency with DWQ

General Permit modification provisions.

**PART V.**

Definitions were revised to include the most updated language and appropriate terms for the permit.

**PERMIT DURATION**

This permit is scheduled to be effective for a duration of 5 years from the date of permit issuance.

**PUBLIC NOTICE INFORMATION**

Began: May 24, 2023

Ended: June 26, 2023

The Public Noticed of the draft permit was published on the Department Website.