

Utah Pollutant Discharge
Elimination System (UPDES)
Permits

UPDES Permits are required for:

- Discharge to Waters of the State.
 - **19-5-107. Discharge of pollutants unlawful -- Discharge permit required.**
 - (1) (a) Except as provided in this chapter or rules made under it, it is unlawful for any person to discharge a pollutant into waters of the state or to cause pollution which constitutes a menace to public health and welfare, or is harmful to wildlife, fish or aquatic life, or impairs domestic, agricultural, industrial, recreational, or other beneficial uses of water, or to place or cause to be placed any wastes in a location where there is probable cause to believe it will cause pollution.

19-5-107 (Utah WQ Act)

- (3) It is unlawful for any person, without first securing a permit from the executive secretary as authorized by the board, to:
 - (a) make any discharge or manage sewage sludge not authorized under an existing valid discharge permit

Needed definition from Utah Administrative Code R317-8 (Rules)

(34) "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 discharged. This term does not include agricultural storm-water runoff or return flows from irrigated agriculture.

Additional Definitions needed from R317-8

(36) "Pollution" means any man-made or man-induced alteration of the chemical, physical, biological, or radiological integrity of any waters of the State, unless such alteration is necessary for the public health and safety. Alterations which are not consistent with the requirements of the CWA and implementing regulations shall not be deemed to be alterations necessary for the public health and safety.

A discharge not in accordance with Utah Water Quality Standards, stream classification, and UPDES permit requirements, including technology-based standards shall be deemed to be pollution.

The bottom line is that if you discharge to waters of the State you will need to obtain a UPDES permit and you must meet the effluent limits in the permit.

To obtain a UPDES permit, the potential permittee needs to request an application from the Division of Water Quality. This can be done by written letter or by a phone call or email.

Application

- Once an application is received the State will make sure it is complete and send a letter to the permittee indicating it is complete and that the permit is in the process of being drafted.

Types of UPDES Permits

- Individual major and minor permits for municipal and industrial sources
- General permits – coal mines, drinking water treatment plants, fish hatcheries, and hydrostatic testing and construction dewatering.
- CAFO
- Storm water
- Biosolids

Time frame in permit issuance

- Individual permits can take up to six months to draft and issue. Site specific with development of SOB, draft permit, public notice and issuance.
- There is a fee associated with industrial permits.
- Once the general permit itself is drafted (following the procedure above, except permit is not site specific, but specific to the type of facility such as coal mines, fish hatcheries, etc.) it can take a week or less to issue coverage under a general permit.

Effluent Limits in a UPDES Permit

- Permits will have either
 - Technology based effluent limits, which are limits based on treatment system removal efficiency, or
 - Water Quality based effluent limits developed through the wasteload allocation/TMDL process.
 - Usually the water quality based effluent limitation is more strict (lower number) than the technology based effluent limits.

How to Obtain UPDES Permit Limits

- Technology based permits
 - For industrials taken from 40 CFR
 - For municipals taken from State Secondary treatment standards as contained in UAC – the regulations at R317-1-3.2.
 - For water quality based taken from UAC R317-2-14, the State Water Quality Standards.

Parameters usually contained in UPDES Permits

- The parameters vary depending upon
 - Type of facility
 - Location of facility
 - Receiving water quality
 - Designated beneficial use of the water

Municipal Facilities

- Parameters normally in a permit:
 - Biochemical oxygen demand 25/35
 - Total suspended solids 25/35
 - pH 6.5 to 9.0
 - E coli MPN 126/100 ml as a 30 day average.
 - If applicable TRC
 - Oil and grease
 - Biomonitoring
 - Quarterly metals on influent and effluent
 - Yearly organics on influent and effluent

Industrial facilities

- Parameters normally in a permit:
 - Based on categorical standards in 40 CFR which could include, BOD, COD, metals and organics, pH, TSS and temperature.
 - Water quality based are similar to the above parameters, but are generated by WLA and TMDLs
 - If two standards apply (WQ and Categorical) the more stringent applies and sometimes both are used depending on their units (mg/L and lbs/day).

Cooling Water Discharges – Effluent Limits

- Dependent on the circulation of the cooling water – once through or circulating.
- Dependent on whether chemicals are added or not.
- Cooling water discharge may have limits on applicable categorical standards based on the industry, and on parameters such as temperature, whatever disinfectant is used (usually chlorine) and whatever anti-scalant is used, as well as pH and maybe oil and grease.

For Information or Assistance Contact:

- Any permit writer at the Utah Division of Water Quality – (801) 538-6146
- Division of Water Quality Web Site at:
 - <http://waterquality.utah.gov/>