



State of Utah

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DIVISION OF WATER QUALITY
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June 9, 2014

DIVISION OF WATER QUALITY
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
PUBLIC NOTICE OF REISSUANCE OF GENERAL
CONCENTRATED ANIMAL FEEDING OPERATIONS (CAFO) PERMIT

PURPOSE OF PUBLIC NOTICE

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENT ON THE STATE OF UTAH'S INTENTION TO REISSUE A GENERAL CAFO PERMIT UNDER AUTHORITY OF THE UTAH WATER QUALITY ACT, SECTION 19-5-104(1)(I) AND 107 (2), UTAH CODE ANNOTATED 1953, AS AMENDED. SAID "PERMIT" REFERS TO THE UPDES PERMIT AND THE STATEMENT OF BASIS (INCLUDING TOTAL MAXIMUM DAILY LOADS (TMDL'S)) IF APPLICABLE, AS PER SECTION 303(D) OF THE FEDERAL CLEAN WATER ACT (CWA)].

PERMIT INFORMATION

NAME: GENERAL CAFO PERMIT UPDES PERMIT No. UTG080000

BACKGROUND

In 2003 the United States Environmental Protection Agency (EPA) issued the federal CAFO Rule. The CAFO rule was subsequently taken to court by farm industry groups and environmental groups. In February 2005, the Second Circuit Court ruled on the petitions of the farm and environmental groups pertaining to the rule. As a result of the Second Circuit Court ruling, EPA was required to amend the 2003 rule. In 2008, EPA issued a final rule to comply with the 2005 Second Circuit Court decision. The CAFO Rule again was taken to court when industry groups brought elements of the 2008 CAFO rule to the Fifth Circuit Court. In July 2012, EPA issued a final rule to implement the Fifth Circuit Court decision. The Division of Water Quality is now required to implement the federal CAFO requirements in Utah. At this time, the Division of Water Quality (DWQ) is preparing to issue the General CAFO Permit to reflect the CAFO requirements in the federal rule. The CAFO permit is the mechanism to implement the federal requirements at CAFO facilities in Utah. State and federal rules require that this draft CAFO permit be public noticed for public comment and revision, if needed, prior to issuance of the final permit.

PUBLIC COMMENTS

The permit is available for public review under "Public Notices" at www.waterquality.utah.gov/. Written public comments can be submitted to: Don Hall, Utah Division of Water Quality, P.O. Box 144870, Salt Lake City, Utah 84114-4870 or by email at: dghall@utah.gov. The deadline to receive comments is by close of business on July 9, 2014. After considering public comment the Division of Water Quality may execute the permit, revise it, or abandon it. If internet access is not available, a copy may be obtained by calling Don Hall at 801-536-4492.