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DEPARTMENT OF PUBLIC UTILITIES
WATER RECLAMATION PLANT, LABORATORY
AND PRE-TREATMENT PROGRAM

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July 29, 2014

Mr. Walt Baker, P.E.
Utah Division of Water Quality
Utah Department of Environmental Quality, Third Floor
195 North 1950 West
Salt Lake City, Utah 84116



DELIVERED HARD COPY AND VIA EMAIL wbaker@utah.gov

Subject: Draft Rules for Implementing Utah's Nutrient Control Strategy
R317-1-3 Requirement for Waste Discharges,
Section 3.3 Technology Based Limits for Controlling Nutrient Pollution

Dear Mr. Baker,

Salt Lake City Department of Public Utilities (City) appreciates the opportunity to provide comments regarding the *Draft Rules for Implementing Utah's Nutrient Control Strategy, R317-1-3.3 Technology-based Limits for Controlling Nutrient Pollution*. At the April 2014 Water Quality Board meeting (30 April 2014), representatives from the City presented an overview of the City's position regarding the Utah Division of Water Quality's (UDWQ) strategy for nutrient control and the Draft Rule.

The City considers itself a steward of the environment. As such, the City has and continues to work close with stakeholders, including the UDWQ, on numerous projects and initiatives to protect the water quality of the streams, creeks, lakes, and reservoirs near Salt Lake City and statewide. At the Water Quality Board Meeting the City raised several issues regarding the Nutrient Strategies. Below is a summary of our position regarding nutrient control and technology-based limits (TBL).

- Nutrient Strategy Development:
 - The City supports the UDWQ's efforts in their development of a Nutrient Strategy for the Waters of the State. This includes science-based nutrient limits that are appropriate for each water body or water body classification.
- Scientific Research, unknowns, and uncertainty: The *Utah Nutrient Strategy: Technology Limits* prepared by UDWQ in support of the TBL expressly notes:
 - "The science necessary to support site-specific nutrient criteria is incomplete for most of Utah's water bodies, and in many cases considerable research will be required before defensible site-specific criteria can be established. (page 2)"

- “Important site-specific research topics include: characterization of background conditions; natural variation in both nutrients and ecological responses; the recovery potential of the watershed; and the potential for shifts from one stable ecological state to another (i.e., ecological regime shifts). Insights gleaned from these research efforts will help define what is attainable and appropriately protective of the water body’s beneficial uses.”
- There are many studies currently being carried out to assess nutrient impacts in Great Salt Lake (GSL) and that “[a]s yet, the results of these studies are insufficient to identify appropriate response variables or make conclusions about what nutrient standards are necessary to protect the beneficial uses of the GSL ecosystem.” (Page 3)
- There is acknowledged uncertainty regarding nutrient limits for the GSL. Notably, the Strategy goes on to say that “[i]t is likely that years of additional research will be needed before defensible conclusions about appropriately protective Great Salt Lake nutrient limits, if any, can be made. (Page 3)”

Given the unknowns and uncertainties regarding the scientific research and Great Salt Lake, the City requests that further studies and evaluations be performed by the State prior to imposition of technology-based limits. Further, this rule when coupled with future pending rules will require significant expenditures of public funds to revise the treatment process at the City’s POTW and should be based on sound science, and demonstrated benefit. We look forward to continued collaboration with UDWQ in the research, implementation and benefits of sound water quality protection and enhancement.

Sincerely yours,



Dale A. Christensen
Water Reclamation Manager

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