

Fact Sheet
Utah Department of Transportation (“UDOT”)
Municipal Separate Storm Sewer System (“MS4”)
UPDES Permit Number UTS000003
Permit Renewal

BACKGROUND

The Federal Clean Water Act requires that storm water discharges from certain types of facilities be authorized under stormwater discharge permits. See 40 C.F.R. § 122.26. The goal of the stormwater permits program is to reduce the amount of pollutants entering streams, lakes and rivers as a result of runoff from residential, commercial and industrial areas. The original 1990 regulations (“Phase I”) covered publicly owned storm sewer systems for municipalities (“MS4s”) with a population over 100,000 people. The regulations were expanded in 1999 to also include smaller municipalities (“Small MS4s”). This expansion of the program to include Small MS4s is referred to as Phase II.

The Phase II rule also included non-traditional MS4s such as public universities, departments of transportation, hospitals and prisons. This Permit covers new or existing discharges composed entirely of stormwater statewide. The Utah Department of Transportation (“UDOT”) was originally designated as a co-permittee within the Phase I area of Salt Lake County. In 2003, UDOT was separated into its own individual statewide MS4 permit. UDOT is divided into four geographical areas called regions; a brief description of each region is below:

- Region 1: Covers the northern part of the state from North Salt Lake northward, including the following counties: Davis, Weber, Morgan, Box Elder, Cache and Rich. Region One headquarters is located in Ogden.
- Region 2: Includes densely populated urban areas along the Wasatch Front, and sparsely populated rural and desert lands, including Salt Lake County, Summit County and Tooele County. Region two headquarters is located in Salt Lake City.
- Region 3: Includes Utah, Juab, Wasatch, Duchesne, Uintah and Daggett Counties. Region three headquarters is located in Orem.
- Region 4: Includes Millard, Beaver, Iron, Washington, Carbon, Emery, Grand, San Juan, Sanpete, Sevier, Wayne, Piute, Garfield and Kane counties. Region four headquarters is located in Richfield.

In 1987, the U.S. Environmental Protection Agency (“EPA”) granted primacy to the state of Utah to implement the National Pollutant Discharge Elimination System program. Utah’s program is known as the Utah Pollutant Discharge Elimination System (“UPDES”) Program. In Utah, stormwater discharge permits are issued by the Director (“Director”) of the Division of Water Quality (“Division”). The Permit requires UDOT (“Permittee”) to reduce the discharge of pollutants to the maximum extent practicable (“MEP”), and to meet water quality standards through the development and implementation of a Storm Water Management Program (“SWMP”).

This Permit renews the previous UDOT MS4 Permit, UTS000003, originally issued August 31, 2021, and modified on August 16, 2023 and March 12, 2025. This Permit covers new or existing discharges composed entirely of stormwater from the Permittee's MS4, which are required by the State to obtain permit coverage.

The Permittee's MS4 area covers all portions of the MS4 including all state and interstate roadways and the right-of-ways associated with them, UDOT-owned properties, and UDOT-owned or operated facilities that discharge to waters of the State.

PERMIT REQUIREMENT SYNOPSIS

The Permittee must develop, implement, and enforce a SWMP designed to reduce the discharge of pollutants to the MEP from the MS4, protect the water quality, and satisfy the appropriate water quality requirements of the Utah Water Quality Act and associated rules in the Utah Admin. Code. The SWMP must include six (6) minimum control measures ("MCMs"). The Permittee is expected to have fully implemented the six (6) MCMs included in the previous permit. The six (6) MCMs are listed below, with a brief, but not all encompassing, synopsis provided.

Public Education and Outreach on Storm Water Impacts

The public education and outreach MCM requires the Permittee to implement a public education and outreach program to promote behavior change by the public to reduce impacts associated with pollutants in stormwater runoff and illicit discharges. The public education and outreach program must target a variety of audiences, including: residents; institutions, industrial, and commercial facilities; and developers and contractors (construction). The training should touch on topics including, but not limited to, the prevention of illicit discharges and improper waste disposal. All provided education is required to be well documented and available to the Director upon request.

Public Involvement/Participation

The public involvement/participation MCM requires the Permittee to implement a program that complies with applicable state and local public notice requirements. The Permittee must allow for public input on the SWMP and make it publicly available for review within 180 days from the effective date of this Permit, and to make a current version available for public review for the duration of this Permit. The SWMP shall include ongoing opportunities for public involvement and participation.

Illicit Discharge Detection and Elimination ("IDDE")

The IDDE MCM requires the Permittee to implement and enforce an IDDE program to systematically find and eliminate sources of non-stormwater discharges from the MS4 and implement procedures to prevent illicit connections and discharges. The Permittee must have an IDDE program that consists of documents, which may include ordinances or other regulatory mechanisms, Standard Operating Procedures ("SOPs"), plans, and/or procedures that target the prohibition, identification, prevention, and remediation of illicit discharges and improper disposal of waste. The Permittee must have adequate legal authority to detect, investigate, eliminate, and enforce against non-stormwater discharges.

Construction Site Storm Water Runoff Control

The construction site stormwater runoff control MCM requires the Permittee to implement and enforce a construction site stormwater runoff control program to reduce pollutants in stormwater runoff to the MS4

from construction sites with land disturbance greater than, or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale which collectively disturbs land greater than, or equal to one acre. The Permittee must have a regulatory mechanism in place that requires operators to prepare a Storm Water Pollution Prevention Plan (“SWPPP”) and apply any sediment and erosion control Best Management Practices (“BMPs”), as necessary to protect water quality. The Permittee must have a written enforcement strategy that includes appropriate escalating enforcement procedures and an appeals process. The MCM also lists specific inspection and project review requirements.

Long-Term Storm Water Management in New Development and Redevelopment (Post-Construction Storm Water Management)

The post-construction stormwater management MCM requires the Permittee to implement and enforce a post-construction storm water management program to address post-construction stormwater runoff to the MS4 from private and public new development and redevelopment construction sites. The Permittee must require the retention of an 80th percent rainfall event or the achievement of pre-development hydrologic conditions for new development. The program must include a process which requires the evaluation of a Low Impact Development (“LID”) approach.

Pollution Prevention and Good Housekeeping for Municipal Operations

The pollution prevention and good housekeeping MCM requires the Permittee to implement a pollution prevention and good housekeeping program for Permittee-owned or operated facilities, operations, and structural stormwater controls. All components of the pollution prevention and good housekeeping program must be included in the SWMP and must identify the department responsible for performing any activities required by this MCM. The Permittee is required to maintain an inventory of “high priority” facilities that are owned or operated by the Permittee and any associated stormwater controls. The program must include training, inspection procedures and frequencies, and SOPs designed to protect water quality at each of the facilities owned or operated by the Permittee, among other items.

NOTABLE CHANGES MADE SINCE THE LAST PERMIT RENEWAL

The last permit renewal was issued on August 31, 2021. On August 16, 2023, the Permit was modified with significant changes in regard to the Special Conditions section. This section was updated to include requirements of MS4s under the *Jordan River Watershed Wide Escherichia coli (E. coli) TMDL*. On March 12, 2025, the Permit was modified with significant changes to the Construction MCM section and reporting requirement sections. These were made as a result of legislation which impacted procedures for MS4 oversight authority and inspections. See Utah Code § 19-5-108.3.

This Permit renewal includes significant changes to all components of the Permit. The Permit was reorganized and revised to correct spelling and grammar errors, sentencing restructuring, and formatting. URL links were updated in instances where the links had broken. These changes were made to improve readability and clarify the requirements of this Permit. Only changes that update/add requirements, or have the potential to impact how the Permittee may implement its program are identified below. The notable changes are identified below and are broken down by Permit Part.

1.0 Coverage Under this Permit

Part 1.2.1 was updated to clarify that all permit requirements must be followed since the Permittee obtained coverage under the Permit, or the date that permit requirements came into effect, whichever is later. This language was adapted from language previously found in Part 4.2.5.5.

Part 1.2.2.2 was updated to match requirements found in Utah Admin. Code R317-8-11(11.3)(3)(b)(5)(a). Notably, dechlorinated water reservoir discharges were removed from the list.

Part 1.4 was renamed to “Prohibited Discharges” from “Limitations on Coverage” to be consistent with the other UPDES permits.

Part 1.4.4 was broadened to encompass any discharges covered under another UPDES Permit as opposed to only storm water discharges.

Part 1.5.2 was updated to clarify that any agreements affecting the implementation of the SWMP must clearly identify the responsibilities of each entity.

Previous Permit Parts 1.5.1. and 1.5.2. were switched as the SWMP is the primary permittee document, and the entity accountability document is secondary.

Part 1.5.3 was updated to clarify that modifications to Appendix III will be approved in writing by the Director.

Parts 1.5.2.1 and 1.5.3.1 were removed and the language was incorporated into Parts 1.5.2 & 1.5.3.

Numbering and minor formatting changes were made as a result of the above changes.

2.0 Application Requirements

Part 2.0 was updated to remove the requirement to submit a SWMP 180 prior to expiration of the current Permit. An updated SWMP is required to be submitted within 180 days after issuance per Part 4.1.1.

Parts 2.1 (all subsections) were renumbered as the previous permit incorrectly numbered the subsections 2.2. These subsections were reorganized to better structure and group requirements.

Parts 2.1 (all subsections) were updated to be consistent with the application requirements contained within Utah Admin. Code R317-8-11(11.3)(3)(a).

Numbering and minor formatting changes were made as a result of the above changes.

3.0 Special Conditions

Previous Part 3.1.1 “Applicability” was incorporated into the following permit requirement. Parts 3.1.1-3.1.3 were renumbered accordingly.

Part 3.1.1.1 was updated to add a biennial review of the 303(d) list after the Division’s Integrated Report is released, and, if necessary, a SWMP update within 180 after the Division’s Integrated Report is released, if there were any new impairments added for the Permittee’s receiving waters.

Parts 3.2.1 and 3.2.2 were updated to remove past deadlines.

Previous Parts 3.2.1 and 3.2.2 were combined into one requirement. Previous Parts 3.2.2-3.2.3, including subparts, were renumbered accordingly.

Part 3.2.1.2.3 was updated to change “should” to “shall” to confirm that this is a requirement rather than a suggestion.

Part 3.3.1 was updated to clarify that the Permittee shall specifically address the water quality impacts associated with nitrogen and phosphorus in discharges from the MS4.

Numbering and minor formatting changes were made as a result of the above changes.

4.0 Storm Water Management Program

Part 4.0 was updated to reference Part 3 requirements in addition to Part 4.1, 4.2, 4.3, and 5.2.

Part 4.2 was updated to add language which requires the Permittee to achieve pollutant reductions to the MEP.

Part 4.2.1 Public Education and Outreach

- Part 4.2.1.2 was updated to add an annual frequency and documentation requirements. This defines the measurable expectations required by this Permit Part.
- Part 4.2.1.2.1 was created to better organize existing requirements within 4.2.1. “Other relevant topics” was added to ensure the MS4 is tailoring educational effort to the relevant concerns of their community.
- Part 4.2.1.3 was updated to add documentation requirements. This defines the measurable expectations required by this Permit Part.
- Part 4.2.1.3.1 was created to better organize existing requirements within 4.3.1. “Other relevant topics” was added to ensure the MS4 is tailoring educational effort to the relevant concerns of their community.
- Part 4.2.1.4 was updated to add an annual frequency and documentation requirements. This defines the measurable expectations required by this Permit Part.
- Part 4.2.1.5 was removed and the requirements were incorporated into Part 4.2.6.10, as this requirement was duplicative. This was moved to distinguish education and outreach efforts to parties/people outside of MS4 staff from the education and training of MS4 staff.
- Part 4.2.1.6 was removed, and the requirements were incorporated into Part 4.2.5.6, as this requirement was duplicative. This was moved to distinguish education and outreach efforts to parties/people outside of MS4 staff from the education and training of MS4 staff.
- Previous parts 4.2.1.7-4.2.1.8 were removed and incorporated into Permit Part 4.2.1.

Part 4.2.2 Public Involvement/Participation

- Previous Part 4.2.2.1 was incorporated into Part 4.2.2 as it is the overarching requirement of which the other Parts are subparts. Previous Parts 4.2.2.1-4.2.2.4 were renumbered as a result of this change.
- Part 4.2.2.2 was updated to clarify renewal requirements for the Permittee.
- Part 4.2.2.3 was updated to specify that the Permittee shall keep a current version of the SWMP on its website for the duration of the Permit.

Part 4.2.3 Illicit Discharge Detection and Elimination (IDDE)

- 4.2.3.1 was updated to include storm water treatment structures within the MS4.
- Parts 4.2.3.2, 4.2.3.2.1, 4.2.3.3 were updated to reference the definition of “non-storm water discharge” in Part 7.0.
- Part 4.2.3.3 was reworded to “prepare and implement a written plan” as implementation of the plan would occur after the plan has been created. This part was updated to require submission of

the IDDE plan for DWQ for approval within 180 days. This was adapted from previous part 4.2.3.3.2.

- Part 4.2.3.3.1 was clarified that the priority list must be reviewed at least annually and updated if needed.
- Previous parts 4.2.3.8-4.2.3.9 were moved to 4.2.3.3.5-4.3.3.3.7 to group these with requirements of the IDDE plan, and group all required SOPs together. Parts 4.2.3.4-4.2.3.9 were renumbered accordingly.
- Part 4.2.3.3.2 was updated to change the 90 day deadline to 180 days to align with the 180 day SWMP submission. This deadline was moved to Part 4.2.3.3. to clarify that the entire IDDE plan must be submitted for approval. This part was updated to clarify that inspections must be documented using an inspection form.
- Parts 4.2.3.3.3.1-4.2.3.3.3.3 were added to group the requirements for “priority” outfalls as a subpart of 4.2.3.3.3. These requirements were moved from previous parts 5.2.3.1-5.2.4.4. Part 4.2.3.3.3.1 was updated replacing “should” with “shall” to confirm that this is a requirement, not a suggestion.
- Part 4.2.3.4 was created to group all required SOPs together. Previous parts 4.2.3.4-4.2.3.6 and 4.2.3.9-4.2.3.10 were renumbered as subsections of this requirement.
- Previous part 4.2.3.5.1 was moved to 4.2.3.4.1.1 to group this requirement with the “Tracing Illicit Discharges SOP.”
- Part 4.2.3.4.1.2 was added to clarify documentation requirements for when an investigated illicit discharge has not impacted the MS4 system.
- Part 4.2.3.4.3.1 was updated to clarify that the Permittee shall take all necessary steps to cease the illicit discharge even if the responsible party is unknown.
- Part 4.2.3.6 was reorganized with three subparts created to clarify training requirements.
- Previous part 4.2.3.7 was removed because it was duplicative of Parts 4.2.1.2-4.2.1.4.
- Previous part 4.2.3.6.2 was removed because it conflicts with Utah Code § 19-5-115(2).

Numbering, reorganizing, and minor formatting changes were made to improve clarity in Part 4.2.3.

4.2.4 Construction Site Storm Water Runoff Control

- Parts 4.2.4, 4.2.4.1, 4.2.4.4.1, 4.2.4.4.2, 4.2.4.4.4, and 4.2.4.6 were updated to reference the definition of “qualifying construction sites” in Part 7.0.
- Part 4.2.4.1 was updated to remove the requirement that the regulatory mechanism shall require installation of sediment and erosion controls, as that is included in the requirement of the most current UPDES Storm Water General Permit for Construction Activities which the Permittee must already ensure compliance with. The language regarding coordination with local agencies was moved to Part 4.2.4.
- Part 4.2.4.1.2 was updated to better clarify requirements regarding “duration of the project.”
- Parts 4.2.4.1.3, 4.2.4.4.2, and 4.2.4.4.3 were updated to reference the definition of “qualified person” in Part 7.0.
- Part 4.2.4.2.1 was updated to clarify requirements to be included in the Construction Enforcement SOP. All existing enforcement procedure requirements were organized into this section.
- Part 4.2.4.3 was updated to include provisions that the pre-construction SWPPP review may occur during the first onsite inspection. The provision for record retention was removed as it was duplicative of Part 4.2.4.6.
- Part 4.2.4.4 was created to organize all inspection-related requirements as subparts of section 4.2.4.4. Previous Part 4.2.4.4.(including subparts) were renumbered accordingly.

- Part 4.2.4.4.1 was updated to clarify requirements to be included in the Construction Inspection SOP. All existing inspection procedure requirements were organized into this section.
- Part 4.2.4.4.2.1 was created to allow for a reduced oversight inspection frequency if the site is not a priority site, and the site has demonstrated an adequate compliance history. A definition of “adequate compliance history” was added to Part 7.0.
- Part 4.2.4.4.2.2 was created to allow for a reduced oversight inspection frequency if the construction site has suspended operations due to “frozen conditions” as defined in Part 7.0.
- Part 4.2.4.4.2.3 was created to allow for a reduced oversight inspection frequency if the construction site was located within an “arid location” and within the “seasonally dry period” as defined in Part 7.0.
- Part 4.2.4.4.3 was updated to reduce the inspection frequency for priority construction sites to monthly.
- Part 4.2.4.4.4 was updated to include inspections of any construction sites where the MS4 has received complaints, and to require inspections be documented on an inspection form.
- 4.2.4.5 was updated to clarify requirements for training including organizing requirements into subparts 4.2.4.5.1-4.2.4.5.3.
- Previous part 4.2.4.3.2 was removed and incorporated into Part 4.2.4.3.
- Previous part 4.2.4.3.3 was removed as it is duplicative of requirements within Part 4.2.5.
- Previous Part 4.2.4.4.4 was removed as UDOT was exempted from electronic oversight inspections per Utah Code § 19-5-108.3.

Numbering, reorganizing, and minor formatting changes were made to improve clarity in Part 4.2.4.

4.2.5 Long-Term Storm Water Management in New Development and Redevelopment (Post-Construction Storm Water Management)

- Part 4.2.5.1.1 was updated to replace “should” with “shall” to clarify that this is a Permit requirement and not a suggestion.
- Parts 4.2.5.1.2, 4.2.5.2, 4.2.5.3.2, and 4.2.5.5 were updated to reference the definition of “qualifying construction sites” in Part 7.0.
- Part 4.2.5.1.2 was updated to split out the size threshold for new development and redevelopment sites. This Part was also updated to remove LID requirements as they are already captured in Part 4.2.5.1.3. This avoids duplication and clarifies requirements for these projects. This Part was also updated to remove deadlines that have passed.
- Part 4.2.5.1.4 was updated to clarify that alternative design criteria shall include implementation of storm water controls that provide water quality benefits to the MEP.
- Previous Part 4.2.5.2.2 was moved to 4.2.5.2.4 to better organize regulatory mechanism requirements. SOP requirements of this Part were moved to Part 4.2.5.4 to group them with the inspection requirements of this Permit. Parts 4.2.5.2.2-4.2.5.2.4 were renumbered accordingly.
- Part 4.2.5.2 was updated to include the term “implement” in regards to the Permittee’s regulatory mechanism. This clarifies that these requirements must be implemented in addition to being developed and adopted.
- Part 4.2.5.2.3 was split from Part 4.2.5.2.2 to clarify that maintenance agreements are separate from Permit conditions for access to private properties. This Part was updated to remove the annual frequency for private certification of storm water controls because it conflicted with inspection/maintenance requirements of Part 4.2.5.4.2. This Part was updated to specify procedures if the private entity neglects maintenance.
- Previous Parts 4.2.5.2.5 & 4.2.5.2.6 were moved to Part 4.2.5.4, 4.2.5.4.1 and 4.2.5.4.2 to clarify that these are requirements relating to inspections, not regulatory authority.
- Part 4.2.5.4 was created to organize inspection requirements of Part 4.2.5, including grouping

requirements for SOPs, verification inspections, and maintenance inspections. Previous Part 4.2.5.4 was moved to 4.2.5.5 and the subparts renumbered accordingly. Previous Part 4.2.5.5 was moved to 4.2.5.6 as a result of this change.

- Part 4.2.5.4.1 was updated to require that inspections are documented.
- Part 4.2.5.4.2.1 was created from existing requirements to better organize the Permit.
- Part 4.2.5.5.1 was updated to replace “start/end date” with “installation date.”
- Part 4.2.5.4.3 & Part 4.2.5.4.3.1 were moved to 4.2.6.8 and 4.2.6.8.1.
- Part 4.2.5.6 was updated to clarify requirements for training including organizing requirements into subparts 4.2.5.6.1-4.2.5.6.3.

Numbering, reorganizing, and minor formatting changes were made to improve clarity in Part 4.2.5.

4.2.6 Pollution Prevention and Good Housekeeping for Municipal Operations

- Part 4.2.6.3.1 and 4.2.6.3.2 were created from Part 4.2.6.3 and previous Part 4.2.6.4 to clarify the requirements for facilities that are identified as “High Priority.” Previous Permit Parts 4.2.6.4-4.2.6.11 were updated due to this addition.
- Part 4.2.6.4.1 was updated to require inspection records be stored or referenced within the facility’s SWPPP, and that any identified issues be corrected.
- Part 4.2.6.4.2 was updated require inspection records be stored or referenced within the facility’s SWPPP, and that any identified issues be corrected. This Part was also updated to include a review of the previous monthly inspections and facility SWPPP during this inspection.
- Part 4.2.6.4.3 was updated to change the location where inspection records should be kept. It was changed to have the records stored or referenced within the facility’s SWPPP.
- Part 4.2.6.5.2 was updated to replace “should” with “shall” to clarify that identifying priority areas is a Permit requirement and not a suggestion.
- Part 4.2.6.5.4 was changed to split out requirements for developing SOPs associated with snow disposal and melt into its own requirement numbered Part 4.2.6.5.5. Previous Parts 4.2.6.5.5-4.2.6.5.6 were renumbered accordingly.
- Previous part 4.2.6.7.6 was renumbered as 4.2.6.6 to better organize requirements as it was previously grouped under SOPs.
- Part 4.2.6.6 was updated to remove the deadline from the previous permit.
- Part 4.2.6.10 was updated to clarify requirements for training including organizing requirements into subparts 4.2.6.10.1-4.2.6.10.3.

Numbering, reorganizing, and minor formatting changes were made to improve clarity in Part 4.2.6.

Part 4.3 Industrial and High Risk Runoff

- Previous Part 4.3.3 was moved to Part 4.2.3 to more consistently organize the permit with the training requirements at the end of each Part. Previous Part 4.2.3 was renumbered accordingly.
- Part 4.3.3 was updated to clarify requirements for training including organizing requirements into subparts 4.3.3.1 - 4.3.3.3.

Numbering, reorganizing, and minor formatting changes were made to improve clarity in Part 4.3.

Part 4.4 Sharing Responsibility

- Part 4.4.1 was updated in all instances to replace “entity” with “Person.” A definition of “Person” was included in Part 7.0 which is consistent with Utah Code 19-1-103(4). The definition of “Entity” in Part 7.0 was removed. This was change in all instances where “entity” was previously written, but most notably in this Part.

4.5 Reviewing and Updating Storm Water Management Programs was renamed to “Review and Revision of Storm Water Management Program.”

- Part 4.5.1 was updated to require that the annual review must be conducted and documented on an annual basis.
- Part 4.5.2.1 was updated to clarify allowable changes to BMPs with the SWMP. Changes that reduce or replace any component, control, or requirement of the SWMP is not authorized, unless it meets requirements outlined in Part 4.5.2.2.
- Previous parts 4.5.2.2.1-4.5.2.2.3 were incorporated into Part 4.5.2.2.
- Part 4.5.2.2.1 was moved from previous part 4.5.4 to clarify that the Permittee shall not implement changes until written approval has been given by the Director. Previous parts 4.5.3-4.5.5 were renumbered accordingly.

5.0 Narrative Standard, Monitoring, Recordkeeping and Reporting

Part 5.2.2.1 was updated to remove the requirement that wet-weather monitoring events are separated by at least 45 days as sampling once in Spring and Fall would be already greater than 45 days apart.

Part 5.2.2.4 was updated to clarify requirements for UDOT monitoring locations. The requirement for 25% of outfalls was removed and clarified that all monitoring locations should include the identified characteristics. Language regarding the revised sampling plan was removed as it was duplicative of Parts 5.2.2.2 and 5.2.2.5. The locations of UDOT’s current monitoring outfalls were included.

Part 5.2.2.3 was updated to clarify the parameters that must be monitored from each outfall. This information was organized in a table with the corresponding sample type required, grab or composite. This list was updated based on Utah Admin. Code R317-8-3(3.5)(7) and previous permit part 5.2.2.6.2. Requirements for Cyanide, Volatile Organic Compounds, and pH were clarified.

Part 5.2.2.4 was updated to add UDOT’s representative monitoring outfall locations as identified in their wet-weather monitoring plan.

Part 5.2.2.6.2 was updated to group sampling parameters into Part 5.2.2.3. Part 5.2.2.6.2 was split into two parts to organize grab sample requirements and flow weighted composite requirements in distinct requirements. Previous Parts 5.2.2.6.3 - 5.2.2.6.4 were renumbered accordingly.

Part 5.2.2.6.4 was updated to correct the qualifying storm event depth to 0.1 as identified in Utah Admin. Code R317-8-3(3.5)(7).

Part 5.2.2.7 was updated to correct the 0.1 inch “previously measurable” rainfall depth as identified in Utah Admin. Code R317-8-3(3.5)(7).

Previous parts 5.2.3.1-5.2.4.4. were moved to parts 4.2.3.3.1-4.2.3.3.3. to group them with the requirements for Dry Weather Screenings.

Part 5.3 and 5.4 were added to be consistent with the Division’s other UPDES permits. Previous Parts 5.3-5.5 were renumbered accordingly.

Part 5.5.5 was removed to avoid duplication of permit requirements.

Previous Part 5.4.2.1 was removed to reference the Annual Report form available on the Division's website.

Part 5.6.5 was updated to reference the application requirements in Part 2.0.

Previous Part 5.5.1 was split into two separate requirements relating to discharges associated with construction activities and industrial activities into two Parts: Part 5.7.1 and Part 5.7.2. Parts 5.7.2-5.7.7 were renumbered accordingly.

6.0 Standard Permit Conditions

Parts 6.1-6.22 were added, organized, and updated to be in compliance with 40 C.F.R. § 122.41. Specifically Parts 6.16-6.18 and 6.20-6.22 were added and previous Parts 6.9, 6.12, and 6.15 were removed to be in compliance with 40 C.F.R. § 122.41.

Numbering and minor formatting changes were made as a result of the above change.

7.0 Definitions

The following terms were added to the definitions section:

- *"80th percentile rainfall event"*
- *"Adequate compliance history"*
- *"Arid location"*
- *"Designated Uses"*
- *"Frozen conditions"*
- *"Non-storm water discharges"*
- *"Person"*
- *"Qualified person"*
- *"Qualifying Construction Sites"*
- *"Seasonally dry period"*
- *"Thawing conditions"*

Basis for Permit Changes

This Permit renewal reorganizes and clarifies requirements for the Permittee. The Permit was reorganized and revised to correct spelling and grammar errors, sentencing restructuring, and formatting. URL links were updated in instances where the links had broken. These changes were made to improve readability and clarify the requirements of this Permit.

This Permit renewal also notably updates the construction oversight inspection frequency to a frequency that is based off of potential impacts to water quality and operator history of compliance. This allows MS4s to target resources and inspections based on water quality concerns and operators that need more assistance.

PERMIT DURATION

Per Utah Admin. Code R317-8-5(5.1)(1), UPDES permits shall be effective for a fixed term not to exceed five (5) years. Therefore, this Permit will be set to expire on August 30, 2031, five years after the effective date of reissuance.

DRAFTED BY

Kelsee York, MS4 Coordinator
Jeanne Riley, General Permitting Section Manager

PUBLIC NOTICE

Public Notice Period Began: **DATE**

Public Notice Period Ended: **DATE**

Comments will be received at: 195 North 1950 West
PO Box 144870
Salt Lake City, UT 84114-4870

The Public Notice of the draft Permit was published on the Department Website.

Per Utah Admin. Code R317-8-6(6.5), any interested person may submit written comments on the draft Permit during the public comment period 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 Utah Admin. Code R317-8-6(6.12).

ADDENDUM TO FSSOB

RESPONSIVENESS SUMMARY