**R317. Environmental Quality, Water Quality.**

**R317-17. Great Salt Lake Mineral Extraction Salinity Discharge Limits.**

**R317-17-1. Purpose and Authority.**

(1) Authority. This rule is promulgated pursuant to Section 73-33-203.

(2) Purpose. To set a limit for the salinity of water or brine that a person may discharge into the Great Salt Lake as part of the mineral or element extraction process according to Section 73-33-203 and establish procedures to modify, revoke and reissue, or terminate any permit if those limits are exceeded.

(3) Applicability. This rule applies to discharges derived from the extraction of minerals or elements from the brines of Great Salt Lake.

**R317-17-2. Definitions.**

As used in this rule:

(1) "Current salinity" means the maximum daily mean salinity level in Gilbert Bay observed within the past 90 days, measured and calculated following the Great Salt Lake Salinity Advisory Committee, 2020, Standard operating procedure---Great Salt Lake water density measurement and salinity calculation: Utah Geological Survey Open-File Report 728, incorporated by reference, collected from multiple United States Geological Survey monitoring locations representative of Gilbert Bay using standardized sampling methods, excluding deep brine layer and freshwater lenses.

(2) "De minimis discharge" means a discharge that results in a negligible increase in salinity concentration or load, as determined by the director.

(3) "Director" means the director of the Utah Division of Water Quality.

(4) "Discharge" means any water, substance, or pollution placed into a receiving water; which may include any combination of treated, processed, or returned waters.

(5) "Division" means the Utah Division of Water Quality.

(6) "FFSL" means the Utah Department of Natural Resources, Division of Forestry, Fire, and State Lands.

(7) "GSL" means Great Salt Lake, and includes Gilbert Bay, Gunnison Bay, Bear River Bay, Farmington Bay, and Transitional Waters, as defined in Subsection R317-2-6(6.5).

(8) "Salinity" means the amount of dissolved salts in water expressed as grams per liter (g/L).

(9) "Salinity Advisory Committee" means an advisory committee formed and co-chaired by the division and FFSL that makes recommendations to the division and FFSL regarding the short-term and long-term management of the salinity of GSL.

(10) "UPDES" means Utah Pollutant Discharge Elimination System, as defined in Rule R317-8.

**R317-17-3. Permit Discharge Limits for Salinity into Great Salt Lake.**

(1) If the current salinity of Gilbert Bay exceeds 150 g/L, no person, as part of the mineral or element extraction process, may discharge water or brine into Gilbert Bay, Bear River Bay, Farmington Bay, or the Transitional Waters associated with those bays, except as provided in Subsection R317-17-3(5).

(2) If the current salinity of Gilbert Bay is below 150 g/L, a person, as part of the mineral or element extraction process, may discharge water or brine, including water or brine exceeding 150 g/L salinity into Gilbert Bay, Bear River Bay, Farmington Bay, or the Transitional Waters associated with those bays.

(3) For discharges of water or brine into Gunnison Bay, as part of the mineral or element extraction process, there is no limit for the maximum salinity.

(4) The director may disallow discharges of water or brine as part of the mineral or element extraction process, when, in consultation with the GSL Salinity Advisory Committee and the GSL Commissioner's office, the director determines that discharges will cause the salinity of Gilbert Bay to exceed 150 g/L.

(5) Upon request, the director shall allow a discharge into Gilbert Bay, Bear River Bay, Farmington Bay or the Transitional Waters associated with those bays at any time if:

(a) the director determines, in writing, as part of an UPDES permit, that the discharge is a de minimis discharge; or

(b) the director determines, in writing, as part of an UPDES permit, that the discharge represents a net decrease of salt load to Gilbert Bay as a result of the extraction process.

(6) The discharge limits for salinity specified in this section and monitoring requirements for salinity and discharge volume will be incorporated into the discharger's UPDES permit as effluent limits.

**R317-17-4. Compliance.**

(1) If a person discharges water or brine that exceeds the limit imposed under Section R317-17-3, the director may modify, revoke and reissue, or terminate any permit issued by the director related to the discharge, consistent with the processes provided in Subsection 19-5-106(2)(g) and Subsection R317-8-6(6.2).

(2) It is a violation of the discharger's UPDES permit to discharge water or brine that exceeds the discharge limits for salinity identified in Section R317-17-3.

**KEY: great salt lake, salinity, extraction**

**Date of Last Change: May 28, 2025**

**Authorizing, and Implemented or Interpreted Law: 73-33-203**