

UTAH STATE BULLETIN

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
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Nancy L. Lancaster, Managing Editor

The *Utah State Bulletin (Bulletin)* is an official noticing publication of the executive branch of Utah state government. The Office of Administrative Rules, part of the Department of Government Operations, produces the *Bulletin* under authority of Section 63G-3-402.

The Portable Document Format (PDF) version of the *Bulletin* is the official version. The PDF version of this issue is available at <https://rules.utah.gov/>. Any discrepancy between the PDF version and other versions will be resolved in favor of the PDF version.

Inquiries concerning the substance or applicability of an administrative rule that appears in the *Bulletin* should be addressed to the contact person for the rule. Questions about the *Bulletin* or the rulemaking process may be addressed to: Office of Administrative Rules, PO Box 141007, Salt Lake City, Utah 84114-1007, telephone 801-957-7110. Additional rulemaking information and electronic versions of all administrative rule publications are available at <https://rules.utah.gov/>.

The information in this *Bulletin* is summarized in the *Utah State Digest (Digest)* of the same volume and issue number. The *Digest* is available by e-mail subscription or online. Visit <https://rules.utah.gov/> for additional information.

Office of Administrative Rules, Salt Lake City 84114

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EXECUTIVE DOCUMENTS

Under authority granted by the Utah Constitution and various federal and state statutes, the Governor periodically issues **EXECUTIVE DOCUMENTS**, which can be categorized as either Executive Orders, Proclamations, and Declarations. Executive Orders set policy for the executive branch; create boards and commissions; provide for the transfer of authority; or otherwise interpret, implement, or give administrative effect to a provision of the Constitution, state law or executive policy. Proclamations call special or extraordinary legislative sessions; designate classes of cities; publish states-of-emergency; promulgate other official formal public announcements or functions; or publicly avow or cause certain matters of state government to be made generally known. Declarations designate special days, weeks or other time periods; call attention to or recognize people, groups, organizations, functions, or similar actions having a public purpose; or invoke specific legislative purposes (such as the declaration of an agricultural disaster).

The Governor's Office staff files **EXECUTIVE DOCUMENTS** that have legal effect with the Office of Administrative Rules for publication and distribution.

EXECUTIVE ORDER 2025-02

Enhancing Utah's Criminal Justice Strategy

WHEREAS, criminal justice policy is an essential part of keeping Utah a safe place to live, work, and raise a family;

WHEREAS, a key component of criminal justice efforts is ensuring that people who commit crimes in our state are held accountable;

WHEREAS, legislative efforts to increase penalties for criminal offenses have vastly increased in recent years;

WHEREAS, our state legislature has added, enhanced, or expanded an average of 40 offenses each year from 2020-2024;

WHEREAS, while adding or enhancing criminal offenses may be a sound or even necessary approach, doing so at the current rate, particularly without a comprehensive strategy, is unsustainable;

WHEREAS, changes to criminal offenses need time and attention for proper implementation and continual changes can hinder that process;

WHEREAS, enhancing offenses increases the burden on our state's correctional and other criminal justice institutions;

WHEREAS, a successful criminal justice strategy must be informed by the realities of the resources and other constraints that exist;

WHEREAS, a coordinated effort to evaluate how current criminal justice laws and policies are serving the state -- and developing a comprehensive framework -- will improve criminal justice efforts in our state;

NOW, THEREFORE, I, Spencer J. Cox, governor of the state of Utah, by the authority vested in me by the Constitution and laws of this state, do hereby order the following:

1. **Purpose.** The purposes of this Executive Order are to:
 - a. Create a task force to assist criminal justice efforts in our state;
 - b. Establish principles for a criminal justice framework;
 - c. Provide recommendations to the governor and Utah Legislature; and
 - d. Evaluate criminal offenses that directly connect to the work of state agencies.
2. **Application.** This order applies to all state agencies, as defined below.
3. **Definitions.** As used in this order:
 - a. "Agency"

- i. Includes:
 - 1. a department, division, office, bureau, or other organization within the state executive branch, including the State Tax Commission, the National Guard, and the Board of Pardons and Parole; and
- ii. does not include:
 - 1. an institution of higher education;
 - 2. the Utah Board of Higher Education;
 - 3. the State Board of Education;
 - 4. an independent entity as defined in Utah Code § 63E-1-102;
 - 5. the Attorney General's Office;
 - 6. the State Auditor's Office;
 - 7. the State Treasurer's Office;
 - 8. the Legislative Branch; or
 - 9. the Judicial Branch.

4. Establishing a Criminal Justice Task Force.

- a. This order establishes a Criminal Justice Task Force ("Task Force").
- b. The Task Force consists of the following members:
 - i. the executive director of the Commission on Criminal and Juvenile Justice (the "Commission") or the executive director's designee, who shall serve as the chair of the Task Force;
 - ii. the commissioner of public safety or the commissioner's designee;
 - iii. the executive director of the Department of Corrections or the executive director's designee;
 - iv. the chair of the Board of Pardons and Parole or the chair's designee;
 - v. the executive director of Governor's Office of Planning and Budget or the executive director's designee;
 - vi. a representative of any other state agency deemed necessary to accomplish the Task Force's responsibilities;
 - vii. a member of the Utah Senate, if a member accepts the invitation to participate and the president of the Utah Senate agrees; and
 - viii. a member of the Utah House of Representatives, if a member accepts the invitation to participate and the speaker of the Utah House of Representatives agrees.
- c. The Task Force chair shall ask the speaker of the Utah House of Representatives and the president of the Utah Senate to designate which member they wish to have participate in the Task Force, if the speaker and the president agree to have members of the Utah Legislature participate.
- d. The Task Force shall develop a framework ("Framework") to better inform criminal justice policy.
- e. The Task Force shall deliver the Framework to the governor and the Law Enforcement and Criminal Justice Interim Committee no later than October 1, 2025.
- f. The Task Force shall consult with the Law Enforcement and Criminal Justice Interim Committee in developing the Framework.
- g. The Task Force may consult with other governmental or non-governmental entities, including the Utah Judiciary, the Utah Office of the Attorney General, and other criminal justice stakeholders, in developing the Framework.

5. Contents of Framework.

- a. The Framework created by the Task Force shall consider the following:
 - i. Public safety;
 - ii. Deterrence;
 - iii. Proportionality;
 - iv. Judicial discretion and consistency;
 - v. Rehabilitation, programming, and treatment;
 - vi. Recidivism;
 - vii. Costs and resources;
 - viii. Jail and prison capacity;
 - ix. Victim needs; and
 - x. Research and data.

6. Report on Criminal Offenses.

- a. The Commission shall deliver the Framework to state agencies as soon as the Framework is complete under Subsection (4)(d).
- b. On or before April 1, 2026, state agencies shall use the Framework to complete the criminal offense review required by H.B. 353 (2025).
- c. On or before July 1, 2026, the Commission shall submit the report required by H.B. 353 (2025) to the governor and the Law Enforcement and Criminal Justice Interim Committee.

THIS ORDER is effective immediately and shall remain in effect until July 1, 2026.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done, on this, the 27th day of March, 2025.

(State Seal)

Spencer J. Cox
Governor, State of Utah

ATTEST:

Deidre M. Henderson
Lieutenant Governor, State of Utah

End of the Executive Documents Section

NOTICES OF PROPOSED RULES

A state agency may file a **PROPOSED RULE** when it determines the need for a substantive change to an existing rule. With a **NOTICE OF PROPOSED RULE**, an agency may create a new rule, amend an existing rule, repeal an existing rule, or repeal an existing rule and reenact a new rule. Filings received between March 15, 2025, 12:00 a.m., and April 01, 2025, 11:59 p.m. are included in this, the April 15, 2025, issue of the *Utah State Bulletin*.

In this publication, each **PROPOSED RULE** is preceded by a **RULE ANALYSIS**. This analysis provides summary information about the **PROPOSED RULE** including the name of a contact person, anticipated cost impact of the rule, and legal cross-references.

Following the **RULE ANALYSIS**, the text of the **PROPOSED RULE** is usually printed. New rules or additions made to existing rules are underlined (example). Deletions made to existing rules are struck out with brackets surrounding them (~~example~~). Rules being repealed are completely struck out. A row of dots in the text between paragraphs (.) indicates that unaffected text from within a section was removed to conserve space. Unaffected sections are not usually printed. If a **PROPOSED RULE** is too long to print, the Office of Administrative Rules may include only the **RULE ANALYSIS**. A copy of each rule that is too long to print is available from the filing agency or from the Office of Administrative Rules.

The law requires that an agency accept public comment on **PROPOSED RULES** published in this issue of the *Utah State Bulletin* until at least May 15, 2025. The agency may accept comment beyond this date and will indicate the last day the agency will accept comment in the **RULE ANALYSIS**. The agency may also hold public hearings. Additionally, citizens or organizations may request the agency hold a hearing on a specific **PROPOSED RULE**. Section 63G-3-302 requires that a hearing request be received by the agency proposing the rule "in writing not more than 15 days after the publication date of the proposed rule."

From the end of the public comment period through August 13, 2025, the agency may notify the Office of Administrative Rules that it wants to make the **PROPOSED RULE** effective. The agency sets the effective date. The date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date of this issue of the *Utah State Bulletin*. Alternatively, the agency may file a **CHANGE IN PROPOSED RULE** in response to comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** lapses.

The public, interest groups, and governmental agencies are invited to review and comment on **PROPOSED RULES**. *Comment may be directed to the contact person identified on the **RULE ANALYSIS** for each rule.*

PROPOSED RULES are governed by Section 63G-3-301, Rule R15-2, and Sections R15-4-3, R15-4-4, R15-4-5a, R15-4-9, and R15-4-10.

The Proposed Rules Begin on the Following Page

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or Section Number:

R156-61

Filing ID: 57085

Agency Information

1. Title catchline:	Commerce, Professional Licensing	
Building:	Heber M. Wells Building	
Street address:	160 E 300 S	
City, state:	Salt Lake City, UT 84111-2316	
Mailing address:	PO Box 146741	
City, state and zip:	Salt Lake City, UT 84114-6741	
Contact persons:		
Name:	Phone:	Email:
Jana Johansen	801-530-6628	janajohansen@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R156-61. Psychologist Licensing Act Rule
3. Purpose of the new rule or reason for the change:
In 2021, Governor Cox issued Executive Order No. 2021-1 that required a review of all regulated Occupations and Professions. This led to the legislative creation of the Office of Professional Licensure Review and the passing of S.B. 26 during the 2024 General Session. In addition to changes directly related to S.B. 26 legislation, the Board did their own review of education used in states around the nation and adopted language expanding education allowed for licensure to be more consistent nationwide. The Board agrees that these amendments to this rule to reduce regulations that create barriers to working in the field and aligns provisions with national education standards for licensure. Additionally, in compliance with the passing of S.B. 26 which became effective on 05/01/2024, this filing further amends the rule by making nonsubstantive formatting changes throughout to facilitate compliance and enforcement and to make changes consistent with Rulewriting Manual for Utah.
4. Summary of the new rule or change:
Section R156-61-101 amends this rule by moving Sections R156-61-103 and R156-61-104 into Section R156-61-101 which is an update to modern formatting. Section R156-61-102 amends this rule for clarity regarding the education accrediting bodies in the US and Canada, national association, Behavioral Health Board, supervised individuals, and professional examination. Section R156-61-201 removes the Advisory Peer Committee due to S.B. 26 (2024) and the creation of a combined Board with advisory committees. Section R156-61-302a adds language that expands education allowed for licensure to be more consistent nationwide and amends this rule with nonsubstantive formatting changes to facilitate compliance and enforcement and to make changes consistent with the Rulewriting Manual for Utah. Section R156-61-302b removes time limitation to training based on legislative changes and corrects formatting. Section R156-61-302c adds language that clarifies requirements when additional examination attempts are needed.

Sections R156-61-302f and R156-61-302g are deleted and renumbered in Sections R156-61-403 and R156-61-404 to reflect a more consistent formatting style.

Sections R156-61-403 and R156-61-404 additions are renumbered from the original Sections R156-61-302f and R156-61-302g.

Section R156-61-601 the length of time allowed for on the job training was extended from 45 to 60 days per the Board's review and approval and to allow consistency across all mental health professions.

Additional nonsubstantive formatting changes are made throughout this rule to facilitate compliance and enforcement and to make changes consistent with the Rulewriting Manual for Utah.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A) State budget:

The changes to Rule R156-61 clarify and align provisions with national educational standards, examination, and supervision standards and are expected to have zero net impact on state revenues or expenditures because these changes should not result in any additional complaints, investigations, or disciplinary actions or any additional licensing issues.

None of the remaining proposed changes are expected to impact state government revenues or expenditures because the changes merely update this rule to establish supervision and education standards that encompass current requirements and practices in the profession and make formatting changes for clarity.

B) Local governments:

These proposed amendments may impact businesses in the mental health industry who employ certified psychology residents and psychologists, which may potentially include certain local government entities acting as businesses.

However, as described for Small Businesses (below), the Division estimates that these proposed amendments will have no impact on local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):

There are approximately 1,532 small businesses in Utah with licensees engaged in the practice of mental health therapy and who may employ those engaged in the practice of mental health therapy, such as private or group practices, hospitals, or medical centers (NAICS 621112, 621420, 621330, 622210, 623220, 623210). These proposed amendments may impact these small businesses. However, the savings is not measurable as it will depend on specific characteristics of each employer and employee.

The remaining amendments are not expected to impact small business as they are based on extensive collaboration with the Psychologist Licensing Board to incorporate generally accepted professional standards common in the industry, and the changes merely update this rule, clarify existing statutes, rules, and codify existing standards already adhered to in the industry.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There are approximately 96 non-small businesses in Utah comprising of licensees engaged in the practice of mental health therapy who may employ those engaged in the practice of mental health therapy, such as private or group practices, hospitals, or medical centers (NAICS 621112, 621420, 621330, 622210, 623220, 623210). However, the savings is not measurable as it will depend on specific characteristics of each employer and employee.

The remaining amendments are not expected to impact small business as they are based on extensive collaboration with the Psychology Licensing Board and the Behavioral Health Board to incorporate generally accepted professional standards common in the industry, and the changes merely update this rule, clarify existing statutes, rules, and codify existing standards already adhered to in the industry.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

The amendment to Section R156-61-302a education standards to align with national education requirements and are not expected to impact these other persons as it should not result in any additional investigations or disciplinary actions; the definition encompasses existing practices, so for the typical person the amendments would have no direct or indirect fiscal impact.

The amendment to Section R156-61-302c requires a person to pass both parts of the examination, where in the past only one was required. This is a requirement of the national association and exam provider and may result in an increased cost, determined by the provider, to read the exam.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

As described above for Other Persons, the amendment to Section R156-61-302c requires a person to pass both parts of the examination, where in the past only one was required. This is a requirement of the national association and exam provider and may result in an increased cost, determined by the provider, to read the exam.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head comments on fiscal impact and approval of regulatory impact analysis:

The Executive Director of the Department of Commerce, Margaret W. Busse, has reviewed and approved this regulatory impact analysis.

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Subsection 58-1-106(1)(a)	Subsection 58-1-202(1)(a)	Section 58-61-101
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Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:		05/15/2025
B) A public hearing (optional) will be held:		
Date:	Time:	Place (physical address or URL):
05/07/2025	9:00 a.m.	160 E. 300 S, 1st floor, North Conference Room, Salt Lake City, UT.
		Also, via Google Meet.

		Google Meet joining info: Video call link: https://meet.google.com/men-jsgq-mbu Or dial: (US) +1 435-709-2611 PIN: 189 486 777# More phone numbers: https://tel.meet/men-jsgq-mbu?pin=9977875793744
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9. This rule change MAY become effective on:	05/22/2025
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

Agency head or designee and title:	Mark Steinagel, Division Director	Date:	01/17/2025
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R156. Commerce, ~~Occupational and~~ Professional Licensing.

R156-61. Psychologist Licensing Act Rule.

R156-61-101. Title -- Authority -- Relationship to Rule R156-1.

(1) This rule is known as the "Psychologist Licensing Act Rule."

(2) This rule is adopted by the Division under the authority of Subsection 58-1-106(1)(a) to enable the Division to administer Title 58, Chapter 61, Psychologist Licensing Act.

(3) The organization of this rule and its relationship to Rule R156-1 is as described in Section R156-1-101.

R156-61-102. Definitions.

~~[In addition to the definitions in Title 58, Chapters 1 and 61, as used in Title 58, Chapters 1 and 61 or this rule]~~ Terms used in this rule are defined in Title 58, Chapter 1, Division of Professional Licensing Act, and Title 58, Chapter 61, Psychologist Licensing Act. In addition:

(1) "Accredited by the APA-CoA or CPAAP" as used in Section R156-61-302a means that as of the date the student received the earned degree, the program:

(a) has obtained accreditation from the APA-CoA or CPAAP; or

(b)(i) has applied to the APA-CoA or CPAAP for accreditation;

(ii) has been approved by the APA-CoA for a site visit, which is to occur within the ensuing six years; and

(iii) has not previously been denied accreditation by the APA-CoA or CPAAP.

(2) "APA" means the American Psychological Association.

(3) "APA-CoA" means the American Psychological Association Committee on Accreditation.

~~(4)~~ "Approved diagnostic and statistical manual for mental disorders" as used in Subsection 58-61-102(7) means ~~the following~~:

(a) ~~the~~ Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition ~~[DSM-5], Text Revision, (DSM-5-TR)~~ published by the American Psychiatric Association; or

(b) ~~2015 ICD-10-CM for Physicians, Professional Edition published by the American Medical Association; or~~

~~(c) ICD-10-CM 2019: The Complete Official Draft Code Set published]~~ the International Classification of Diseases, Tenth Revision, Clinical Modifications (ICD-10-CM), published as the ICD-10-CM: The Complete Official Codebook by the American Medical Association.

~~(2) "CoA" means Committee on Accreditation of the American Psychological Association.]~~

(5) "ASPPB" means the Association of State and Provincial Psychology Boards.

(6) "CPAAP" means the Canadian Psychological Association Accreditation Panel.

~~(3)~~ "Direct supervision" ~~[of a supervisee in training,]~~ as used in Subsection 58-61-304(1)(f)e) ~~[means]~~ means the supervisor meets with the supervised individual:

(a) ~~[a supervisor meeting with the supervisee]~~ when both are physically present in the same room at the same time; or

(b) ~~[a supervisor meeting with the supervisee]~~ remotely ~~[via]~~ using real-time electronic methods that allow for visual and audio interaction between the supervisor and ~~[supervisee under the following conditions~~:

(i) the supervisor and supervisee shall enter into a written supervisory agreement which, at a minimum, establishes the following:

(A) frequency, duration, reason for, and objectives of electronic meetings between the supervisor and supervisee;

(B) a plan to ensure accessibility of the supervisor to the supervisee despite the physical distance between their offices;

(C) a plan to address potential conflicts between clinical recommendations of the supervisor and the representatives of the agency employing the supervisee;

(D) a plan to inform a supervisee's client or patient and employer regarding the supervisee's use of remote supervision;

(E) a plan to comply with the supervisor's duties and responsibilities as established in rule; and

(F) a plan to physically visit the location where the supervisee practices on at least a quarterly basis during the period of supervision or at a lesser frequency as approved by the Division in collaboration with the Board;

(ii) the supervisee submits the supervisory agreement to the Division and obtains approval before counting direct supervision completed via live real-time methods toward the 40-hour direct supervision requirement; and

~~— (iii) in evaluating a supervisory agreement, the Division shall consider whether it adequately protects the health, safety, and welfare of the public]~~the supervised individual, pursuant to a remote supervision agreement that meets the requirements of Section R156-61-302b.

~~(8) "EPPP" means the Examination for the Professional Practice of Psychology developed by the ASPPB, and after January 1, 2026, shall include Part 1 and Part 2.~~

~~[(4)9] "On-the-job training program approved by the Division" [;] as used in Subsection [58-61-301(1)(b);]58-1-307(1)(c) referenced by Subsection 58-61-301(1)(b) means a program that meets the standards established in Section R156-61-[604]302b.~~

~~[(5)(a)](10) "Predoctoral internship" [refers to]means a formal training program that:[-]~~

~~(a) meets the minimum requirements of the Association of Psychology Postdoctoral and Internship Centers (APPIC) [offered-]to culminate a doctoral degree in clinical, counseling, or school psychology[-]; and~~

~~[(b) A training program may be](b) is a full-time [one-year]one-year program or a half-time [two-year]two-year program.~~

~~[(6)(a) "Program accredited by the CoA", as used in Subsections R156-61-302a(1), means a psychology department program that, as of the date on which a student completes a doctoral psychology degree program:~~

~~(i) has obtained an accreditation from the CoA; or~~

~~(ii)(A) has applied to the CoA for accreditation;~~

~~(B) has been approved by the CoA for a site visit, which is to occur within the ensuing six years; and~~

~~(C) has not previously been denied accreditation by the CoA.~~

~~(7)(a) "Program of respecialization", as used in Subsection R156-61-302a(3), is a formal program designed to prepare someone with a doctoral degree in psychology with the necessary skills to practice psychology:~~

~~(b) The respecialization activities shall include substantial requirements that are formally offered as an organized sequence of course work and supervised practicum leading to a certificate (or similar recognition) by an educational body that offers a doctoral degree qualifying for licensure in the same area of practice as that of the certificate.~~

~~(8)(a) "Psychology training", as used in Subsection 58-61-304(1)(e), means practical training experience providing direct services in the practice of mental health therapy and psychology under supervision. All activities in full-time internships and full-time post doctoral positions devoted solely to mental health delivery meet this definition.~~

~~(b) Activities not directly related to the practice of psychology, even if commonly performed by psychologists, do not meet the definition of psychology training under Subsection 58-61-304(1)(e). Examples of ineligible activities include psychology coursework, analog clinical activities (e.g. role plays), activities required for business purposes (e.g. billing), supervision of others engaged in activities other than practice of psychology (e.g. supervising adolescents in wilderness settings), and activities commonly performed by non-psychologists (e.g. teaching of psychology on topics not of a professional nature:-]~~

~~(11)(a) "Psychology training" as used in Subsection 58-61-304(1)(d), means practical training experience providing direct services in the practice of mental health therapy and psychology under supervision, and includes an activity in a full-time internship or a full-time postdoctoral position devoted solely to mental health delivery.~~

~~(b) "Psychology training" does not include an activity that is not directly related to the practice of psychology, even if the activity is commonly performed by psychologists, such as:~~

~~(i) psychology coursework;~~

~~(ii) analog clinical activities, such as role plays;~~

~~(iii) activities required for business purposes, such as billing;~~

~~(iv) supervision of others engaged in activities when the supervision does not constitute the practice of psychology, such as supervising adolescents in wilderness settings; or~~

~~(v) activities commonly performed by non-psychologists, such as teaching psychology on topics not of a professional nature.~~

~~[(9)12] "Qualified faculty" [;] as used in Subsection 58-1-307(1)(b), means a university faculty member [who provides pre-doctoral supervision of clinical or counseling experience in a university setting-]who:~~

~~[(i) a] is licensed in Utah as a psychologist;~~

~~(b) provides predoctoral supervision of clinical or counseling experience in a university setting; and~~

~~[(ii) c] is training students in the context of a doctoral program leading to licensure.~~

~~[(10)13] "Residency program" [;] as used in Subsection 58-61-301(1)(b), means a program of post[-]doctoral supervised clinical training necessary to meet licensing requirements as a psychologist.~~

~~[
R156-61-103. Authority – Purpose.
— This rule is adopted by the Division under the authority of Subsection 58-1-106(1)(a) to enable the Division to administer Title 58, Chapter 61.~~

~~**R156-61-104. Organization – Relationship to Rule R156-1.**
— The organization of this rule and its relationship to Rule R156-1 is as described in Section R156-1-107.~~

~~**R156-61-201. Advisory Peer Committee Created – Membership – Duties.**
— (1) There is hereby enabled in accordance with Subsection 58-1-203(1)(f), the Ethics Committee as an advisory peer committee to the Psychologist Licensing Board on either a permanent or ad hoc basis consisting of members licensed in good standing as psychologists qualified to engage in the practice of mental health therapy, in number and area of expertise necessary to fulfill the duties and responsibilities of the committee as set forth in Subsection (3).
— (2) The committee shall be appointed and serve in accordance with Section R156-1-205.
— (3) The committee shall assist the Division in its duties, functions, and responsibilities defined in Section 58-1-202 including:~~

- (a) upon the request of the Division, reviewing reported violations of Utah law or the standards and ethics of the profession by a person licensed as a psychologist and advising the Division if allegations against or information known about the person presents a reasonable basis to initiate or continue an investigation with respect to the person;
- (b) upon the request of the Division providing expert advice to the Division with respect to conduct of an investigation; and
- (c) when appropriate serving as an expert witness in matters before the Division.]

R156-61-302a. Qualifications for Licensure - Education Requirements.

[— (1) In accordance with Subsection 58-61-304(1)(d), an institution or program of higher education awarding a psychology degree that qualifies an applicant for licensure as a psychologist shall be accredited by the CoA.

— (a) An applicant shall graduate from the actual program that is accredited by CoA. No other program within the department or institution qualifies unless separately accredited.

— (b) If a transcript does not uniquely identify the qualifying CoA accredited degree program, it is the responsibility of the applicant to provide signed, written documentation from the program director or department chair that the applicant did indeed graduate from the qualifying accredited degree program.

— (2) In accordance with Subsection 58-61-304(1)(d), an institution or program of higher education awarding a psychology doctoral degree that is not accredited by CoA shall meet the following criteria in order to qualify an applicant for licensure as a psychologist:

— (a) if located in the United States or Canada, be an institution having a doctoral psychology program recognized by the Association of State and Provincial Psychology Boards (ASPPB)/National Register Joint Designation Committee as being found to meet "designation criteria", at the time the applicant received the earned degree. Whether a program is found to meet designation criteria is a decision to be made by the ASPPB/National Register Joint Designation Committee; or

— (b) if located outside of the United States or Canada, be an institution that meets the ASPPB National Register (NR) Designation Guidelines for defining a doctoral degree in psychology as determined by the NR.

— (3) An applicant whose psychology doctoral degree training is not designed to lead to clinical practice or who wishes to practice in a substantially different area than the training of the doctoral degree shall complete a program of respecialization as defined in Subsection R156-61-102(7), and shall meet requirements of Subsection R156-61-302a(2).

— (4) The date of completion of the doctoral degree shall be the graduation date listed on the official transcript.]

— (1)(a) Under Section 58-61-304, an institution or program of higher education awarding a doctoral degree in psychology shall meet approval criteria in this section to qualify an applicant for:

(i) licensure as a psychologist under Subsection 58-61-304(1)(c);

(ii) certification in the classification of certified prescribing psychologist under Subsection 58-61-304(4)(c)(i); or

(iii) certification in the classification of provisional prescribing psychologist under Subsection 58-61-304(6)(c)(i).

(b) The institution or program of higher education shall meet the approval criteria on or before the date the applicant received the earned degree.

(c) An applicant's date of completion or receipt of the applicant's earned degree is the graduation date on the applicant's official transcript.

(d) If the course titles on an applicant's transcript do not clearly reflect the specific core course work required by this section, the applicant shall document for the Division the course or combination of courses in which the material was covered.

(e) An applicant shall have graduated from the qualifying accredited or chartered degree program. Another program within the department or institution does not meet approval criteria unless that program is separately accredited or chartered.

(f) If a transcript does not uniquely identify the qualifying accredited or chartered degree program, the applicant shall provide signed, written documentation from the program director or department chair that the applicant graduated from the qualifying accredited or chartered degree program.

(2) An applicant may demonstrate approval criteria by providing satisfactory evidence that their institution or program of higher education was accredited by the APA-CoA or CPAAP, as defined in Section R156-61-102.

(3) An applicant may demonstrate approval criteria by providing satisfactory evidence that their institution or program of higher education was regionally accredited in a state, district, or territory of the United States, or provincially or territorially chartered in Canada, and met the following criteria:

(a) the program is a psychology program that:

(i) is a distinct, recognizable entity within the institution;

(ii) offers an integrated and organized sequence of study planned to provide appropriate training for the practice of psychology; and

(iii) consists of only graduate-level courses, with no coursework counted or credited toward an undergraduate degree;

(b) has identifiable full-time faculty;

(c) has a designated full-time faculty member responsible for the program, who at the faculty member's time of service would:

(i) qualify as a supervisor under Section R156-61-302e; or

(ii) as determined by the Division in collaboration with the Board, possess substantially equivalent education, experience, and training to qualify for licensure under Title 58, Chapter 61, Psychologist Licensing Act;

(d) has an identifiable body of students who are matriculated in the program for a degree;

(e) has examination and grading procedures designed to evaluate the degree of mastery of the subject matter;

(f) has a curriculum that encompasses at least three academic years of full-time graduate study, including the following specific core course work:

(i) professional ethics and standards;

(ii) research design and methodology, such as techniques of data analysis, inferential statistics, descriptive statistics, research implementation, program evaluation, or assessment;

- (iii) theories and methods of effective intervention, such as consultation, supervision, or evaluation of treatment efficacy;
- (iv) theories and methods of assessment and diagnosis;
- (v) biological bases of behavior, such as physiological psychology, neuropsychology, sensation and perception, comparative psychology, or psychopharmacology;
- (vi) cognitive-affective bases of behavior, such as learning, thinking, motivation, or emotion;
- (vii) social bases of behavior, such as social psychology, group processes, or organizational and systems theory;
- (viii) individual differences, such as personality theory, human development, or abnormal psychology; and
- (ix) issues of cultural and individual diversity;
- (g) has a supervised practicum experience of at least 400 hours that is appropriate to the practice of psychology, and which includes at least:
 - (i) 150 hours in direct service experience; and
 - (ii) 20 hours in formally scheduled supervision;
 - (h) has at least the following supervised internships appropriate to the practice of psychology that are accredited by the APA-CoA or CPAAP, or that the Division determines is substantially equivalent to the APA-CoA or CPAAP published guidelines and principles for accreditation of internships:
 - (i) an internship in clinical psychology that includes at least one full-time experience encompassing:
 - (A) one full-time calendar year, or two half-time calendar years; and
 - (B) at least 2,000 experience hours; and
 - (ii) an internship in school and counseling psychology that includes at least one full-time experience encompassing:
 - (A) one academic or calendar year, or two half-time academic or calendar years; and
 - (B) at least 2,000 experience hours.
 - (4) An applicant may demonstrate approval criteria by providing satisfactory evidence that when the applicant earned the degree, the applicant's institution or program was:
 - (a) located in a state, district, or territory of the United States or Canada, and had "designated" status from the ASPPB National Register Joint Designation Committee; or
 - (b) located outside of the United States or Canada and met the ASPPB National Register Designation Guidelines for defining a doctoral degree in psychology.
 - (5) If an applicant's training for their doctoral degree in psychology was not designed to lead to clinical practice, or if the applicant wishes to practice in a substantially different area than their training, then the applicant shall complete a program of respecialization that:
 - (a) is designed to prepare an individual with a degree in psychology with the necessary skills to practice psychology;
 - (b) has respecialization activities that include substantial requirements formally offered as an organized sequence of course work and supervised practicum;
 - (c) leads to a certificate or similar recognition by an educational body that offers a doctoral degree qualifying for licensure in the same area of practice as the certificate; and
 - (d) meets approval criteria in this section.

R156-61-302b. Qualifications for Licensure - Experience Requirements.

- (1)(a) ~~[An applicant]~~ To qualify for licensure as a psychologist under Subsection 58-61-304(1)(~~e~~)d) or as a psychologist also qualified to engage in mental health therapy under Subsections 58-61-304(1)(~~e~~)d) and ~~[(+)](f)e~~, an applicant shall complete ~~[a minimum of]~~ at least 4,000 hours of psychology training approved by the Division in collaboration with the Board. ~~[The training shall:]~~
- ~~[(a)]b~~ The training in Subsection (1)(a) shall be completed ~~[in not less than two years];~~
- ~~[(b)]i~~ ~~[be completed]~~ in not more than four years following the awarding of the doctoral degree, unless the Division in collaboration with the Board approves an extension due to extenuating circumstances;
- ~~[(e)]ii~~ ~~[be completed]~~ while the applicant is enrolled in an approved doctoral program or licensed as a certified psychology resident;
- ~~[(d)]iii~~ ~~[be completed]~~ while the applicant is under the supervision of ~~[a qualified]~~ an approved psychologist supervisor ~~[meeting the requirements]~~ under Section R156-61-302d; and
- ~~[(e)]~~ if completed under the supervision of a qualified faculty member who is not an approved psychology training supervisor in accordance with Section R156-61-302d, the training shall not be credited toward the 4,000 hours of psychology doctoral clinical training;
- ~~[(f)]iv~~ ~~[be completed]~~ as part of a supervised psychology training program as defined in Subsection R156-61-102(4)11) that does not exceed:
 - ~~[(+)]A~~ 40 hours per week for a full-time internship ~~[s and full time]~~ or post[-]doctoral position[s]; or
 - ~~[(+)]B~~ 20 hours ~~[of]~~ for a part-time internship ~~[s and part time]~~ or post[-]doctoral position[s]; and
 - ~~[(g)]c~~ ~~[be completed]~~ while the applicant is under ~~[supervision of]~~ a minimum of one hour of supervision for every 20 hours of pre[-]doctoral training and experience and one hour for every 40 hours of post[-]doctoral training and experience.
- (2) A supervised individual may not count toward the 4,000 hours of psychology doctoral clinical training under Subsection (1)(a) any hour completed under the supervision of an individual who is not an approved psychologist supervisor under Section R156-61-302d.
- ~~[(2)]3(a)~~ ~~[In accordance with]~~ Under Subsection 58-61-301(1)(b), an individual engaged in a post[-]doctoral residency program of supervised clinical training shall be certified as a psychology resident.
- (b) Under Subsection 58-1-307(1)(c) as referenced by Subsection 58-61-301(1)(b), and Subsection R156-61-102(9), an on-the-job training program is one that:
 - (i) includes only individuals who have completed all courses required for graduation in a doctoral degree that satisfies the licensure requirements under Title 58, Chapter 61, Psychologist Licensing Act and this rule;

- (ii) starts immediately upon completion of all courses required for graduation;
- (iii) ends no later than 60 days from the date it begins, or upon licensure, whichever is earlier;
- (iv) may not be extended or used a second time;
- (v) is completed while the individual is an employee of a public or private agency engaged in the practice of psychology; and
- (vi) is supervised by an individual who:
 - (A) is licensed under Title 58, Chapter 61, Psychologist Licensing Act; and
 - (B) conducts supervision at least weekly in circumstances where the supervisor and the supervised individual are physically present in the same room at the same time.

([3]4) An applicant [for licensure-]may accrue any portion of the 4,000 hours of psychology doctoral degree training and experience required in Subsection 58-61-304(1)([e]d) in a pre[-]doctoral program.

[—(4) An applicant who applies for licensure as a psychologist who completes the 4,000 hours of psychology doctoral degree training and experience required in Subsection 58-61-304(1)(e) in a pre-doctoral program or post-doctoral residency, and meets qualifications for licensure, may be approved to sit for the examinations, and upon passing the examinations will be issued a psychologist license.]

(5) An applicant for licensure as a psychologist who has [commenced]started and completed all or part of the psychology or mental health therapy training requirements under Subsection [R156-61-302b](1)(a) outside the state, may receive credit for that training [completed outside of the state]if [it is demonstrated by-]the applicant provides satisfactory evidence to the Division that the training is equivalent to the requirements for training under Subsections 58-61-304(1)([e]d) and ([f]e)[-] and Subsection [R156-61-302b](1).

(6)(a) Under Subsection 58-61-304(1)(e), an applicant training under remote direct supervision shall have a signed, written remote supervision agreement with the psychologist supervisor that meets the requirements of this subsection.

(b) A remote supervision agreement shall require the supervisor to conduct remote direct supervision only through real-time electronic methods that allow both visual and audio interaction between the supervisor and the supervised individual, and shall contain at least the following:

- (i) provisions establishing the frequency, duration, reason for, and objectives of electronic meetings;
- (ii) a plan to ensure the supervisor has access to the supervised individual despite the physical distance between their offices;
- (iii) a plan to address potential conflicts between clinical recommendations of the supervisor and the representatives of the agency employing the supervised individual;
- (iv) a plan to inform the supervised individual's employer and clients or patients about the supervised individual's use of remote supervision;
- (v) a plan to comply with the supervisor's duties and responsibilities under Section R156-61-302e; and
- (vi) a plan for the supervisor to physically visit the location where the supervised individual practices on at least a quarterly basis, or at a lesser frequency as approved by the Division in collaboration with the Board.

(c)(i) Before training under remote direct supervision, the supervised individual shall:

- (A) submit the remote supervision agreement to the Division to evaluate if the remote supervision agreement adequately protects the health, safety, and welfare of the public; and
- (B) receive written approval of the remote supervision agreement from the Division.
- (ii) A supervised individual may not count toward the real-time live direct supervision requirement under Subsection 58-61-304(1)(e) any hour of remote supervision completed before the Division grants written approval of the supervised individual's remote supervision agreement.

R156-61-302c. Qualifications for Licensure - Examination Requirements.

(1) The examination requirements [which shall be met by an applicant-]for licensure as a psychologist under Subsection 58-61-304(1)([g]f) are:

(a) [passing-]the two-part Examination for the Professional Practice of Psychology (EPPP) developed by the [American Association of State Psychology Board-]ASPPB, with a passing score as recommended by the ASPPB; and

(b) [passing-]the Utah Psychologist Law and Ethics Examination, with a passing score of [not less than]at least 75%.

(2) [A person]An applicant may be admitted to the EPPP and Utah Psychologist Law and Ethics examinations in Utah only after meeting the requirements [under]of Section 58-61-305[-, and after receiving written approval from the Division].

(3)(a) If an applicant is admitted to an EPPP examination based upon substantive information that is incorrect and furnished knowingly by the applicant, the applicant shall [automatically be given]receive a failing score and [shall not be permitted to]may not retake the examination until the applicant submits fees and a correct application demonstrating the applicant is qualified for the examination and [adequately] explains to the satisfaction of the Division why the applicant knowingly furnished incorrect information. [If an applicant is inappropriately admitted to an EPPP examination because of a Division or Board error and the applicant receives a passing score, the results of the examination may not be used for licensure until the deficiency which would have barred the applicant for admission to the examination is corrected.]

(b) If an applicant is incorrectly admitted to the EPPP because of a Division or Board error and the applicant receives a passing score, the applicant may use the passing score for licensure only after the applicant corrects the deficiency that should have barred the applicant from EPPP admission.

(4) An applicant who [fails]has failed the EPPP [examination-]three times [will only be allowed]may not receive subsequent admission to the [examination after]EPPP until the applicant has: [appeared before the Board, developed with the Board a plan of study in appropriate subject matter, and thereafter completed the planned course of study to the satisfaction of the Board-]

(a) submitted to the Board a written statement outlining the applicant's:

- (i) core barriers to successful completion of the EPPP;

~~(ii) plan for overcoming the core barriers, with goals in a specific, measurable, achievable, relevant, and time-bound (SMART) format; and~~

~~(iii) timeline for achieving the plan;~~

~~(b) appeared before the Board and developed with the Board a plan of study in appropriate subject matter; and~~

~~(c) completed the plan of study to the satisfaction of the Board.~~

~~(5) An applicant who is found to be cheating on the EPPP [examination] or the Utah Psychologist Law and Ethics Examination or in any way invalidating the integrity of the examination shall automatically be given a failing score and [shall not be permitted to] may not retake the examination for [a period of] at least three years or as determined by the Division in collaboration with the Board.~~

~~(6) [In accordance with Section 58-1-203 and Subsection 58-61-304(1)(g), an applicant for the EPPP or the Utah Psychologist Law and Ethics Examination shall pass the examinations within one year from the date of the psychologist application for licensure. If the applicant does not pass the examinations within one year, the pending psychologist application shall be denied. The applicant may continue to register to take the EPPP examination under the procedures outlined in Subsection R156-61-302e(4).~~

~~(7) In accordance with [Under Section 58-1-[203]302 and consistent with Subsection 58-61-304(2)(d), an applicant for psychologist licensure by endorsement that is not based upon licensure in another jurisdiction shall pass the Utah Psychologist Law and Ethics Examination [within six months from the date of the psychologist application for licensure. If the applicant does not pass the examination in six months, the pending psychologist application shall be denied].~~

R156-61-302d. Qualifications for Designation as an Approved [Psychology Training] Psychologist Supervisor.

~~[In accordance with] Under Subsection[s] 58-61-304(1)([e]d) [and] or ([f]e), to be approved by the Division in collaboration with the Board as a psychologist supervisor of psychology training or mental health therapy training, an individual shall:~~

- ~~(1) be currently licensed in good standing as a psychologist in the jurisdiction in which the supervised training is being performed; and~~
- ~~(2) have practiced as a licensed psychologist for [not fewer than] at least 4,000 hours in a period of not less than two years.~~

R156-61-302e. Duties and Responsibilities of a Psychologist Supervisor [~~of Psychology Training and Mental Health Therapist Training~~].

~~The duties and responsibilities of a psychologist supervisor under Subsection 58-61-304(1)(d) or (e) are further defined, clarified or established as follows. [-] The psychologist supervisor shall:~~

- ~~(1) be professionally responsible for the acts and practices of the [supervisee which] supervised individual that are a part of the required supervised training, including supervision of [all] the activities requiring a mental health therapy license;~~
- ~~(2) engage in a relationship with the [supervisee] supervised individual in which the supervisor is independent from control by the [supervisee] supervised individual, and in which the ability of the supervisor to supervise and direct the practice of the [supervisee] supervised individual is not compromised;~~
- ~~(3) supervise not more than three full-time equivalent [supervisees] supervised individuals, unless otherwise approved by the Division in collaboration with the Board;~~
- ~~(4) be available for advice, consultation, and direction consistent with the standards and ethics of the profession and the requirements suggested by the total circumstances, including the [supervisee's] supervised individual's level of training, ability to diagnose patients, and other factors determined by the supervisor;~~
- ~~(5) [comply] ensure compliance with the confidentiality requirements of Section 58-61-602;~~
- ~~(6) provide timely and periodic review of the client records assigned to the [supervisee] supervised individual;~~
- ~~(7) monitor the performance of the [supervisee] supervised individual for compliance with laws, standards, and ethics applicable to the practice of psychology;~~
- ~~(8) submit appropriate documentation to the Division with respect to work completed by the [supervisee] supervised individual, evidencing the performance of the [supervisee] supervised individual during the period of supervised psychology training and mental health therapist training, including the supervisor's evaluation of the [supervisee's] supervised individual's competence in the practice of psychology and mental health therapy;~~
- ~~(9) ensure that the [supervisee] supervised individual is certified by the Division as a psychology resident, or is enrolled in a psychology doctoral program and engaged in a training experience authorized by the educational program; and~~
- ~~(10) ensure the psychologist supervisor is legally able to personally provide the services [which] that the psychologist supervisor is supervising. [-] and~~
- ~~(11) ensure the psychologist supervisor meets all other requirements for supervision as described in this section.~~

R156-61-[302f]402. [Renewal Cycle - Procedures] Term, Expiration, Renewal, and Reinstatement of License.

~~(1) [In accordance with] Under Subsection 58-1-308(1) and Section 58-61-302, the renewal date for the two-year renewal cycle [applicable to] for licenses and certifications under Title 58, Chapter 61, Psychologist Licensing Act is established [by rule] in Section R156-1-308a.~~

~~(2) Renewal and reinstatement procedures shall be in accordance with Sections R156-1-308[e] a through R156-1-308l.~~

R156-61-302g. License Reinstatement - Requirements.

~~An applicant for reinstatement of a license after two years following expiration of that license shall:~~

~~(1) upon request meet with the Board for the purpose of evaluating the applicant's current ability to safely and competently engage in practice as a psychologist and to make a determination of education, experience or examination requirements which will be required before reinstatement;~~

~~_____ (2) upon the recommendation of the Board, establish a plan of supervision under an approved supervisor which may include up to 4,000 hours of psychology and/or mental health therapy training;~~

~~_____ (3) Under Subsection 58-1-308(5)(a)(ii)(B) and subject to Subsection 58-1-308(6)(b), an applicant whose license was active and in good standing at expiration may apply for reinstatement of licensure between two years and five years after the date of expiration, by completing the following practice reentry requirements:~~

~~_____ (a) upon request, meet with the Board for an evaluation of the applicant's current ability to safely and competently engage in practice and to determine what education, experience, or examination requirements the applicant shall complete before or after reinstatement;~~

~~_____ (b) if recommended by the Board, establish a plan of supervision under an approved psychologist supervisor, that may include up to 4,000 hours of psychology training or mental health therapy training, or both;~~

~~_____ ([3]c) if the Board determines it is necessary to demonstrate the applicant's ability to engage safely or competently in practice, take or retake[;] and pass the Utah Psycholog[y]ist Law and Ethics Examination[;], or the EPPP[-Examination], or both[-if it is determined by the Board it is necessary to demonstrate the applicant's ability to engage safely and competently in practice as a psychologist]; and~~

~~_____ ([4]d) complete [a minimum of]at least 48 hours of professional education in subjects determined necessary by the Board to ensure the applicant's ability to engage safely and competently in practice[- as a psychologist].~~

R156-61-~~302h~~403. Continuing Education.

~~(1) [There is hereby established a continuing education requirement for all]Under Section 58-61-306, continuing education (CE) requirements for renewal or reinstatement of individuals licensed or certified under Title 58, Chapter 61, Psychologist Licensing Act are established in this section.~~

~~(2) During each [two year period]two-year renewal cycle commencing on October 1 of each [even numbered]even-numbered year:~~

~~(a) a [licensed-]psychologist, including a certified prescribing psychologist or a certified provisional prescribing psychologist, shall [be required to-]complete [not less than]at least 48 hours of continuing education[- directly related to the licensee's professional practice];~~

~~(b) a certified psychology resident shall [be required to-]complete [not less than]at least 24 hours of continuing education[- directly related to professional practice-]; and~~

~~(c) a licensed school psychological practitioner shall complete at least 48 hours of continuing education.~~

~~(3)[-The required number of hours of continuing education for an individual who first becomes licensed during the two year period shall be decreased in a pro rata amount equal to any part of that two year period preceding the date on which that individual first became licensed](a) If an individual first becomes licensed during the two-year renewal cycle, the individual's required number of continuing education hours shall be increased or decreased proportionately according to the date of licensure.~~

~~(b) The Division may defer or waive continuing education requirements as provided in Section R156-1-308d.~~

~~(4) Continuing education under this section shall:~~

~~(a) have an identifiable clear statement of purpose and defined objective for the educational program that is directly related to the practice of a psychologist;~~

~~(b) be relevant to the licensee's professional practice;~~

~~(c) be presented in a competent, [well organized]well-organized, and sequential manner consistent with the stated purpose and objective of the program;~~

~~(d) be prepared and presented by individuals who are qualified by education, training, and experience; and~~

~~(e) have [associated with it a competent method of registration of individuals who actually completed the professional education program and]records of [that]registration and completion [are-]available for review.~~

~~(5) Credit for continuing education during each two-year renewal cycle shall be recognized [in accordance with the following]as follows:~~

~~(a) [U]nlimited hours[- shall be recognized] for continuing education completed in blocks of time of not less than one hour in formally established classroom courses, seminars, or conferences[-];~~

~~(b) [A maximum of-]ten hours [per two year period may be recognized-]for teaching in a college or university, teaching continuing education courses in the field of psychology, or [supervision of]supervising an individual completing the experience requirement for licensure as a psychologist[-];~~

~~(c) [A minimum of]at least six hours [per two year period shall be completed-]in [ethics/law]ethics and law[-];~~

~~(d) A maximum of six hours [per two year period may be recognized-]for clinical readings directly related to practice as a psychologist[-];~~

~~(e) A maximum of 18 hours [per two year period may be recognized-]for [I]nternet or distance learning courses that include[s] an examination[-] and a completion certificate, and are recognized by the [American Psychological Association]APA or a state or province psychological association[-]; and~~

~~(f) A maximum of six hours [per two year period may be recognized-]for regular peer consultation, review, [and]or meetings if the licensee has properly documented that the peer consultation, review, [and]or meetings meet the [following-]requirements[-:~~

~~_____ (i) have an identifiable clear statement of purpose and defined objective for the educational consultation/meeting directly related to the practice of a psychologist;~~

~~_____ (ii) are relevant to the licensee's professional practice;~~

~~_____ (iii) are presented in a competent, well organized manner consistent with the stated purpose and objective of the consultation/meeting;~~

~~_____ (iv) are prepared and presented by individuals who are qualified by education, training and experience; and~~

~~_____ (v) have associated with it a competent method of registration of individuals who attended] of Subsection (4).~~

~~(6) A licensee shall [be responsible for maintaining competent records of completed qualified professional education for a period of four years after the close of the two year period to which the records pertain. It is the responsibility of the licensee to maintain information with respect to qualified professional education to demonstrate it meets the requirements under this section]maintain documentation sufficient to prove compliance with this section, for a period of two years after the end of the renewal cycle for which the continuing education is due.~~

R156-61-502. Unprofessional Conduct.

"Unprofessional conduct" includes:

- (1) violation of any provision of the APA's ["Ethical Principles of Psychologists and Code of Conduct" of the American Psychological Association (APA) as adopted by the APA], January 1, 2017 edition, which is [adopted and] incorporated by reference;
- (2) violation of any provision of the ["ASPPB Code of Conduct" of the Association of State and Provincial Psychology Boards (ASPPB)] as adopted by the ASPPB, January 1, 2018 edition, which is [adopted and] incorporated by reference;
- (3) acting as a psychologist supervisor, or accepting supervision, [of a supervisor] without complying with or ensuring [the] compliance with the requirements of Sections R156-61-302d and R156-61-302e;
- (4) engaging in, [and] aiding, or abetting conduct or practices [which] that are dishonest, deceptive or fraudulent;
- (5) engaging in, [or] aiding, or abetting deceptive or fraudulent billing practices;
- (6) failing to establish and maintain appropriate professional boundaries with a client or former client;
- (7) engaging in dual or multiple relationships with a client or former client in which there is a risk of exploitation or potential harm to the client;
- (8) engaging in a sexual activit[ies]y or sexual contact with a client with or without client consent;
- (9) engaging in a sexual activit[ies]y or sexual contact with a former client within two years of documented termination of services;
- (10) engaging in sexual activit[ies]y or sexual contact at any time with a former client who is especially vulnerable or susceptible to being disadvantaged because of the client's personal history, current mental status, or any condition [which] that could reasonably be expected to place the client at a disadvantage recognizing the power imbalance [which] that exists or may exist between the psychologist and the client;
- (11) engaging in a sexual activit[ies]y or sexual contact with a client's relative[s] or other individual[s] with whom the client maintains a relationship, when that individual is especially vulnerable or susceptible to being disadvantaged because of [his] the individual's personal history, current mental status, or any condition [which] that could reasonably be expected to place that individual at a disadvantage recognizing the power imbalance [which] that exists or may exist between the psychologist and that individual;
- (12) physical contact with a client when there is a risk of exploitation or potential harm to the client resulting from the contact;
- (13) engaging in, [or] aiding, or abetting sexual harassment or any conduct [which] that is exploitive or abusive with respect to a student, trainee, employee, or colleague [with] over whom the licensee has supervisory or management responsibility;
- (14) failing to render impartial, objective, and informed services, recommendations or opinions with respect to custodial or parental rights, divorce, domestic relationships, adoptions, sanity, competency, mental health, or any other determination concerning an individual's civil or legal rights;
- (15) exploiting a client for personal gain;
- (16) using a professional client relationship to exploit a client or other person for personal gain;
- (17) failing to maintain appropriate client records for a period of [not less than] at least ten years from the documented termination of services to the client;
- (18) failing to obtain informed consent from the client or legal guardian before taping, recording, or permitting [third party] third-party observations of client care or records;
- (19) fail[ure]ing to cooperate with the Division during an investigation
- (20) participating in a residency program or other [post-degree] post-degree experience without being certified as a psychology resident for post[-]doctoral training and experience;
- (21) supervising a residency program of an individual who is not certified as a psychology resident; or
- (22) when providing services remotely, failing to:
 - (a) [failing to] practice according to professional standards of care in the delivery of services remotely;
 - (b) [failing to] protect the security of [electronic,] confidential data and information; or
 - (c) [failing to] appropriately store and dispose of [electronic,] confidential data and information[; or].

~~R156-61-601. Standards – Approved On the Job Training Program.~~

~~In accordance with Subsection R156-61-102(4), an on the job training program is one that:~~

- ~~(1) includes only individuals who have completed all courses required for graduation in a doctoral degree that satisfies the licensure requirements under Title 58, Chapter 61 and these rules;~~
- ~~(2) starts immediately upon completion of all courses required for graduation;~~
- ~~(3) ends no later than 45 days from the date it begins, or upon licensure, whichever is earlier;~~
- ~~(4) may not be extended or used a second time;~~
- ~~(5) is completed while the individual is an employee of a public or private agency engaged in the practice of psychology; and~~
- ~~(6) is supervised by an individual who:
 - ~~(a) is licensed under Title 58, Chapter 61; and~~
 - ~~(b) conducts supervision at least weekly on circumstances where supervisor and supervisee are physically present in the same room at the same time.]~~~~

KEY: licensing, psychologists

Date of Last Change: [May 1, 2023] 2025

Notice of Continuation: September 7, 2023

Authorizing, and Implemented or Interpreted Law: 58-1-106(1)(a); 58-1-202(1)(a); 58-61-101

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or Section Number:

R317-2

Filing ID: 57091

Agency Information

1. Title catchline:	Environmental Quality, Water Quality	
Building:	Multi-Agency State Office Building	
Street address:	195 N 1950 W, DEQ 3rd Floor	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 144870	
City, state and zip:	Salt Lake City, UT, 84114-4870	
Contact persons:		
Name:	Phone:	Email:
Jake Vander Laan	801-536-4350	jvander@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R317-2. Standards of Quality for Waters of the State
3. Purpose of the new rule or reason for the change:
This amendment updates Utah's water quality standards to include numeric criteria to enhance protections of water quality in Utah's waters, incorporating best available science and stakeholder feedback.
4. Summary of the new rule or change:
This amendment enacts three changes. It updates Utah's Colorado River Salinity Standards in Section R317-2-4 to reference a 2023 review; adds numeric criteria for methylmercury, including footnote E, to Utah's list of human health criteria in Section R317-2-14 Table 2.14.6; and adds numeric criteria for microcystins and cylindrospermopsin, including footnote (8), for the protection of recreational uses to Section R317-2-14 Table 2.14.1.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
No state agency is a constrained party under the rule changes in this amendment, so no direct or indirect costs or savings will be incurred to the state budget.
B) Local governments:
There are 68 municipalities that hold one or more discharge permits with the Division of Water Quality (DWQ) and are therefore constrained parties under this amendment. The Colorado River Salinity Standard update will not result in any changes to effluent limits for any discharge permits and therefore will not result in any direct or indirect costs or savings to local governments. No current dischargers discharge methylmercury or cyanotoxins, so new criteria for those parameters will not result in any direct costs or savings. Some dischargers could experience indirect cost increases where discharges of mercury or nutrients result in

exceedances of methylmercury or cyanotoxin criteria. However, these costs are inestimable because more stringent effluent limits would be waterbody and discharger specific and the discharges potentially subject to new effluent limits are unknown.

These costs are unlikely to be incurred within the next three fiscal years because substantial additional scientific information would be needed to determine appropriate effluent limits in these cases.

C) Small businesses ("small business" means a business employing 1-49 persons):

There are 15 small businesses that hold one or more surface water discharge permits with DWQ and are therefore constrained parties under this amendment.

The Colorado River Salinity Standard update will not result in any changes to effluent limits for any discharge permits and therefore will not result in any direct or indirect costs or savings to small businesses.

No current dischargers discharge methylmercury or cyanotoxins, so new criteria for those parameters will not result in any direct costs or savings. Some dischargers could experience indirect cost increases where discharges of mercury or nutrients result in exceedances of methylmercury or cyanotoxin criteria. However, these costs are inestimable because more stringent effluent limits would be waterbody and discharger specific and the discharges potentially subject to new effluent limits are unknown.

These costs are unlikely to be incurred within the next three fiscal years because substantial additional scientific information would be needed to determine appropriate effluent limits in these cases.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There are 31 non-small businesses that hold one or more surface water discharge permits with DWQ and are therefore constrained parties under this amendment.

The Colorado River Salinity Standard update will not result in any changes to effluent limits for any discharge permits and therefore will not result in any direct or indirect costs or savings to non-small businesses.

No current dischargers discharge methylmercury or cyanotoxins, so new criteria for those parameters will not result in any direct costs or savings. Some dischargers could experience indirect cost increases where discharges of mercury or nutrients result in exceedances of methylmercury or cyanotoxin criteria. However, these costs are inestimable because more stringent effluent limits would be waterbody and discharger specific and the discharges potentially subject to new effluent limits are unknown.

These costs are unlikely to be incurred within the next three fiscal years because substantial additional scientific information would be needed to determine appropriate effluent limits in these cases.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

There are 16 other private entities or persons that could not be classified as small or non-small businesses in Utah that hold one or more surface water discharge permits with DWQ and are therefore constrained parties under this amendment.

The Colorado River Salinity Standard update will not result in any changes to effluent limits for any discharge permits and therefore will not result in any direct or indirect costs or savings to persons other than small businesses, non-small businesses, state, or local government entities.

No current dischargers discharge methylmercury or cyanotoxins, so new criteria for those parameters will not result in any direct costs or savings. Some dischargers could experience indirect cost increases where discharges of mercury or nutrients result in exceedances of methylmercury or cyanotoxin criteria. However, these costs are inestimable because more stringent effluent limits would be waterbody and discharger specific and the discharges potentially subject to new effluent limits are unknown.

These costs are unlikely to be incurred within the next three fiscal years because substantial additional scientific information would be needed to determine appropriate effluent limits in these cases.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

Compliance costs for affected persons are inestimable because all costs for compliance will depend on site and facility specific factors such as facility or business type, existing treatment processes, and flow and water chemistry in receiving waters.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head comments on fiscal impact and approval of regulatory impact analysis:

The Executive Director of the Department of Environmental Quality, Tim Davis, has reviewed and approved this regulatory impact analysis.

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 19-5-104	Section 19-5-110	33 U.S.C. 1251, 1311-1317, 1329
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Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/03/2025

B) A public hearing (optional) will be held:

Date:	Time:	Place (physical address or URL):
06/02/2025	06:00 PM	MASOB Great Salt Lake West Room 3134 195 North 1950 West Salt Lake City, UT

9. This rule change MAY become effective on: 06/25/2025

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	John K. Mackey, Director Division of Water Quality	Date:	04/01/2025
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R317. Environmental Quality, Water Quality.

R317-2. Standards of Quality for Waters of the State.

R317-2-1A. Statement of Intent.

Whereas the pollution of the waters of this state constitute a menace to public health and welfare, creates public nuisances, is harmful to wildlife, fish and aquatic life, and impairs domestic, agricultural, industrial, recreational and other legitimate beneficial uses of water, and

whereas such pollution is contrary to the best interests of the state and its policy for the conservation of the water resources of the state, it is hereby declared to be the public policy of this state to conserve the waters of the state and to protect, maintain and improve the quality thereof for public water supplies, for the propagation of wildlife, fish and aquatic life, and for domestic, agricultural, industrial, recreational and other legitimate beneficial uses; to provide that no waste be discharged into any waters of the state without first being given the degree of treatment necessary to protect the legitimate beneficial uses of such waters; to provide for the prevention, abatement and control of new or existing water pollution; to place first in priority those control measures directed toward elimination of pollution which creates hazards to the public health; to insure due consideration of financial problems imposed on water polluters through pursuit of these objectives; and to cooperate with other agencies of the state, agencies of other states and the federal government in carrying out these objectives.

R317-2-1B. Authority.

These standards are promulgated pursuant to Sections 19-5-104 and 19-5-110.

R317-2-1C. Triennial Review.

The water quality standards shall be reviewed and updated, if necessary, at least once every three years. The Director will seek input through a cooperative process from stakeholders representing state and federal agencies, various interest groups, and the public to develop a preliminary draft of changes. Proposed changes will be presented to the Water Quality Board for information. Informal public meetings may be held to present preliminary proposed changes to the public for comments and suggestions. Final proposed changes will be presented to the Water Quality Board for approval and authorization to initiate formal rulemaking. Public hearings will be held to solicit formal comments from the public. The Director will incorporate appropriate changes and return to the Water Quality Board to petition for formal adoption of the proposed changes following the requirements of the Utah Rulemaking Act, Title 63G, Chapter 3.

R317-2-2. Scope.

These standards shall apply to all waters of the state and shall be assigned to specific waters through the classification procedures prescribed by Sections 19-5-104(5) and 19-5-110 and R317-2-6.

R317-2-3. Antidegradation Policy.

3.1 Maintenance of Water Quality

Waters whose existing quality is better than the established standards for the designated uses will be maintained at high quality unless it is determined by the Director, after appropriate intergovernmental coordination and public participation in concert with the Utah continuing planning process, allowing lower water quality is necessary to accommodate important economic or social development in the area in which the waters are located. However, existing instream water uses shall be maintained and protected. No water quality degradation is allowable which would interfere with or become injurious to existing instream water uses.

In those cases where potential water quality impairment associated with a thermal discharge is involved, the antidegradation policy and implementing method shall be consistent with Section 316 of the Federal Clean Water Act.

3.2 Category 1 Waters

Waters which have been determined by the Board to be of exceptional recreational or ecological significance or have been determined to be a State or National resource requiring protection, shall be maintained at existing high quality through designation, by the Board after public hearing, as Category 1 Waters. New point source discharges of wastewater, treated or otherwise, are prohibited in such segments after the effective date of designation. Protection of such segments from pathogens in diffuse, underground sources is covered in R317-5 and R317-7 and the rules for Individual Wastewater Disposal Systems (R317-501 through R317-515). Other diffuse sources (nonpoint sources) of wastes shall be controlled to the extent feasible through implementation of best management practices or regulatory programs.

Discharges may be allowed where pollution will be temporary and limited after consideration of the factors in R317-2-3.5.b.4., and where best management practices will be employed to minimize pollution effects.

Waters of the state designated as Category 1 Waters are listed in R317-2-12.1.

3.3 Category 2 Waters

Category 2 Waters are designated surface water segments which are treated as Category 1 Waters except that a point source discharge may be permitted provided that the discharge does not degrade existing water quality. Discharges may be allowed where pollution will be temporary and limited after consideration of the factors in R317-2-3.5.b.4., and where best management practices will be employed to minimize pollution effects. Waters of the state designated as Category 2 Waters are listed in R317-2-12.2.

3.4 Category 3 Waters

For all other waters of the state, point source discharges are allowed and degradation may occur, pursuant to the conditions and review procedures outlined in Section 3.5.

3.5 Antidegradation Review (ADR)

An antidegradation review will determine whether the proposed activity complies with the applicable antidegradation requirements for receiving waters that may be affected.

An antidegradation review (ADR) may consist of two parts or levels. A Level I review is conducted to insure that existing uses will be maintained and protected.

Both Level I and Level II reviews will be conducted on a parameter-by-parameter basis. A decision to move to a Level II review for one parameter does not require a Level II review for other parameters. Discussion of parameters of concern is those expected to be affected by the proposed activity.

Antidegradation reviews shall include opportunities for public participation, as described in Section 3.5e.

a. Activities Subject to Antidegradation Review (ADR)

1. For all State waters, antidegradation reviews will be conducted for proposed federally regulated activities, such as those under Clean Water Act Sections 401 (FERC and other Federal actions), 402 (UPDES permits), and 404 (Army Corps of Engineers permits). The Director may conduct an ADR on any projects with the potential for major impact on the quality of waters of the state. The review will determine whether the proposed activity complies with the applicable antidegradation requirements for the particular receiving waters that may be affected.

2. For Category 1 Waters and Category 2 Waters, reviews shall be consistent with the requirement established in Sections 3.2 and 3.3, respectively.

3. For Category 3 Waters, reviews shall be consistent with the requirements established in this section

b. An Anti-degradation Level II review is not required where any of the following conditions apply:

1. Water quality will not be lowered by the proposed activity or for existing permitted facilities, water quality will not be further lowered by the proposed activity, examples include situations where:

(a) the proposed concentration-based effluent limit is less than or equal to the ambient concentration in the receiving water during critical conditions; or

(b) a UPDES permit is being renewed and the proposed effluent concentration and loading limits are equal to or less than the concentration and loading limits in the previous permit; or

(c) a UPDES permit is being renewed and new effluent limits are to be added to the permit, but the new effluent limits are based on maintaining or improving upon effluent concentrations and loads that have been observed, including variability; or

2. Assimilative capacity (based upon concentration) is not available or has previously been allocated, as indicated by water quality monitoring or modeling information. This includes situations where:

(a) the water body is included on the current 303(d) list for the parameter of concern; or

(b) existing water quality for the parameter of concern does not satisfy applicable numeric or narrative water quality criteria; or

(c) discharge limits are established in an approved TMDL that is consistent with the current water quality standards for the receiving water (i.e., where TMDLs are established, and changes in effluent limits that are consistent with the existing load allocation would not trigger an antidegradation review).

Under conditions (a) or (b) the effluent limit in an UPDES permit may be equal to the water quality numeric criterion for the parameter of concern.

3. Water quality impacts will be temporary and related only to sediment or turbidity and fish spawning will not be impaired,

4. The water quality effects of the proposed activity are expected to be temporary and limited. As general guidance, CWA Section 402 general discharge permits, CWA Section 404 general permits, or activities of short duration, will be deemed to have a temporary and limited effect on water quality where there is a reasonable factual basis to support such a conclusion. Factors to be considered in determining whether water quality effects will be temporary and limited may include the following:

(a) Length of time during which water quality will be lowered.

(b) Percent change in ambient concentrations of pollutants of concern

(c) Pollutants affected

(d) Likelihood for long-term water quality benefits to the segment (e.g., dredging of contaminated sediments)

(e) Potential for any residual long-term influences on existing uses.

(f) Impairment of the fish spawning, survival and development of aquatic fauna excluding fish removal efforts.

c. Anti-degradation Review Process

For all activities requiring a Level II review, the Division will notify affected agencies and the public with regards to the requested proposed activity and discussions with stakeholders may be held. In the case of Section 402 discharge permits, if it is determined that a discharge will be allowed, the Director will develop any needed UPDES permits for public notice following the normal permit issuance process.

The ADR will cover the following requirements or determinations:

1. Will all Statutory and regulatory requirements be met?

The Director will review to determine that there will be achieved all statutory and regulatory requirements for all new and existing point sources and all required cost-effective and reasonable best management practices for nonpoint source control in the area of the discharge. If point sources exist in the area that have not achieved all statutory and regulatory requirements, the Director will consider whether schedules of compliance or other plans have been established when evaluating whether compliance has been assured. Generally, the "area of the discharge" will be determined based on the parameters of concern associated with the proposed activity and the portion of the receiving water that would be affected.

2. Are there any reasonable less-degrading alternatives?

There will be an evaluation of whether there are any reasonable non-degrading or less degrading alternatives for the proposed activity. This question will be addressed by the Division based on information provided by the project proponent. Control alternatives for a proposed activity will be evaluated in an effort to avoid or minimize degradation of the receiving water. Alternatives to be considered, evaluated, and implemented to the extent feasible, could include pollutant trading, water conservation, water recycling and reuse, land application, total containment, etc.

For proposed UPDES permitted discharges, the following list of alternatives should be considered, evaluated and implemented to the extent feasible:

(a) innovative or alternative treatment options

(b) more effective treatment options or higher treatment levels

(c) connection to other wastewater treatment facilities

(d) process changes or product or raw material substitution

(e) seasonal or controlled discharge options to minimize discharging during critical water quality periods

- (f) pollutant trading
- (g) water conservation
- (h) water recycle and reuse
- (i) alternative discharge locations or alternative receiving waters
- (j) land application
- (k) total containment
- (l) improved operation and maintenance of existing treatment systems
- (m) other appropriate alternatives

An option more costly than the cheapest alternative may have to be implemented if a substantial benefit to the stream can be realized. Alternatives would generally be considered feasible where costs are no more than 20% higher than the cost of the discharging alternative, and (for POTWs) where the projected per connection service fees are not greater than 1.4% of MAGHI (median adjusted gross household income), the current affordability criterion now being used by the Water Quality Board in the wastewater revolving loan program. Alternatives within these cost ranges should be carefully considered by the discharger. Where State financing is appropriate, a financial assistance package may be influenced by this evaluation, i.e., a less polluting alternative may receive a more favorable funding arrangement in order to make it a more financially attractive alternative.

It must also be recognized in relationship to evaluating options that would avoid or reduce discharges to the stream, that in some situations it may be more beneficial to leave the water in the stream for instream flow purposes than to remove the discharge to the stream.

3. Does the proposed activity have economic and social importance?

Although it is recognized that any activity resulting in a discharge to surface waters will have positive and negative aspects, information must be submitted by the applicant that any discharge or increased discharge will be of economic or social importance in the area.

The factors addressed in such a demonstration may include, but are not limited to, the following:

- (a) employment (i.e., increasing, maintaining, or avoiding a reduction in employment);
- (b) increased production;
- (c) improved community tax base;
- (d) housing;
- (e) correction of an environmental or public health problem; and
- (f) other information that may be necessary to determine the social and economic importance of the proposed surface water discharge.

4. The applicant may submit a proposal to mitigate any adverse environmental effects of the proposed activity (e.g., instream habitat improvement, bank stabilization). Such mitigation plans should describe the proposed mitigation measures and the costs of such mitigation. Mitigation plans will not have any effect on effluent limits or conditions included in a permit (except possibly where a previously completed mitigation project has resulted in an improvement in background water quality that affects a water quality-based limit). Such mitigation plans will be developed and implemented by the applicant as a means to further minimize the environmental effects of the proposed activity and to increase its socio-economic importance. An effective mitigation plan may, in some cases, allow the Director to authorize proposed activities that would otherwise not be authorized.

5. Will water quality standards be violated by the discharge?

Proposed activities that will affect the quality of waters of the state will be allowed only where the proposed activity will not violate water quality standards.

6. Will existing uses be maintained and protected?

Proposed activities can only be allowed if "existing uses" will be maintained and protected. No UPDES permit will be allowed which will permit numeric water quality standards to be exceeded in a receiving water outside the mixing zone. In the case of nonpoint pollution sources, the non-regulatory Section 319 program now in place will address these sources through application of best management practices to ensure that numeric water quality standards are not exceeded.

7. If a situation is found where there is an existing use which is a higher use (i.e., more stringent protection requirements) than that current designated use, the Director will apply the water quality standards and anti-degradation policy to protect the existing use. Narrative criteria may be used as a basis to protect existing uses for parameters where numeric criteria have not been adopted. Procedures to change the stream use designation to recognize the existing use as the designated use would be initiated.

d. Special Procedures for Drinking Water Sources

Depending upon the locations of the discharge and its proximity to downstream drinking water diversions, additional treatment or more stringent effluent limits or additional monitoring, beyond that which may otherwise be required to meet minimum technology standards or in stream water quality standards, may be required by the Director in order to adequately protect public health and the environment. Such additional treatment may include additional disinfection, suspended solids removal to make the disinfection process more effective, removal of any specific contaminants for which drinking water maximum contaminant levels (MCLs) exists, and/or nutrient removal to reduce the organic content of raw water used as a source for domestic water systems.

Additional monitoring may include analyses for viruses, Giardia, Cryptosporidium, other pathogenic organisms, and/or any contaminant for which drinking water MCLs exist. Depending on the results of such monitoring, more stringent treatment may then be required.

The additional treatment/effluent limits/monitoring which may be required will be determined by the Director after consultation with the Division of Drinking Water and the downstream drinking water users.

e. Public Notice

The public will be provided notice and an opportunity to comment on the conclusions of all completed antidegradation reviews. When possible, public notice on the antidegradation review conclusions will be combined with the public notice on the proposed permitting or certifying action. In the case of UPDES permits, public notice will be provided through the normal permitting process, as all draft permits are public noticed for 30 days, and public comment solicited, before being issued as a final permit. The Statement of Basis for the draft UPDES

permit will contain information on how the ADR was addressed including results of the Level I and Level II reviews. In the case of Section 404 permits from the Corps of Engineers, the Division of Water Quality will develop any needed 401 Certifications and the public notice may be published in conjunction with the US Corps of Engineers public notice procedures. Other permits requiring a Level II review will receive a separate public notice according to the normal State public notice procedures. The public will be provided notice and an opportunity to comment whenever substantive changes are made to the implementation procedures referenced in Subsection R317-2-3.5.f.

f. Implementation Procedures

The Director shall establish reasonable protocols and guidelines (1) for completing technical, social, and economic need demonstrations, (2) for review and determination of adequacy of Level II ADRs and (3) for determination of additional treatment requirements. Protocols and guidelines will consider federal guidance and will include input from local governments, the regulated community, and the general public. The Director will inform the Water Quality Board of any protocols or guidelines that are developed.

R317-2-4. Colorado River Salinity Standards.

In addition to quality protection afforded by these rules to waters of the Colorado River and its tributaries, such waters shall be protected also by requirements of "Proposed Water Quality Standards for Salinity including Numeric Criteria and Plan of Implementation for Salinity Control, Colorado River System, June 1975" and a supplement dated August 26, 1975, entitled "Supplement, including Modifications to Proposed Water Quality Standards for Salinity including Numeric Criteria and Plan of Implementation for Salinity Control, Colorado River System, June 1975", as approved by the seven Colorado River Basin States and the U.S. Environmental Protection Agency, as updated by the 1978 Revision and the 1981, 1984, 1987, 1990, 1993, 1996, 1999, 2002, 2005, 2008, 2011, 2014, 2017,~~and~~ 2020, and 2023 reviews of the above documents.

R317-2-5. Mixing Zones.

A mixing zone is a limited portion of a body of water, contiguous to a discharge, where dilution is in progress but has not yet resulted in concentrations which will meet certain standards for all pollutants. At no time, however, shall concentrations within the mixing zone be allowed which are acutely lethal as determined by bioassay or other approved procedure. Mixing zones may be delineated for the purpose of guiding sample collection procedures and to determine permitted effluent limits. The size of the chronic mixing zone in rivers and streams shall not exceed 2500 feet and the size of an acute mixing zone shall not exceed 50% of stream width nor have a residency time of greater than 15 minutes. Streams with a flow equal to or less than twice the flow of a point source discharge may be considered to be totally mixed. The size of the chronic mixing zone in lakes and reservoirs shall not exceed 200 feet and the size of an acute mixing zone shall not exceed 35 feet. Domestic wastewater effluents discharged to mixing zones shall meet effluent requirements specified in R317-1-3.

5.1 Individual Mixing Zones. Individual mixing zones may be further limited or disallowed in consideration of the following factors in the area affected by the discharge:

- a. Bioaccumulation in fish tissues or wildlife,
- b. Biologically important areas such as fish spawning/nursery areas or segments with occurrences of federally listed threatened or endangered species,
- c. Potential human exposure to pollutants resulting from drinking water or recreational activities,
- d. Attraction of aquatic life to the effluent plume, where toxicity to the aquatic life is occurring.
- e. Toxicity of the substance discharged,
- f. Zone of passage for migrating fish or other species (including access to tributaries), or
- g. Accumulative effects of multiple discharges and mixing zones.

R317-2-6. Use Designations.

The Board as required by Section 19-5-110, shall group the waters of the state into classes so as to protect against controllable pollution the beneficial uses designated within each class as set forth below. Surface waters of the state are hereby classified as shown in R317-2-13.

6.1 Class 1 -- Protected for use as a raw water source for domestic water systems.

a. Class 1A -- Reserved.

b. Class 1B -- Reserved.

c. Class 1C -- Protected for domestic purposes with prior treatment by treatment processes as required by the Utah Division of Drinking Water

6.2 Class 2 -- Protected for recreational use and aesthetics.

a. Class 2A -- Protected for frequent primary contact recreation where there is a high likelihood of ingestion of water or a high degree of bodily contact with the water. Examples include, but are not limited to, swimming, rafting, kayaking, diving, and water skiing.

b. Class 2B -- Protected for infrequent primary contact recreation. Also protected for secondary contact recreation where there is a low likelihood of ingestion of water or a low degree of bodily contact with the water. Examples include, but are not limited to, wading, hunting, and fishing.

6.3 Class 3 -- Protected for use by aquatic wildlife.

a. Class 3A -- Protected for cold water species of game fish and other cold water aquatic life, including the necessary aquatic organisms in their food chain.

b. Class 3B -- Protected for warm water species of game fish and other warm water aquatic life, including the necessary aquatic organisms in their food chain.

c. Class 3C -- Protected for nongame fish and other aquatic life, including the necessary aquatic organisms in their food chain.

d. Class 3D -- Protected for waterfowl, shore birds and other water-oriented wildlife not included in Classes 3A, 3B, or 3C, including the necessary aquatic organisms in their food chain.

e. Class 3E -- Severely habitat-limited waters. Narrative standards will be applied to protect these waters for aquatic wildlife.

6.4 Class 4 -- Protected for agricultural uses including irrigation of crops and stock watering.

6.5 Class 5 -- The Great Salt Lake.

a. Class 5A Gilbert Bay

Geographical Boundary -- All open waters at or below approximately 4,208-foot elevation south of the Union Pacific Causeway, excluding all of the Farmington Bay south of the Antelope Island Causeway and salt evaporation ponds.

Beneficial Uses -- Protected for frequent primary and secondary contact recreation, waterfowl, shore birds and other water-oriented wildlife including their necessary food chain.

b. Class 5B Gunnison Bay

Geographical Boundary -- All open waters at or below approximately 4,208-foot elevation north of the Union Pacific Causeway and west of the Promontory Mountains, excluding salt evaporation ponds.

Beneficial Uses -- Protected for infrequent primary and secondary contact recreation, waterfowl, shore birds and other water-oriented wildlife including their necessary food chain.

c. Class 5C Bear River Bay

Geographical Boundary -- All open waters at or below approximately 4,208-foot elevation north of the Union Pacific Causeway and east of the Promontory Mountains, excluding salt evaporation ponds.

Beneficial Uses -- Protected for infrequent primary and secondary contact recreation, waterfowl, shore birds and other water-oriented wildlife including their necessary food chain.

d. Class 5D Farmington Bay

Geographical Boundary -- All open waters at or below approximately 4,208-foot elevation east of Antelope Island and south of the Antelope Island Causeway, excluding salt evaporation ponds.

Beneficial Uses -- Protected for infrequent primary and secondary contact recreation, waterfowl, shore birds and other water-oriented wildlife including their necessary food chain.

e. Class 5E Transitional Waters along the Shoreline of the Great Salt Lake Geographical Boundary -- All waters below approximately 4,208-foot elevation to the current lake elevation of the open water of the Great Salt Lake receiving their source water from naturally occurring springs and streams, impounded wetlands, or facilities requiring a UPDES permit. The geographical areas of these transitional waters change corresponding to the fluctuation of open water elevation.

Beneficial Uses -- Protected for infrequent primary and secondary contact recreation, waterfowl, shore birds and other water-oriented wildlife including their necessary food chain.

R317-2-7. Water Quality Standards.

7.1 Application of Standards

a. The numeric criteria listed in Section R317-2-14 shall apply to each of the classes assigned to waters of the state as specified in Section R317-2-6. It shall be unlawful and a violation of this rule for any person to discharge or place any wastes or other substances in such manner as may interfere with designated uses protected by assigned classes or to cause any of the applicable standards to be violated, except as provided in Subsection R317-1-3.1 or as authorized by schedules of compliance. The Director has authority to issue schedules of compliance for dischargers to meet UPDES water quality-based effluent limits.

b. At a minimum, assessment of the beneficial use support for waters of the state will be conducted biennially and available for a 30-day period of public comment and review. Monitoring locations and target indicators of water quality standards shall be prioritized and published yearly. For water quality assessment purposes, up to 10% of the representative samples may exceed the minimum or maximum criteria for dissolved oxygen, pH, E. coli, total dissolved solids, and temperature, including situations where such criteria have been adopted on a site-specific basis.

c. Site-specific standards may be adopted by rulemaking where biomonitoring data, bioassays, or other scientific analyses indicate that the statewide criterion is over or under protective of the designated uses or where natural or un-alterable conditions or other factors as defined in 40 CFR 131.10(g) prevent the attainment of the statewide criteria as prescribed in Subsections R317-2-7.2, and R317-2-7.3, and Section R317-2-14.

7.2 Narrative Standards

It shall be unlawful, and a violation of this rule, for any person to discharge or place any waste or other substance in such a way as will be or may become offensive such as unnatural deposits, floating debris, oil, scum or other nuisances such as color, odor or taste; or cause conditions which produce undesirable aquatic life or which produce objectionable tastes in edible aquatic organisms; or result in concentrations or combinations of substances which produce undesirable physiological responses in desirable resident fish, or other desirable aquatic life, or undesirable human health effects, as determined by bioassay or other tests performed in accordance with standard procedures; or determined by biological assessments in Subsection R317-2-7.3.

7.3 Biological Water Quality Assessment and Criteria

Waters of the state shall be free from human-induced stressors which will degrade the beneficial uses as prescribed by the biological assessment processes and biological criteria set forth in Subsections (7.3)(a) through (d).

a. Quantitative biological assessments may be used to assess whether the purposes and designated uses identified in Section R317-2-6 are supported.

b. The results of the quantitative biological assessments may be used for purposes of water quality assessment, including those assessments required by Sections 303(d) and 305(b) of the federal Clean Water Act (33 U.S.C. 1313(d) and 1315(b)).

c. Quantitative biological assessments shall use documented methods that have been subject to technical review and produce consistent, objective and repeatable results that account for methodological uncertainty and natural environmental variability.

d. If biological assessments reveal a biologically degraded water body, specific pollutants responsible for the degradation will not be formally published in a Biennial Integrated Report or TMDL until a thorough evaluation of potential causes, including nonchemical stressors such as habitat degradation, hydrological modification, or criteria described in 40 CFR 131.10 (g)(1 - 6) as defined by the Use Attainability Analysis process, has been conducted.

R317-2-8. Protection of Downstream Uses.

All actions to control waste discharges under these rules shall be modified as necessary to protect downstream designated uses.

R317-2-9. Intermittent Waters.

Failure of a stream to meet water quality standards when stream flow is either unusually high or less than the 7-day, 10-year minimum flow shall not be cause for action against persons discharging wastes which meet both the requirements of R317-1 and the requirements of applicable permits.

R317-2-10. Laboratory and Field Analyses.

10.1 Laboratory Analyses

All laboratory examinations of samples collected to determine compliance with these regulations shall be performed in accordance with standard procedures as approved by the Director by the Utah Office of State Health Laboratory, or by a laboratory certified by the Utah Department of Health.

10.2 Field Analyses

All field analyses to determine compliance with these rules shall be conducted in accordance with standard procedures specified by the Utah Division of Water Quality or with methods approved by the Director.

R317-2-11. Public Participation.

Public notices and public hearings will be held for the consideration, adoption, or amendment of the classifications of waters and standards of purity and quality. Public notices shall be published at least twice in a newspaper of general circulation in the area affected at least 30 days prior to any public hearing. The notice will be posted on a State public notice website at least 45 days before any hearing and a notice will be mailed at least 30 days before any hearing to the chief executive of each political subdivision and other potentially affected persons.

R317-2-12. Category 1 and Category 2 Waters.

12.1 Category 1 Waters.

In addition to assigned use classes, the following surface waters of the State are hereby designated as Category 1 Waters:

a. All surface waters geographically located within the outer boundaries of U.S. National Forests whether on public or private lands with the following exceptions:

1. Category 2 Waters as listed in R317-2-12.2.

2. Weber River, a tributary to the Great Salt Lake, in the Weber River Drainage from Uintah to Mountain Green.

b. Other surface waters, which may include segments within U.S. National Forests as follows:

1. Colorado River Drainage

Calf Creek and tributaries, from confluence with Escalante River to headwaters.

Sand Creek and tributaries, from confluence with Escalante River to headwaters.

Mamie Creek and tributaries, from confluence with Escalante River to headwaters.

Deer Creek and tributaries, from confluence with Boulder Creek to headwaters (Garfield County).

Indian Creek and tributaries, through Newspaper Rock State Park to headwaters.

2. Green River Drainage

Price River (Lower Fish Creek from confluence with White River to Scofield Dam.

Range Creek and tributaries, from confluence with Green River to headwaters.

Strawberry River and tributaries, from confluence with Red Creek to headwaters.

Ashley Creek and tributaries, from Steinaker diversion to headwaters.

Jones Hole Creek and tributaries, from confluence with Green River to headwaters.

Green River, from state line to Flaming Gorge Dam.

Tollivers Creek, from confluence with Green River to headwaters.

Allen Creek, from confluence with Green River to headwaters.

3. Virgin River Drainage

North Fork Virgin River and tributaries, from confluence with East Fork Virgin River to headwaters.

East Fork Virgin River and tributaries from confluence with North Fork Virgin River to headwaters.

4. Kanab Creek Drainage

Kanab Creek and tributaries, from irrigation diversion at confluence with Reservoir Canyon to headwaters.

5. Bear River Drainage

Swan Creek and tributaries, from Bear Lake to headwaters.

North Eden Creek, from Upper North Eden Reservoir to headwaters.

Big Creek and tributaries, from Big Ditch diversion to headwaters.

Woodruff Creek and tributaries, from Woodruff diversion to headwaters.

6. Weber River Drainage

Burch Creek and tributaries, from Harrison Boulevard in Ogden to headwaters.
Hardscrabble Creek and tributaries, from confluence with East Canyon Creek to headwaters.
Chalk Creek and tributaries, from Main Street in Coalville to headwaters.
Weber River and tributaries, from Utah State Route 32 near Oakley to headwaters.

7. Jordan River Drainage

City Creek and tributaries, from City Creek Water Treatment Plant to headwaters (Salt Lake County).
Emigration Creek and tributaries, from Hogle Zoo to headwaters (Salt Lake County).
Red Butte Creek and tributaries, from Foothill Boulevard in Salt Lake City to headwaters.
Parley's Creek and tributaries, from 13th East in Salt Lake City to headwaters.
Mill Creek and tributaries, from Wasatch Boulevard in Salt Lake City to headwaters.
Big Cottonwood Creek and tributaries, from Wasatch Boulevard in Salt Lake City to headwaters.
Little Willow Creek and tributaries, from diversion to headwaters (Salt Lake County).
Bell Canyon Creek and tributaries, from Lower Bells Canyon Reservoir to headwaters (Salt Lake County).
South Fork of Dry Creek and tributaries, from Draper Irrigation Company diversion to headwaters (Salt Lake County).

8. Provo River Drainage

Upper Falls drainage above Provo City diversion (Utah County).
Bridal Veil Falls drainage above Provo City diversion (Utah County).
Lost Creek and tributaries, above Provo City diversion (Utah County).

9. Sevier River Drainage

Chicken Creek and tributaries, from diversion at canyon mouth to headwaters.
Pigeon Creek and tributaries, from diversion to headwaters.
East Fork of Sevier River and tributaries, from Kingston diversion to headwaters.
Parowan Creek and tributaries, from Parowan City to headwaters.
Summit Creek and tributaries, from Summit City to headwaters.
Braffits Creek and tributaries, from canyon mouth to headwaters.
Right Hand Creek and tributaries, from confluence with Coal Creek to headwaters.

10. Raft River Drainage

Clear Creek and tributaries, from state line to headwaters (Box Elder County).
Birch Creek (Box Elder County), from state line to headwaters.
Cotton Thomas Creek from confluence with South Junction Creek to headwaters.

11. Western Great Salt Lake Drainage

All streams on the south slope of the Raft River Mountains above 7000' mean sea level.
Donner Creek (Box Elder County), from irrigation diversion to Utah-Nevada state line.
Bettridge Creek (Box Elder County), from irrigation diversion to Utah-Nevada state line.
Clover Creek, from diversion to headwaters.
All surface waters on public land on the Deep Creek Mountains.

12. Farmington Bay Drainage

Holmes Creek and tributaries, from Highway US-89 to headwaters (Davis County).
Shepard Creek and tributaries, from Haight Bench diversion to headwaters (Davis County).
Farmington Creek and tributaries, from Haight Bench Canal diversion to headwaters (Davis County).
Steed Creek and tributaries, from Highway US-89 to headwaters (Davis County).

12.2 Category 2 Waters.

In addition to assigned use classes, the following surface waters of the State are hereby designated as Category 2 Waters:

a. Green River Drainage

Deer Creek, a tributary of Huntington Creek, from the forest boundary to 4800 feet upstream.
Electric Lake.

R317-2-13. Classification of Waters of the State (see R317-2-6).

13.1 Upper Colorado River Basin

a. Colorado River Drainage

TABLE

Paria River and tributaries, from state line to headwaters	2B	3C	4
All tributaries to Lake Powell except as listed below:	2B	3B	4
Tributaries to Escalante River from confluence with Boulder Creek to headwaters, including Boulder Creek	2B	3A	4

Dirty Devil River and tributaries, from Lake Powell to Fremont River	2B	3C	4	
Deer Creek and tributaries, from confluence with Boulder Creek to headwaters	2B 3A		4	
Fremont River and tributaries from confluence with Muddy Creek to Capitol Reef National Park, except as listed below:	1C	2B	3C	4
Pleasant Creek and tributaries, from confluence with Fremont River to East boundary of Capitol Reef National Park	2B	3C	4	
Pleasant Creek and tributaries, from East boundary of Capitol Reef National Park to headwaters	1C	2B 3A		
Fremont River and tributaries, through Capitol Reef National Park to headwaters	1C 2A	3A	4	
Muddy Creek and tributaries, from Confluence with Fremont River to Highway U-10 crossing, except as listed below	2B	3C	4	
Muddy Creek from confluence with Fremont River to confluence with Ivie Creek	2B	3C	4*	
Muddy Creek and tributaries from the confluence with Ivie Creek to U-10	2B	3C	4*	
Ivie Creek and its tributaries from the confluence with Muddy Creek to the confluence with Quitcupah Creek	2B	3C	4*	
Ivie Creek and its tributaries from the confluence with Quitcupah Creek to U-10, except as listed below:	2B	3C	4*	
Quitcupah Creek from the confluence with Ivie Creek to U-10	2B	3C	4*	
Quitcupah Creek and tributaries, from Highway U-10 crossing to headwaters	2B 3A		4	
Ivie Creek and tributaries, from Highway U-10 to headwaters	2B 3A		4	
Muddy Creek and tributaries, from Highway U-10 crossing to headwaters	1C	2B 3A	4	
San Juan River and tributaries from Lake Powell to state line except as listed below:	1C 2A	3B	4	
Johnson Creek and tributaries, from confluence with Recapture Creek to headwaters	1C	2B 3A	4	
Verdure Creek and tributaries, from Highway US-191 crossing to headwaters	2B 3A		4	
North Creek and tributaries, from confluence with Montezuma Creek to headwaters	1C	2B 3A	4	

South Creek and tributaries, from confluence with Montezuma Creek to headwaters	1C	2B 3A	4
Spring Creek and tributaries, from confluence with Vega Creek to headwaters		2B 3A	4
Montezuma Creek and tributaries, from U.S. Highway 191 to headwaters	1C	2B 3A	4
Colorado River and tributaries, from Lake Powell to state line except as listed below:	1C 2A	3B	4
Indian Creek and tributaries, through Newspaper Rock State Park to headwaters	1C	2B 3A	4
Kane Canyon Creek and tributaries, from confluence with Colorado River to headwaters		2B 3C	4
Mill Creek and tributaries, from confluence with Colorado River to headwaters	1C 2A	3A	4
Castle Creek from confluence with the Colorado River to Seventh Day Adventist Diversion	1C 2A	3B	4*
Onion Creek from the confluence with Colorado River to road crossing above Stinking Springs	1C 2A	3B	4*
Dolores River and tributaries, from confluence with Colorado River to state line		2B 3C	4
Roc Creek and tributaries, from confluence with Dolores River to headwaters		2B 3A	4
LaSal Creek and tributaries from state line to headwaters		2B 3A	4
Lion Canyon Creek and tributaries, from state line to headwaters		2B 3A	4
Little Dolores River and tributaries, from confluence with Colorado River to state line		2B 3C	4
Bitter Creek and tributaries, from confluence with Colorado River to headwaters		2B 3C	4

(*) Site-specific criteria are associated with this use.

b. Green River Drainage

TABLE

Green River and tributaries, from confluence with Colorado River to state line, except as listed below:	1C 2A	3B	4
Thompson Creek and tributaries from Interstate 70 to headwaters		2B 3C	4
San Rafael River and tributaries from confluence with Green River to confluence with Ferron Creek, except as listed below:		2B 3C	

San Rafael River from the confluence with the Green River to Buckhorn Crossing	2B	3C	4*
San Rafael River from Buckhorn Crossing to the confluence with Huntington Creek and Cottonwood Creek	2B	3C	4*
Ferron Creek and tributaries, from confluence with San Rafael River to Millsite Reservoir, except as listed below:	2B	3C	4
Ferron Creek from the confluence with San Rafael River to Highway 10	2B	3C	4*
Ferron Creek and tributaries, from Millsite Reservoir to headwaters	1C	2B 3A	4
Huntington Creek and tributaries, from confluence with Cottonwood Creek to Highway U-10 crossing	2B	3C	4*
Huntington Creek and tributaries from Highway U-10 crossing to headwaters	1C	2B 3A	4
Cottonwood Creek and tributaries from confluence with Huntington Creek to Highway U-57 crossing, except as listed below:	2B	3C	4
Cottonwood Creek from the confluence with Huntington Creek to U-57	2B	3C	4*
Rock Canyon Creek from the confluence with Cottonwood Creek to headwaters	2B	3C	4*
Cottonwood Creek and tributaries from Highway U-57 crossing to headwaters	1C	2B 3A	4
Cottonwood Canal, Emery County	1C	2B	3E 4
Price River and tributaries, from confluence with Green River to Carbon Canal Diversion at Price City Golf Course, except as listed below	2B	3C	4
Price River and tributaries from confluence with Green River to confluence with Soldier Creek	2B	3C	4*
Price River and tributaries from the confluence with Soldier Creek to Carbon Canal Diversion	2B	3C	4*
Grassy Trail Creek and tributaries, from Grassy Trail Creek Reservoir to headwaters	1C	2B 3A	4
Price River and tributaries, from Carbon Canal Diversion at Price City Golf Course to Price City Water Treatment Plant intake	2B 3A		4
Price River and tributaries, from Price City Water Treatment Plant intake to headwaters	1C	2B 3A	4
Range Creek and tributaries, from confluence with Green River to Range Creek Ranch	2B 3A		4

Range Creek and tributaries, from Range Creek Ranch to headwaters	1C	2B 3A		4
Rock Creek and tributaries, from confluence with Green River to headwaters		2B 3A		4
Nine Mile Creek and tributaries, from confluence with Green River to headwaters		2B 3A		4
Pariette Draw and tributaries, from confluence with Green River to headwaters		2B	3B 3D	4
Willow Creek and tributaries (Uintah County), from confluence with Green River to headwaters		2B 3A		4
White River and tributaries, from confluence with Green River to state line, except as listed below:		2B	3B	4
Bitter Creek and tributaries from White River to headwaters		2B 3A		4
Duchesne River and tributaries, from confluence with Green River to Myton Water Treatment Plant intake, except as listed below		2B	3B	4
Uinta River and tributaries from confluence with Duchesne River to U.S. Highway 40 crossing		2B	3B	4
Uinta River and tributaries, from U.S. Highway 40 crossing		2B 3A		4
Power House Canal from confluence with Uinta River to headwaters		2B 3A		4
Whiterocks River and Canal, from Tridell Water Treatment Plant to headwaters	1C	2B 3A		4
Duchesne River and tributaries, from Myton Water Treatment Plant intake to headwaters	1C	2B 3A		4
Lake Fork River and tributaries, from confluence with Duchesne River to headwaters	1C	2B 3A		4
Lake Fork Canal from Dry Gulch Canal Diversion to Moon Lake	1C	2B		3E 4
Dry Gulch Canal, from Myton Water Treatment Plant to Lake Fork Canal	1C	2B		3E 4
Ashley Creek and tributaries, from confluence with Green River to Steinaker diversion		2B	3B	4
Ashley Creek and tributaries, from Steinaker diversion to headwaters	1C	2B 3A		4
Big Brush Creek and tributaries from confluence with Green River to Tyzack (Red Fleet) Dam		2B	3B	4
Big Brush Creek and tributaries, from Tyzack (Red Fleet) Dam to headwaters	1C	2B 3A		4

Jones Hole Creek and tributaries from confluence with Green River to headwaters	2B 3A		
Diamond Gulch Creek and tributaries, from confluence with Green River to headwaters	2B 3A		4
Pot Creek and tributaries, from Crouse Reservoir to headwaters	2B 3A		4
Green River and tributaries, from Utah-Colorado state line to Flaming Gorge Dam, except as listed below:	2A 3A		4
Sears Creek and tributaries, Daggett County	2B 3A		
Tolivers Creek and tributaries, Daggett County	2B 3A		
Red Creek and tributaries, from confluence with Green River to state line	2B	3C	4
Jackson Creek and tributaries, Daggett County	2B 3A		
Davenport Creek and tributaries, Daggett County	2B 3A		
Goslin Creek and tributaries, Daggett County	2B 3A		
Gorge Creek and tributaries, Daggett County	2B 3A		
Beaver Creek and tributaries, Daggett County	2B 3A		
O-Wi-Yu-Kuts Creek and tributaries, Daggett County	2B 3A		
Tributaries to Flaming Gorge Reservoir, except as listed below	2B 3A		4
Birch Spring Draw and tributaries, from Flaming Gorge Reservoir to headwaters	2B	3C	4
Spring Creek and tributaries, from Flaming Gorge Reservoir to headwaters	2B 3A		
All tributaries of Flaming Gorge Reservoir from Utah-Wyoming state line to headwaters	2B 3A		4

(*) Site-specific criteria are associated with this use.

13.2 Lower Colorado River Basin a. Virgin River Drainage

TABLE

Beaver Dam Wash and tributaries, from Motoqua to headwaters	2B 3B		4
Virgin River and tributaries, from state line to Quail Creek diversion, except as listed below:	2B 3B		4
Virgin River from the Utah-Arizona border to Pah Tempe Springs	2B 3B		4*
Virgin River from the Utah-Arizona border to Pah Tempe Springs	2B 3B		4*

Santa Clara River from confluence with Virgin River to Gunlock Reservoir	1C	2B	3B	4
Santa Clara River and tributaries, from Gunlock Reservoir to headwaters		2B	3A	4
Leeds Creek from confluence with Quail Creek to headwaters		2B	3A	4
Quail Creek from Quail Creek Reservoir to headwaters	1C	2B	3A	4
Ash Creek and tributaries, from confluence with Virgin River to Ash Creek Reservoir		2B	3A	4
Ash Creek and tributaries, from Ash Creek Reservoir to headwaters		2B	3A	4
Virgin River and tributaries, from the Quail Creek diversion to headwaters, except as listed below:	1C	2B	3C	4
North Creek, from the confluence with Virgin River to headwaters	1C	2B	3C	4*
North Fork Virgin River and tributaries	1C	2A	3A	4
Kolob Creek, from confluence with Virgin River to headwaters		2B	3A	4
East Fork Virgin River, from town of Glendale to headwaters		2B	3A	4

(*) Site-specific criteria are associated with this use.

b. Kanab Creek Drainage

TABLE

Kanab Creek and tributaries, from state line to immediately below the confluence with Sink Valley Wash		2B	3C	4
Kanab Creek and tributaries, from immediately below the confluence with Sink Valley Wash to Simpson Hollow Wash		2B	3C	4*
Kanab Creek and tributaries, from immediately above Simpson Hollow Wash to irrigation diversion at confluence with Reservoir Canyon		2B	3C	4*
Kanab Creek and tributaries, from irrigation diversion at confluence with Reservoir Canyon to headwaters		2B	3A	4
Johnson Wash and tributaries, from state line to confluence with Skutumpah Canyon		2B	3C	4
Johnson Wash and tributaries, from confluence with Skutumpah Canyon to headwaters		2B	3A	4

(*) Site-specific criteria are associated with this use.

13.3 Bear River Basin
a. Bear River Drainage

TABLE

Bear River and tributaries, from Great Salt Lake to Utah-Idaho border, except as listed below:	2B	3B	3D	4
Perry Canyon Creek from U.S. Forest boundary to headwaters	2B	3A		4
Box Elder Creek from confluence with Black Slough to Brigham City Reservoir (Mayor's Pond)	2B		3C	4
Box Elder Creek, from Brigham City Reservoir (Mayor's Pond) to headwaters	2B	3A		4
Salt Creek from confluence with Bear River to Crystal Hot Springs	2B	3B	3D	
Malad River and tributaries, from confluence with Bear River to state line	2B		3C	
Little Bear River and tributaries, from Cutler Reservoir to headwaters, except as listed below:	2B	3A	3D	4
South Fork Spring Creek from confluence with Pelican Pond Slough Stream to U.S. Highway 89	2B	3A	3D	4*
Logan River and tributaries, from Cutler Reservoir to headwaters	2B	3A	3D	4
Blacksmith Fork and tributaries, from confluence with Logan River to headwaters, except as listed below	2B	3A		4
Sheep Creek and tributaries from Confluence with Blacksmith Fork River to headwaters	1C	2B	3A	4
Newton Creek and tributaries, from Cutler Reservoir to Newton Reservoir	2B	3A		4
Clarkston Creek and tributaries, from Newton Reservoir to headwaters	2B	3A		4
Birch Creek and tributaries, from confluence with Clarkston Creek to headwaters	2B	3A		4
Summit Creek and tributaries, from confluence with Bear River to headwaters	2B	3A		4
Cub River and tributaries, from confluence with Bear River to state line, except as listed below:	2B	3B		4
High Creek and tributaries from confluence with Cub River to headwaters	2B	3A		4
All tributaries to Bear Lake from Bear Lake to headwaters, except as listed below	2B	3A		4
Swan Springs tributary to Swan Creek	1C	2B	3A	
Bear River and tributaries in Rich County	2B	3A		4

Bear River and tributaries, from Utah-Wyoming state line to headwaters (Summit County)	2B 3A	4
Mill Creek and tributaries, from state line to headwaters (Summit County)	2B 3A	4

(*) Site-specific criteria are associated with this use.

13.4 Weber River Basin
a. Weber River Drainage

TABLE

Willard Creek, from Willard Bay Reservoir to headwaters	2B 3A	4
Weber River, from Great Salt Lake to Slaterville diversion, except as listed below:	2B	3C 3D 4
Four Mile Creek from Interstate 15 to headwaters	2B 3A	4
Weber River and tributaries, from Slaterville diversion to Stoddard diversion, except as listed below	2B 3A	4
Ogden River and tributaries, from confluence with Weber River to Pineview Dam, except as listed below:	2A 3A	4
Wheeler Creek from confluence with Ogden River to headwaters	1C 2B 3A	4
All tributaries to Pineview Reservoir	1C 2B 3A	4
Strongs Canyon Creek and tributaries, from U.S. National Forest boundary to headwaters	1C 2B 3A	4
Burch Creek and tributaries, from Harrison Boulevard in Ogden to Headwaters	1C 2B 3A	
Spring Creek and tributaries, from U.S. National Forest boundary to headwaters	1C 2B 3A	4
Weber River and tributaries, from Stoddard diversion to headwaters, except as listed below	1C 2B 3A	4
Silver Creek and tributaries, from the confluence with Weber River to below the confluence with Tollgate Creek	1C 2B 3A	4
Silver Creek and tributaries, from confluence with Tollgate Creek to headwaters	1C 2B 3A	4*

13.5 Utah Lake-Jordan River Basin
a. Jordan River Drainage

TABLE

Jordan River, from Farmington Bay to North Temple Street, Salt Lake City	2B 3B* 3D	4
State Canal, from Farmington Bay to confluence with the Jordan River	2B 3B* 3D	4

Jordan River, from North Temple Street in Salt Lake City to confluence with Little Cottonwood Creek	2B	3B*	4
Surplus Canal from Great Salt Lake to the diversion from the Jordan River	2B	3B*	3D 4
Jordan River from confluence with Little Cottonwood Creek to Narrows Diversion	2B	3B	4
Jordan River, from Narrows Diversion to Utah Lake	1C	2B 3B	4
City Creek, from Memory Park in Salt Lake City to City Creek Water Treatment Plant		2B 3A	
City Creek, from City Creek Water Treatment Plant to headwaters	1C	2B 3A	
Red Butte Creek and tributaries, from Liberty Park pond inlet to Red Butte Reservoir		2B 3A	4
Red Butte Creek and tributaries, from Red Butte Reservoir to headwaters	1C	2B 3A	
Emigration Creek and tributaries, from 1100 East in Salt Lake City to headwaters		2B 3A	4
Parleys Creek and tributaries, from 1300 East in Salt Lake City to Mountain Dell Reservoir	1C	2B 3A	
Parleys Creek and tributaries, from Mountain Dell Reservoir to headwaters	1C	2B 3A	
Mill Creek (Salt Lake County) from confluence with Jordan River to Interstate 15		2B 3C*	4
Mill Creek (Salt Lake County) and tributaries, from Interstate 15 to headwaters		2B 3A	4
Big Cottonwood Creek and tributaries, from confluence with Jordan River to Big Cottonwood Water Treatment Plant		2B 3A	4
Big Cottonwood Creek and tributaries from Big Cottonwood Water Treatment Plant to headwaters	1C	2B 3A	
Deaf Smith Canyon Creek and tributaries	1C	2B 3A	4
Little Cottonwood Creek and tributaries, from confluence with Jordan River to Metropolitan Water Treatment Plant		2B 3A	4
Little Cottonwood Creek and tributaries, from Metropolitan Water Treatment Plant to headwaters	1C	2B 3A	
Bells Canyon Creek and tributaries, from Lower Bells Canyon Reservoir to headwaters	1C	2B 3A	
Little Willow Creek and tributaries, from Draper Irrigation Company diversion to headwaters	1C	2B 3A	

Big Willow Creek and tributaries, from Draper Irrigation Company diversion to headwaters	1C	2B 3A		
South Fork of Dry Creek and tributaries, from Draper Irrigation Company diversion to headwaters	1C	2B 3A		
All permanent streams on east slope of Oquirrh Mountains (Coon, Barneys, Bingham, Butterfield, and Rose Creeks)		2B	3D	4
Kersey Creek from confluence of C-7 Ditch to headwaters		2B	3D	

(*) Site-specific criteria are associated with this use.

b. Provo River Drainage

TABLE

Provo River and tributaries, from Utah Lake to Provo City Diversion (2230 North St)		2B 3A		4
Provo River and tributaries, from Provo City Diversion (2230 North St) to headwaters, except as listed below:	1C	2B 3A		4
Upper Falls drainage above Provo City diversion	1C	2B 3A		
Bridal Veil Falls drainage above Provo City diversion	1C	2B 3A		
Lost Creek and tributaries above Provo City diversion	1C	2B 3A		

c. Utah Lake Drainage

TABLE

Dry Creek and tributaries (above Alpine), from U.S. National Forest boundary to headwaters		2B 3A		4
American Fork Creek and tributaries, from diversion at mouth of American Fork Canyon to headwaters		2B 3A		4
Spring Creek and tributaries, from Utah Lake near Lehi to headwaters		2B 3A		4
Lindon Hollow Creek and tributaries, from Utah Lake to headwaters		2B	3B	4
Grove Creek from Murdock Diversion to headwaters	1C	2B 3A		
Battle Creek from Murdock Diversion to Headwaters	1C	2B 3A		
Rock Canyon Creek and tributaries (East of Provo), from U.S. National Forest boundary to headwaters	1C	2B 3A		4
Mill Race (except from Interstate 15 to the Provo City WWTP discharge) and tributaries, from Utah Lake to headwaters		2B	3B	4
Mill Race from Interstate 15 to the Provo City wastewater treatment plant discharge		2B	3B	4

Spring Creek and tributaries, from Utah Lake (Provo Bay) to 50 feet upstream from the east boundary of the Industrial Parkway Road Right-of-way	2B	3B	4	
Tributary to Spring Creek (Utah County) which receives the Springville City WWTP effluent from confluence with Spring Creek to headwaters	2B	3D	4	
Spring Creek and tributaries from 50 feet upstream from the east boundary of the Industrial Parkway Road right-of-way to the headwaters	2B	3A	4	
Ironton Canal from Utah Lake (Provo Bay) to the east boundary of the Denver and Rio Grande Western Railroad right-of-way	2B	3C	4	
Ironton Canal from the east boundary of the Denver and Rio Grande Western Railroad right-of-way to the point of diversion from Spring Creek	2B	3A	4	
Hobble Creek and tributaries, from Utah Lake to headwaters	2B	3A	4	
Dry Creek and tributaries, from Utah Lake (Provo Bay) to U.S. Highway 89	2B	3E	4	
Dry Creek and tributaries, from U.S. Highway 89 to headwaters	2B	3A	4	
Spanish Fork River and tributaries, from Utah Lake to diversion at Moark Junction	2B	3B	3D	4
Spanish Fork River and tributaries, from diversion at Moark Junction to headwaters	2B	3A	4	
Benjamin Slough and tributaries, from Utah Lake to headwaters, except as listed below	2B	3B	4	
Beer Creek (Utah County) from 4850 West (in NE1/4NE1/4 sec. 36, T.8.S., R.1.E.) to headwaters	2B	3C	4	
Salt Creek from Nephi diversion to headwaters	2B	3A	4	
Currant Creek from mouth of Goshen Canyon to Mona Reservoir	2B	3A	4	
Currant Creek from Mona Reservoir to headwaters	2B	3A	4	
Peteetneet Creek and tributaries, from irrigation diversion above Maple Dell to headwaters	2B	3A	4	
Summit Creek and tributaries (above Santaquin), from U.S. National Forest boundary to headwaters	2B	3A	4	
All other permanent streams entering Utah Lake	2B	3B	4	

13.6 Sevier River Basin
a. Sevier River Drainage

TABLE

Sevier River and tributaries, from Sevier Lake to Gunnison Bend Reservoir to U.S. National Forest boundary, except as listed below:	2B	3C	4
Sevier River from Gunnison Bend Reservoir to Clear Lake	2B	3C	4*
Beaver River and tributaries, from Minersville City to headwaters	2B 3A		4
Little Creek and tributaries, from irrigation diversion to headwaters	2B 3A		4
Pinto Creek and tributaries, from Newcastle Reservoir to headwaters	2B 3A		4
Coal Creek and tributaries	2B 3A		4
Summit Creek and tributaries	2B 3A		4
Parowan Creek and tributaries	2B 3A		4
Tributaries to Sevier River from Sevier Lake to Gunnison Bend Reservoir from U.S. National Forest boundary to headwaters, including:	2B 3A		4
Pioneer Creek and tributaries, Millard County	2B 3A		4
Chalk Creek and tributaries, Millard County	2B 3A		4
Meadow Creek and tributaries, Millard County	2B 3A		4
Corn Creek and tributaries, Millard County	2B 3A		4
Sevier River and tributaries, below U.S. National Forest boundary from Gunnison Bend Reservoir to Annabella Diversion, except as listed below	2B	3B	4
Sevier River between Gunnison Bend Reservoir and DMAD Reservoir	2B	3B	4*
Oak Creek and tributaries Millard County	2B 3A		4
Round Valley Creek and tributaries, Millard County	2B 3A		4
Judd Creek and tributaries, Juab County	2B 3A		4
Meadow Creek and tributaries, Juab County	2B 3A		4
Cherry Creek and tributaries, Juab County	2B 3A		4
Tanner Creek and tributaries, Juab County	2B		3E 4
Baker Hot Springs, Juab County	2B		3D 4
Chicken Creek and tributaries, Juab County	2B 3A		4
San Pitch River and tributaries, from confluence with Sevier River to Highway U-132 crossing, except as listed below:	2B	3C 3D	4

San Pitch River from below Gunnison Reservoir to the Sevier River	2B	3C 3D	4*
Twelve Mile Creek (South Creek) and tributaries, from U.S. National Forest boundary to headwaters	2B 3A		4
Six Mile Creek and tributaries, Sanpete County	2B 3A		4
Manti Creek (South Creek) and tributaries, from U.S. National Forest boundary to headwaters	2B 3A		4
Ephraim Creek (Cottonwood Creek) and tributaries, from U.S. National Forest to headwaters	2B 3A		4
Oak Creek and tributaries, from U.S. National Forest boundary near Spring City to headwaters	2B 3A		4
Fountain Green Creek and tributaries, from U.S. National Forest boundary to headwaters	2B 3A		4
San Pitch River and tributaries, from Highway U-132 crossing to headwaters	2B 3A		4
Lost Creek from the confluence with Sevier River to U.S. National Forest boundary	2B	3C 3D	4*
Brine Creek-Petersen Creek from the confluence with the Sevier River to Highway U-119 Crossing	2B	3C 3D	4*
Tributaries to Sevier River from Gunnison Bend Reservoir to Annabella diversion from U.S. National Forest boundary to headwaters	2B 3A		4
Sevier River and tributaries, from Annabella diversion to headwaters	2B 3A		4
Monroe Creek and tributaries, from diversion to headwaters	2B 3A		4
Little Creek and tributaries, from irrigation diversion to headwaters	2B 3A		4
Pinto Creek and tributaries, from Newcastle Reservoir to headwaters	2B 3A		4
Coal Creek and tributaries	2B 3A		4
Summit Creek and tributaries	2B 3A		4
Parowan Creek and tributaries	2B 3A		4
Duck Creek and tributaries	1C 2B 3A		4

(*) Site-specific criteria are associated with this use.

13.7 Great Salt Lake Basin

a. Western Great Salt Lake Drainage

TABLE

Grouse Creek and tributaries, Box Elder County	2B 3A		4
Muddy Creek and tributaries, Box Elder County	2B 3A		4

Dove Creek and tributaries, Box Elder County		2B 3A		4
Pine Creek and tributaries, Box Elder County		2B 3A		4
Rock Creek and tributaries, Box Elder County		2B 3A		4
Fisher Creek and tributaries, Box Elder County		2B 3A		4
Dunn Creek and tributaries, Box Elder County		2B 3A		4
Indian Creek and tributaries, Box Elder County		2B 3A		4
Tenmile Creek and tributaries, Box Elder County		2B 3A		4
Curlew (Deep) Creek, Box Elder County		2B 3A		4
Blue Creek and tributaries, Box Elder County, from Bear River Bay, Great Salt Lake to Blue Creek Reservoir		2B	3D	4*
Blue Creek and tributaries from Blue Creek Reservoir to headwaters		2B	3B	4*
All perennial streams on the east slope of the Pilot Mountain Range	1C	2B 3A		4
Donner Creek and tributaries, from irrigation diversion to Utah-Nevada state line		2B 3A		4
Bettridge Creek and tributaries, from irrigation diversion to Utah-Nevada state line		2B 3A		4
North Willow Creek and tributaries, Tooele County		2B 3A		4
South Willow Creek and tributaries, Tooele County		2B 3A		4
Hickman Creek and tributaries, Tooele County		2B 3A		4
Barlow Creek and tributaries, Tooele County		2B 3A		4
Clover Creek and tributaries, Tooele County		2B 3A		4
Faust Creek and tributaries, Tooele County		2B 3A		4
Vernon Creek and tributaries, Tooele County		2B 3A		4
Ophir Creek and tributaries, Tooele County		2B 3A		4
Soldier Creek and tributaries, from the Drinking Water Treatment Facility to headwaters, Tooele County	1C	2B 3A		4
Settlement Canyon Creek and tributaries, Tooele County		2B 3A		4
Middle Canyon Creek and tributaries, Tooele County		2B 3A		4
Tank Wash and tributaries, Tooele County		2B 3A		4

Basin Creek and tributaries, Juab and Tooele Counties	2B 3A	4
Thomas Creek and tributaries, Juab County	2B 3A	4
Indian Farm Creek and tributaries, Juab County	2B 3A	4
Cottonwood Creek and tributaries, Juab County	2B 3A	4
Red Cedar Creek and tributaries, Juab County	2B 3A	4
Granite Creek and tributaries, Juab County	2B 3A	4
Trout Creek and tributaries, Juab County	2B 3A	4
Birch Creek and tributaries, Juab County	2B 3A	4
Deep Creek and tributaries, from Rock Spring Creek to headwaters, Juab and Tooele Counties	2B 3A	4
Cold Spring, Juab County	2B	3C 3D
Cane Spring, Juab County	2B	3C 3D
Lake Creek, from Garrison (Pruess) Reservoir to Nevada state line	2B 3A	4
Snake Creek and tributaries, Millard County	2B	3B 4
Salt Marsh Spring Complex, Millard County	2B 3A	
Twin Springs, Millard County	2B	3B
Tule Spring, Millard County	2B	3C 3D
Coyote Spring Complex, Millard County	2B	3C 3D
Hamblin Valley Wash and tributaries, from Nevada state line to headwaters (Beaver and Iron Counties)	2B	3D 4
Indian Creek and tributaries, Beaver County, from Indian Creek Reservoir to headwaters	2B 3A	4
Shoal Creek and tributaries, Iron County	2B 3A	4

(*) Site-specific criteria are associated with this use.

b. Farmington Bay Drainage

TABLE

Corbett Creek and tributaries, from Highway to headwaters	2B 3A	4
Kays Creek and tributaries, from Farmington Bay to U.S. National Forest boundary	2B	3B 4
North Fork Kays Creek and tributaries, from U.S. National Forest boundary to headwaters	2B 3A	4

Middle Fork Kays Creek and tributaries, from U.S. National Forest boundary to headwaters	1C	2B 3A	4
South Fork Kays Creek and tributaries, from U.S. National Forest boundary to headwaters	1C	2B 3A	4
Snow Creek and tributaries		2B 3C	4
Holmes Creek and tributaries, from Farmington Bay to U.S. National Forest boundary		2B 3B	4
Holmes Creek and tributaries, from U.S. National Forest boundary to headwaters	1C	2B 3A	4
Baer Creek and tributaries, from Farmington Bay to Interstate 15		2B 3B	4
Baer Creek and tributaries, from Interstate 15 to U.S. Highway 89		2B 3B	4
Baer Creek and tributaries, from U.S. Highway 89 to headwaters	1C	2B 3A	4
Shepard Creek and tributaries, from U.S. National Forest boundary to headwaters	1C	2B 3A	4
Farmington Creek and tributaries, from Farmington Bay Waterfowl Management Area to U.S. National Forest boundary		2B 3B	4
Farmington Creek and tributaries, from U.S. National Forest boundary to headwaters	1C	2B 3A	4
Rudd Creek and tributaries, from Davis aqueduct to headwaters		2B 3A	4
Steed Creek and tributaries, from U.S. National Forest boundary to headwaters	1C	2B 3A	4
Davis Creek and tributaries, from U.S. Highway 89 to headwaters		2B 3A	4
Lone Pine Creek and tributaries, from U.S. Highway 89 to headwaters		2B 3A	4
Ricks Creek and tributaries, from Highway Interstate 15 to headwaters	1C	2B 3A	4
Barnard Creek and tributaries, from U.S. Highway 89 to headwaters		2B 3A	4
Parrish Creek and tributaries, from Davis Aqueduct to headwaters		2B 3A	4
Deuel Creek and tributaries, (Centerville Canyon) from Davis Aqueduct to headwaters		2B 3A	4
Stone Creek and tributaries, from Farmington Bay Waterfowl Management Area to U.S. National Forest Boundary		2B 3A	4
Stone Creek and tributaries, from U.S. National Forest boundary to headwaters	1C	2B 3A	4
Barton Creek and tributaries, from U.S. National Forest boundary to headwaters		2B 3A	4

Mill Creek (Davis County) and tributaries, from confluence with State Canal to U.S. National Forest boundary	2B	3B	4
Mill Creek (Davis County) and tributaries, from U.S. National Forest boundary to headwaters	1C	2B 3A	4
North Canyon Creek and tributaries from U.S. National Forest boundary to headwaters	2B	3A	4
Howard Slough	2B	3C	4
Hooper Slough	2B	3C	4
Willard Slough	2B	3C	4
Willard Creek to Headwaters	1C	2B 3A	4
Chicken Creek to Headwaters	1C	2B 3A	4
Cold Water Creek to Headwaters	1C	2B 3A	4
One House Creek to Headwaters	1C	2B 3A	4
Garner Creek to Headwaters	1C	2B 3A	4

13.8 Snake River Basin
a. Raft River Drainage (Box Elder County)

TABLE

Raft River and tributaries	2B	3A	4
Clear Creek and tributaries, from Utah-Idaho state line to headwaters	2B	3A	4
Onemile Creek and tributaries, from Utah-Idaho state line to headwaters	2B	3A	4
George Creek and tributaries, from Utah-Idaho state line to headwaters	2B	3A	4
Johnson Creek and tributaries, from Utah-Idaho state line to headwaters	2B	3A	4
Birch Creek and tributaries, from state line to headwaters	2B	3A	4
Pole Creek and tributaries, from state line to headwaters	2B	3A	4
Goose Creek and tributaries	2B	3A	4
Hardesty Creek and tributaries, from state line to headwaters	2B	3A	4
Meadow Creek and tributaries, from state line to headwaters	2B	3A	4

13.9 All irrigation canals and ditches statewide, except as otherwise designated: 2B, 3E, 4

13.10 All drainage canals and ditches statewide, except as otherwise designated: 2B, 3E

13.11 National Wildlife Refuges and State Waterfowl Management Areas, and other Areas Associated with the Great Salt Lake

TABLE

Bear River National Wildlife Refuge, Box Elder County	2B	3B	3D
Bear River Bay			
Open Water below approximately 4,208 ft.			5C

Transitional Waters approximately 4,208 ft. to Open Water				5E
Open Water above approximately 4,208 ft.	2B	3B	3D	
Browns Park Waterfowl Management Area, Daggett County	2B	3A		3D
Clear Lake Waterfowl Management Area, Millard County	2B		3C	3D
Desert Lake Waterfowl Management Area, Emery County	2B		3C	3D
Farmington Bay Waterfowl Management Area, Davis and Salt Lake Counties	2B		3C	3D
Farmington Bay				
Open Water below approximately 4,208 ft.				5D
Transitional Waters approximately 4,208 ft. to Open Water				5E
Open Water above approximately 4,208 ft.	2B	3B	3D	
Fish Springs National Wildlife Refuge, Juab County	2B		3C	3D
Harold Crane Waterfowl Management Area, Box Elder County	2B		3C	3D
Gilbert Bay				
Open Water below approximately 4,208 ft.				5A
Transitional Waters approximately 4,208 ft. to Open Water				5E
Open Water above approximately 4,208 ft.	2B	3B	3D	
Gunnison Bay				
Open Water below approximately 4,208 ft.				5B
Transitional Waters approximately 4,208 ft. to Open Water				5E
Open Water above approximately 4,208 ft.	2B	3B	3D	
Howard Slough Waterfowl Management Area, Weber County	2B		3C	3D
Locomotive Springs Waterfowl Management Area, Box Elder County	2B	3B		3D
Ogden Bay Waterfowl Management Area, Weber County	2B		3C	3D
Ouray National Wildlife Refuge, Uintah County	2B	3B		3D
Powell Slough Waterfowl Management Area, Utah County	2B		3C	3D
Public Shooting Grounds Waterfowl Management Area, Box Elder County	2B		3C	3D
Salt Creek Waterfowl Management Area, Box Elder County	2B		3C	3D
Stewart Lake Waterfowl Management Area, Uintah County	2B	3B		3D
Timpie Springs Waterfowl Management Area, Tooele County	2B	3B		3D

13.12 Lakes and Reservoirs. All lakes and any reservoirs greater than 10 acres not listed in 13.12 are assigned by default to the classification of the stream with which they are associated.

a. Beaver County

TABLE

Anderson Meadow Reservoir	2B 3A	4
Manderfield Reservoir	2B 3A	4
LaBaron Reservoir	2B 3A	4
Kents Lake	2B 3A	4
Minersville Reservoir	2B 3A 3D	4
Puffer Lake	2B 3A	
Three Creeks Reservoir	2B 3A	4

b. Box Elder County

TABLE

Cutler Reservoir (including portion in Cache County)	2B 3B 3D	4
Etna Reservoir	2B 3A	4
Lynn Reservoir	2B 3A	4
Mantua Reservoir	2B 3A	4
Willard Bay Reservoir	1C 2A 3B 3D	4

c. Cache County

TABLE

Hyrum Reservoir	2A 3A	4
Newton Reservoir	2B 3A	4
Porcupine Reservoir	2B 3A	4
Pelican Pond	2B 3B	4
Tony Grove Lake	2B 3A	4

d. Carbon County

TABLE

Grassy Trail Creek Reservoir	1C 2B 3A	4
Olsen Pond	2B 3B	4
Scotfield Reservoir	1C 2B 3A	4

e. Daggett County

TABLE

Browne Reservoir	2B 3A	4
Daggett Lake	2B 3A	4
Flaming Gorge Reservoir (Utah portion)	1C 2A 3A	4
Long Park Reservoir	1C 2B 3A	4
Sheep Creek Reservoir	2B 3A	4
Spirit Lake	2B 3A	4

Upper Potter Lake 2B 3A 4

f. Davis County

TABLE

Farmington Ponds 2B 3A 4

Kaysville Highway Ponds 2B 3A 4

Holmes Creek Reservoir 2B 3B 4

g. Duchesne County

TABLE

Allred Lake 2B 3A 4

Atwine Lake 2B 3A 4

Atwood Lake 2B 3A 4

Betsy Lake 2B 3A 4

Big Sandwash Reservoir 1C 2B 3A 4

Bluebell Lake 2B 3A 4

Brown Duck Reservoir 2B 3A 4

Butterfly Lake 2B 3A 4

Cedarview Reservoir 2B 3A 4

Chain Lake #1 2B 3A 4

Chepeta Lake 2B 3A 4

Clements Reservoir 2B 3A 4

Cleveland Lake 2B 3A 4

Cliff Lake 2B 3A 4

Continent Lake 2B 3A 4

Crater Lake 2B 3A 4

Crescent Lake 2B 3A 4

Daynes Lake 2B 3A 4

Dean Lake 2B 3A 4

Doll Lake 2B 3A 4

Drift Lake 2B 3A 4

Elbow Lake 2B 3A 4

Farmers Lake 2B 3A 4

Fern Lake 2B 3A 4

Fish Hatchery Lake 2B 3A 4

Five Point Reservoir 2B 3A 4

Fox Lake Reservoir 2B 3A 4

Governors Lake 2B 3A 4

Granddaddy Lake 2B 3A 4

Hoover Lake 2B 3A 4

Island Lake 2B 3A 4

Jean Lake	2B 3A	4
Jordan Lake	2B 3A	4
Kidney Lake	2B 3A	4
Kidney Lake West	2B 3A	4
Lily Lake	2B 3A	4
Midview Reservoir (Lake Boreham)	2B 3B	4
Milk Reservoir	2B 3A	4
Mirror Lake	2B 3A	4
Mohawk Lake	2B 3A	4
Moon Lake	1C 2A 3A	4
North Star Lake	2B 3A	4
Palisade Lake	2B 3A	4
Pine Island Lake	2B 3A	4
Pinto Lake	2B 3A	4
Pole Creek Lake	2B 3A	4
Potters Lake	2B 3A	4
Powell Lake	2B 3A	4
Pyramid Lake	2A 3A	4
Queant Lake	2B 3A	4
Rainbow Lake	2B 3A	4
Red Creek Reservoir	2B 3A	4
Rudolph Lake	2B 3A	4
Scout Lake	2A 3A	4
Spider Lake	2B 3A	4
Spirit Lake	2B 3A	4
Starvation Reservoir	1C 2A 3A	4
Superior Lake	2B 3A	4
Swasey Hole Reservoir	2B 3A	4
Taylor Lake	2B 3A	4
Thompson Lake	2B 3A	4
Timothy Reservoir #1	2B 3A	4
Timothy Reservoir #6	2B 3A	4
Timothy Reservoir #7	2B 3A	4
Twin Pots Reservoir	1C 2B 3A	4
Upper Stillwater Reservoir	1C 2B 3A	4
X - 24 Lake	2B 3A	4

h. Emery County

TABLE

Cleveland Reservoir	2B 3A	4
Electric Lake	2B 3A	4
Huntington Reservoir	2B 3A	4
Huntington North Reservoir	2A 3B	4
Joes Valley Reservoir	2A 3A	4
Millsite Reservoir	1C 2A 3A	4

i. Garfield County

TABLE

Barney Lake	2B 3A	4
Cyclone Lake	2B 3A	4
Deer Lake	2B 3A	4
Jacobs Valley Reservoir	2B 3C 3D	4
Lower Bowns Reservoir	2B 3A	4
North Creek Reservoir	2B 3A	4
Panguitch Lake	2B 3A	4
Pine Lake	2B 3A	4
Oak Creek Reservoir (Upper Bowns)	2B 3A	4
Pleasant Lake	2B 3A	4
Posey Lake	2B 3A	4
Purple Lake	2B 3A	4
Raft Lake	2B 3A	4
Row Lake #3	2B 3A	4
Row Lake #7	2B 3A	4
Spectacle Reservoir	2B 3A	4
Tropic Reservoir	2B 3A	4
West Deer Lake	2B 3A	4
Wide Hollow Reservoir	2B 3A	4

j. Iron County

TABLE

Newcastle Reservoir	2B 3A	4
Red Creek Reservoir	2B 3A	4
Yankee Meadow Reservoir	2B 3A	4

k. Juab County

TABLE

Chicken Creek Reservoir	2B 3C 3D	4
Mona Reservoir	2B 3B	4
Sevier Bridge (Yuba) Reservoir	2A 3B	4

l. Kane County

TABLE

Navajo Lake	2B 3A	4
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m. Millard County

TABLE

DMAD Reservoir	2B 3B	4
Fools Creek Reservoir	2B 3C 3D	4
Garrison Reservoir (Pruess Lake)	2B 3B	4
Gunnison Bend Reservoir	2B 3B	4

n. Morgan County

TABLE

East Canyon Reservoir	1C 2A 3A	4
Lost Creek Reservoir	1C 2B 3A	4

o. Piute County

TABLE

Barney Reservoir	2B 3A	4
Lower Boxcreek Reservoir	2B 3A	4
Manning Meadow Reservoir	2B 3A	4
Otter Creek Reservoir	2B 3A	4
Piute Reservoir	2B 3A	4
Upper Boxcreek Reservoir	2B 3A	4

p. Rich County

TABLE

Bear Lake (Utah portion)	2A 3A	4
Birch Creek Reservoir	2B 3A	4
Little Creek Reservoir	2B 3A	4
Woodruff Creek Reservoir	2B 3A	4

q. Salt Lake County

TABLE

Decker Lake	2B 3B 3D	4
Lake Mary	1C 2B 3A	
Little Dell Reservoir	1C 2B 3A	
Mountain Dell Reservoir	1C 2B 3A	

r. San Juan County

TABLE

Blanding Reservoir #4	1C 2B 3A	4
Dark Canyon Lake	1C 2B 3A	4

Kens Lake	2B 3A*	4
Lake Powell (Utah portion)	1C 2A 3B	4
Lloyds Lake	1C 2B 3A	4
Monticello Lake	2B 3A	4
Recapture Reservoir	2B 3A	4

(*) Site-specific criteria are associated with this use.

s. Sanpete County

TABLE

Duck Fork Reservoir	2B 3A	4
Fairview Lakes	1C 2B 3A	4
Ferron Reservoir	2B 3A	4
Lower Gooseberry Reservoir	1C 2B 3A	4
Gunnison Reservoir	2B 3C	4
Island Lake	2B 3A	4
Miller Flat Reservoir	2B 3A	4
Ninemile Reservoir	2B 3A	4
Palisade Reservoir	2A 3A	4
Rolfson Reservoir	2B 3C	4
Twin Lakes	2B 3A	4
Willow Lake	2B 3A	4

t. Sevier County

TABLE

Annabella Reservoir	2B 3A	4
Big Lake	2B 3A	4
Farnsworth Lake	2B 3A	4
Fish Lake	2B 3A	4
Forsythe Reservoir	2B 3A	4
Johnson Valley Reservoir	2B 3A	4
Koosharem Reservoir	2B 3A	4
Lost Creek Reservoir	2B 3A	4
Redmond Lake	2B 3B	4
Rex Reservoir	2B 3A	4
Salina Reservoir	2B 3A	4
Sheep Valley Reservoir	2B 3A	4

u. Summit County

TABLE

Abes Lake	2B 3A	4
Alexander Lake	2B 3A	4

Amethyst Lake	2B 3A	4
Beaver Lake	2B 3A	4
Beaver Meadow Reservoir	2B 3A	4
Big Elk Reservoir	2B 3A	4
Blanchard Lake	2B 3A	4
Bridger Lake	2B 3A	4
China Lake	2B 3A	4
Cliff Lake	2B 3A	4
Clyde Lake	2B 3A	4
Coffin Lake	2B 3A	4
Cuberant Lake	2B 3A	4
East Red Castle Lake	2B 3A	4
Echo Reservoir	1C 2A 3A	4
Fish Lake	2B 3A	4
Fish Reservoir	2B 3A	4
Haystack Reservoir #1	2B 3A	4
Henrys Fork Reservoir	2B 3A	4
Hoop Lake	2B 3A	4
Island Lake	2B 3A	4
Island Reservoir	2B 3A	4
Jesson Lake	2B 3A	4
Kamas Lake	2B 3A	4
Lily Lake	2B 3A	4
Lost Reservoir	2B 3A	4
Lower Red Castle Lake	2B 3A	4
Lyman Lake	2A 3A	4
Marsh Lake	2B 3A	4
Marshall Lake	2B 3A	4
McPheters Lake	2B 3A	4
Meadow Reservoir	2B 3A	4
Meeks Cabin Reservoir	2B 3A	4
Notch Mountain Reservoir	2B 3A	4
Red Castle Lake	2B 3A	4
Rockport Reservoir	1C 2A 3A	4
Ryder Lake	2B 3A	4
Sand Reservoir	2B 3A	4
Scow Lake	2B 3A	4
Smith Moorehouse Reservoir	1C 2B 3A	4
Star Lake	2B 3A	4
Stateline Reservoir	2B 3A	4

Tamarack Lake		2B 3A	4
Trial Lake	1C	2B 3A	4
Upper Lyman Lake		2B 3A	4
Upper Red Castle		2B 3A	4
Wall Lake Reservoir		2B 3A	4
Washington Reservoir		2B 3A	4
Whitney Reservoir		2B 3A	4

v. Tooele County

TABLE

Blue Lake		2B 3B	4
Clear Lake		2B 3B	4
Grantsville Reservoir		2B 3A	4
Horseshoe Lake		2B 3B	4
Kanaka Lake		2B 3B	4
Rush Lake		2B 3B	
Settlement Canyon Reservoir		2B 3A	4
Stansbury Lake		2B 3B	4
Vernon Reservoir		2B 3A	4

w. Uintah County

TABLE

Ashley Twin Lakes (Ashley Creek)	1C	2B 3A	4
Bottle Hollow Reservoir		2B 3A	4
Brough Reservoir		2B 3A	4
Calder Reservoir		2B 3A	4
Crouse Reservoir		2B 3A	4
East Park Reservoir		2B 3A	4
Fish Lake		2B 3A	4
Goose Lake #2		2B 3A	4
Matt Warner Reservoir		2B 3A	4
Oaks Park Reservoir		2B 3A	4
Paradise Park Reservoir		2B 3A	4
Pelican Lake		2B 3B	4
Red Fleet Reservoir	1C 2A	3A	4
Steinaker Reservoir	1C 2A	3A	4
Towave Reservoir		2B 3A	4
Weaver Reservoir		2B 3A	4
Whiterocks Lake		2B 3A	4
Workman Lake		2B 3A	4

x. Utah County

TABLE

Big East Lake	2B 3A	4
Salem Pond	2A 3A	4
Silver Flat Lake Reservoir	2B 3A	4
Tibble Fork Reservoir	2B 3A	4
Utah Lake	2A 3B 3D	4

y. Wasatch County

TABLE

Currant Creek Reservoir	1C 2B 3A	4
Deer Creek Reservoir	1C 2A 3A	4
Jordanelle Reservoir	1C 2A 3A	4
Mill Hollow Reservoir	2B 3A	4
Strawberry Reservoir	1C 2B 3A	4

z. Washington County

TABLE

Baker Dam Reservoir	2B 3A	4
Gunlock Reservoir	1C 2A 3B	4
Ivins Reservoir	2B 3B	4
Kolob Reservoir	2B 3A	4
Lower Enterprise Reservoir	2B 3A	4
Quail Creek Reservoir	1C 2A 3B	4
Sand Hollow Reservoir	1C 2A 3B	4
Upper Enterprise Reservoir	2B 3A	4

aa. Wayne County

TABLE

Blind Lake	2B 3A	4
Cook Lake	2B 3A	4
Donkey Reservoir	2B 3A	4
Fish Creek Reservoir	2B 3A	4
Mill Meadow Reservoir	2B 3A	4
Raft Lake	2B 3A	4

bb. Weber County

TABLE

Causey Reservoir	2B 3A	4
Pineview Reservoir	1C 2A 3A	4

13.13 Unclassified Waters

All waters not specifically classified are presumptively classified: 2B, 3D

R317-2-14. Numeric Criteria.

TABLE 2.14.1
 NUMERIC CRITERIA FOR DOMESTIC,
 RECREATION, AND AGRICULTURAL USES

Parameter	Domestic	Recreation and		Agri-
	Source 1C(1)	Aesthetics 2A	2B	culture 4
BACTERIOLOGICAL				
(30-DAY GEOMETRIC MEAN) (NO.)/100 ML) (7)				
E. coli	206	126	206	
MAXIMUM				
(NO.)/100 ML) (7)				
E. coli	668	409	668	
CYANOTOXINS (ug/L) (8)				
<u>Microcystins</u>		<u>8</u>		
<u>Cylindrospermopsin</u>		<u>15</u>		
PHYSICAL				
pH (RANGE)	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0
Turbidity Increase (NTU)		10	10	
METALS (DISSOLVED, MAXIMUM MG/L) (2)				
Arsenic	0.01			0.1
Barium	1.0			
Beryllium	<0.004			
Cadmium	0.01			0.01
Chromium	0.05			0.10
Copper				0.2
Lead	0.015			0.1
Mercury	0.002			
Selenium	0.05			0.05
Silver	0.05			
INORGANICS (MAXIMUM MG/L)				
Bromate	0.01			
Boron				0.75
Chlorite	<1.0			
Fluoride	4.0			
Nitrates as N	10			
Total Dissolved Solids (4)				1200
RADIOLOGICAL (MAXIMUM pCi/L)				
Gross Alpha	15			15
Gross Beta (Combined)	4 mrem/yr	Radium 226, 228		
Strontium 90	5			
Tritium	8			
Tritium	20000			
Uranium	30			
ORGANICS (MAXIMUM UG/L)				
2,4-D 94-75-7	70			
2,4,5-TP 93-72-1	10			
Alachlor 15972-60-8	2			
Atrazine 1912-24-9	3			
Carbofuran 1563-66-2	40			
Dichloroethylene (cis-1,2) 156-59-2	70			
Dalapon 75-99-0	200			
Di(2ethylhexyl)adipate 103-23-1	400			
Dibromochloropropane 96-12-8	0.2			
Dinoseb 88-85-7	7			
Diquat 85-00-7	20			
Endothall 145-73-3	100			
Ethylene Dibromide				

106-93-4	0.05
Glyphosate 1071-83-6	700
Xylenes 1330-20-7	10,000

POLLUTION

INDICATORS (5)

BOD (MG/L)	5	5	5
Nitrate as N (MG/L)	4	4	
Total Phosphorus as P (MG/L) (6)	0.05	0.05	

FOOTNOTES:

- (1) See also numeric criteria for water and organism in Table 2.14.6.
- (2) The dissolved metals method involves filtration of the sample in the field, acidification of the sample in the field, no digestion process in the laboratory, and analysis by approved laboratory methods for the required detection levels.
- (3) Reserved
- (4) SITE SPECIFIC STANDARDS FOR TOTAL DISSOLVED SOLIDS (TDS)

Blue Creek and tributaries, Box Elder County, from Bear River Bay, Great Salt Lake to Blue Creek Reservoir: March through October daily maximum 4,900 mg/l and an average of 3,800 mg/l; November through February daily maximum 6,300 mg/l and an average of 4,700 mg/l. Assessments will be based on TDS concentrations measured at the location of STORET 4960740.;

Blue Creek Reservoir and tributaries, Box Elder County, daily maximum 2,100 mg/l;

Castle Creek from confluence with the Colorado River to Seventh Day Adventist Diversion: 1,800 mg/l;

Cottonwood Creek from the confluence with Huntington Creek to Highway U-57: 3,500 mg/l;

Ferron Creek from the confluence with San Rafael River to Highway U-10: 3,500 mg/l;

Huntington Creek and tributaries from the confluence with Cottonwood Creek to Highway U-10: 4,800 mg/l;

Ivie Creek and its tributaries from the confluence with Muddy Creek to the confluence with Quitcupah Creek: 3,800 mg/l provided that total sulfate not exceed 2,000 mg/l to protect the livestock watering agricultural existing use;

Ivie Creek and its tributaries from the confluence with Quitcupah Creek to Highway U-10: 2,600 mg/l;

Kanab Creek and tributaries from immediately below the confluence with Sink Valley Wash to the confluence of Simpson Hollow Wash: April through November, daily maximum 1,900 mg/l. December through March, daily maximum 1,700 mg/l. Assessments shall be based on TDS concentrations measured in Kanab Creek.;

Kanab Creek and tributaries from immediately above Simpson Hollow Wash to irrigation diversion at confluence with Reservoir Canyon: April through November, daily maximum 1,400 mg/l. Assessments shall be based on TDS concentrations measured in Kanab Creek.;

Lost Creek from the confluence with Sevier River to U.S. National Forest boundary: 4,600 mg/l;

Muddy Creek and tributaries from the confluence with Ivie Creek to Highway U-10: 2,600 mg/l;

Muddy Creek from confluence with Fremont River to confluence with Ivie Creek: 5,800 mg/l;

North Creek from the confluence with Virgin River to headwaters: 2,035 mg/l;

Onion Creek from the confluence with Colorado River to road crossing above Stinking Springs: 3000 mg/l;

Brine Creek-Petersen Creek, from the confluence with the Sevier

Total Dissolved Gases	(1)	(1)		
Minimum Dissolved Oxygen (MG/L) (2) (2a)				
30 Day Average	6.5	5.5	5.0	5.0
7 Day Average	9.5/5.0	6.0/4.0		
Minimum	8.0/4.0	5.0/3.0	3.0	3.0
Max. Temperature(C) (3)	20	27	27	
Max. Temperature Change (C) (3)	2	4	4	
pH (Range) (2a)	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0
Turbidity Increase (NTU)	10	10	15	15
METALS				
(TOTAL RECOVERABLE, UG/L)				
Aluminum (4) (5)				
4 Day Average	87	87	87	87
1 Hour Average	750	750	750	750
METALS, METALLOIDS AND SUBSTANCES (4)				
(DISSOLVED, UG/L) (6)				
Arsenic (Trivalent)				
4 Day Average	150	150	150	150
1 Hour Average	340	340	340	340
Cadmium (7)				
4 Day Average	0.72	0.72	0.72	0.72
1 Hour Average	1.8	1.8	1.8	1.8
Chromium (Hexavalent)				
4 Day Average	11	11	11	11
1 Hour Average	16	16	16	16
Chromium (Trivalent) (7)				
4 Day Average	74	74	74	74
1 Hour Average	570	570	570	570
Copper (7)				
4 Day Average	9	9	9	9
1 Hour Average	13	13	13	13
Cyanide (Free)				
4 Day Average	5.2	5.2	5.2	
1 Hour Average	22	22	22	22
Iron (Maximum)	1000	1000	1000	1000
Lead (7)				
4 Day Average	2.5	2.5	2.5	2.5
1 Hour Average	65	65	65	65
Mercury				
4 Day Average	0.012	0.012	0.012	0.012
Nickel (7)				
4 Day Average	52	52	52	52
1 Hour Average	468	468	468	468
Selenium				
4 Day Average	4.6	4.6	4.6	4.6
1 Hour Average	18.4	18.4	18.4	18.4
Selenium (14)				
Gilbert Bay (Class 5A)				
Great Salt Lake				
Geometric Mean over Nesting Season (mg/kg dry wt)				12.5

Silver				
1 Hour Average (7)	3.2	3.2	3.2	3.2
Tributyltin				
4 Day Average	0.072	0.072	0.072	0.072
1 Hour Average	0.46	0.46	0.46	0.46
Zinc (7)				
4 Day Average	120	120	120	120
1 Hour Average	120	120	120	120
INORGANICS (MG/L) (4)				
Total Ammonia as N (9)				
30 Day Average	(9a)	(9a)	(9a)	(9a)
1 Hour Average	(9b)	(9b)	(9b)	(9b)
Chlorine (Total Residual)				
4 Day Average	0.011	0.011	0.011	0.011
1 Hour Average	0.019	0.019	0.019	0.019
Hydrogen Sulfide (Undissociated, Max. UG/L)				
	2.0	2.0	2.0	2.0
Phenol (Maximum)				
	0.01	0.01	0.01	0.01
RADIOLOGICAL (MAXIMUM pCi/L)				
ORGANICS (UG/L) (4)				
Acrolein				
4 Day Average	3.0	3.0	3.0	3.0
1 Hour Average	3.0	3.0	3.0	3.0
Aldrin				
1 Hour Average	1.5	1.5	1.5	1.5
Carbaryl				
4 Day Average	2.1	2.1	2.1	2.1
1 Hour Average	2.1	2.1	2.1	2.1
Chlordane				
4 Day Average	0.0043	0.0043	0.0043	0.0043
1 Hour Average	1.2	1.2	1.2	1.2
Chlorpyrifos				
4 Day Average	0.041	0.041	0.041	0.041
1 Hour Average	0.083	0.083	0.083	0.083
4,4' -DDT				
4 Day Average	0.0010	0.0010	0.0010	0.0010
1 Hour Average	0.55	0.55	0.55	0.55
Diazinon				
4 Day Average	0.17	0.17	0.17	0.17
1 Hour Average	0.17	0.17	0.17	0.17
Dieldrin				
4 Day Average	0.056	0.056	0.056	0.056
1 Hour Average	0.24	0.24	0.24	0.24
Alpha-Endosulfan				
4 Day Average	0.056	0.056	0.056	0.056
1 Hour Average	0.11	0.11	0.11	0.11
beta-Endosulfan				
4 Day Average	0.056	0.056	0.056	0.056
1 Day Average	0.11	0.11	0.11	0.11
Endrin				
4 Day Average	0.036	0.036	0.036	0.036
1 Hour Average	0.086	0.086	0.086	0.086
Heptachlor				
4 Day Average	0.0038	0.0038	0.0038	0.0038
1 Hour Average	0.26	0.26	0.26	0.26

Heptachlor epoxide				
4 Day Average	0.0038	0.0038	0.0038	0.0038
1 Hour Average	0.26	0.26	0.26	0.26
Hexachlorocyclohexane (Lindane)				
4 Day Average	0.08	0.08	0.08	0.08
1 Hour Average	1.0	1.0	1.0	1.0
Methoxychlor (Maximum)				
	0.03	0.03	0.03	0.03
Mirex (Maximum)	0.001	0.001	0.001	0.001
Nonylphenol				
4 Day Average	6.6	6.6	6.6	6.6
1 Hour Average	28.0	28.0	28.0	28.0
Parathion				
4 Day Average	0.013	0.013	0.013	0.013
1 Hour Average	0.066	0.066	0.066	0.066
PCBs				
4 Day Average	0.014	0.014	0.014	0.014
Pentachlorophenol (11)				
4 Day Average	15	15	15	15
1 Hour Average	19	19	19	19
Toxaphene				
4 Day Average	0.0002	0.0002	0.0002	0.0002
1 Hour Average	0.73	0.73	0.73	0.73
POLLUTION INDICATORS (10)				
Gross Alpha (pCi/L)	15	15	15	15
Gross Beta (pCi/L)	50	50	50	50
BOD (MG/L)	5	5	5	5
Nitrate as N (MG/L)	4	4	4	4
Total Phosphorus as P(MG/L) (12)	0.05	0.05		

FOOTNOTES:

(1) Not to exceed 110% of saturation.

(2) These limits are not applicable to lower water levels in deep impoundments. First number in column is for when early life stages are present, second number is for when all other life stages present.

(2a) These criteria are not applicable to Great Salt Lake impounded wetlands. Surface water in these wetlands shall be protected from changes in pH and dissolved oxygen that create significant adverse impacts to the existing beneficial uses. To ensure protection of uses, the Director shall develop reasonable protocols and guidelines that quantify the physical, chemical, and biological integrity of these waters. These protocols and guidelines will include input from local governments, the regulated community, and the general public. The Director will inform the Water Quality Board of any protocols or guidelines that are developed.

(3) Site Specific Standards for Temperature
Kens Lake: From June 1st - September 20th, 27 degrees C.

(4) Where criteria are listed as 4-day average and 1-hour average concentrations, these concentrations should not be exceeded more often than once every three years on the average.

(5) The criterion for aluminum will be implemented as follows:

Until January 25, 2026, where the pH is equal to or greater than 7.0 and the hardness is equal to or greater than 50 ppm as CaCO₃ in the receiving water after mixing, the 87 ug/l chronic criterion, expressed as total recoverable, will not apply, and aluminum will be regulated based on compliance with the 750 ug/l acute aluminum criterion expressed as total recoverable.

On and after January 25, 2026, the one-hour and four-day aluminum criteria are incorporated by reference from Appendix K, Recommended Criteria for Various Water Chemistry Conditions, Final Ambient Water Quality Criteria for Aluminum 2018, EPA-822-R-18-001.

(5a) For water chemistry conditions not specifically listed in Appendix K, the criteria are the more stringent of the criteria bracketed by the two most similar water chemistry conditions or may be interpolated using the same equations used to create the Appendix K tables.

(5b) Criteria based on ambient water chemistry conditions must protect the water body over the full range of water chemistry conditions, including during conditions when aluminum is most toxic.

(5c) For characterizing ambient waters, total recoverable analytical methods may be used or different scientifically appropriate analytical methods that measure the bioavailable fraction of aluminum that includes the measurement of amorphous aluminum hydroxide yet minimizes the measurement of mineralized forms of aluminum such as aluminum silicates associated with suspended sediment particles or clays.

(6) The dissolved metals method involves filtration of the sample in the field, acidification of the sample in the field, no digestion process in the laboratory, and analysis by EPA approved laboratory methods for the required detection levels.

(7) Hardness dependent criteria. 100 mg/l used. Conversion factors for ratio of total recoverable metals to dissolved metals must also be applied.

In waters with a hardness greater than 400 mg/l as CaCO₃, calculations will assume a hardness of 400 mg/l as CaCO₃. See Table 2.14.3 for complete equations for hardness and conversion factors.

(8) See also numeric criteria for organism only in Table 2.14.6.

(9) The following equations are used to calculate Ammonia criteria concentrations:

(9a) The thirty-day average concentration of total ammonia nitrogen (in mg/l as N) does not exceed, more than once every three years on the average, the chronic criterion calculated using the following equations.

Fish Early Life Stages are Present:

$$\text{mg/l as N (Chronic)} = ((0.0577/(1+10^{7.688-\text{pH}})) + (2.487/(1+10^{\text{pH}-7.688}))) * \text{MIN}(2.85, 1.45*10^{0.028*(25-\text{T})})$$

Fish Early Life Stages are Absent:

$$\text{mg/l as N (Chronic)} = ((0.0577/(1+10^{7.688-\text{pH}})) + (2.487/(1+10^{\text{pH}-7.688}))) * 1.45*10^{0.028*(25-\text{MAX}(\text{T},7))}$$

Mill Creek (Salt Lake County) from confluence with Jordan River to Interstate 15, Jordan River from Farmington Bay to confluence with Little Cottonwood Creek, Surplus Canal from 900 South Street to diversion from the Jordan River, State Canal, Fish Early Life Stages are Present:

$$\text{mg/l as N (Chronic)} = 0.9405 * ((0.0278/(1+10^{7.688-\text{pH}})) + (1.1994/(1+10^{\text{pH}-7.688}))) * \text{MIN}(6.920, (7.547*10^{0.028*(20-\text{T})})$$

Mill Creek (Salt Lake County) from confluence with Jordan River to Interstate 15, Jordan River from Farmington Bay to confluence with Little Cottonwood Creek, Surplus Canal from 900 South Street to diversion from the Jordan River, State Canal, Fish Early Life Stages are Absent:

$$\text{mg/L as N (chronic)} = 0.9405 * ((0.0278/(1+10^{7.688-\text{pH}})) + (1.1994/(1+10^{\text{pH}-7.688}))) * (7.547*10^{0.028*(20-\text{MAX}(\text{T},7))})$$

(9b) The one-hour average concentration of total ammonia nitrogen (in mg/l as N) does not exceed, more than once every three years on the average the acute criterion calculated using the following equations.

Class 3A:

$$\text{mg/l as N (Acute)} = (0.275/(1+10^{7.204-\text{pH}})) + (39.0/1+10^{\text{pH}-7.204})$$

Class 3B, 3C, 3D:

$$\text{mg/l as N (Acute)} = 0.411/(1+10^{7.204-\text{pH}}) + (58.4/(1+10^{\text{pH}-7.204}))$$

Mill Creek (Salt Lake County) from confluence with Jordan River to Interstate 15, Jordan River from Farmington Bay to confluence with Little Cottonwood Creek, Surplus Canal from 900 South Street to diversion from the Jordan River, State Canal:

$$\text{mg/l as N (Acute)} = 0.7249 * ((0.0114/(1+10^{7.204-\text{pH}})) + (1.6181/(1+10^{\text{pH}-7.204}))) * \text{MIN}(51.93, (62.15*10^{0.036*(20-\text{T})})$$

In addition, the highest four-day average within the 30-day period should not exceed 2.5 times the chronic criterion.

The "Fish Early Life Stages are Present" 30-day average total ammonia criterion will be applied by default unless it is determined by the Director, on a site-specific basis, that it is appropriate to apply the "Fish Early Life Stages are Absent" 30-day average criterion for all or some portion of the year. At a minimum, the "Fish Early Life Stages are Present" criterion will apply from the beginning of spawning through the end of the early life stages. Early life stages

include the pre-hatch embryonic stage, the post-hatch free embryo or yolk-sac fry stage, and the larval stage for the species of fish expected to occur at the site. The Director will consult with the Division of Wildlife Resources in making such determinations. The Division will maintain information regarding the waterbodies and time periods where application of the "Early Life Stages are Absent" criterion is determined to be appropriate.

(10) Investigation should be conducted to develop more information where these levels are exceeded.

(11) pH dependent criteria. pH 7.8 used in table. See Table 2.14.4 for equation.

(12) Total Phosphorus as P (mg/l) as a pollution indicator for lakes and reservoirs shall be 0.025. These indicators are superseded by numeric criteria in waters where promulgated.

(13) Reserved

(14) The selenium water quality standard of 12.5 (mg/kg dry weight) for Gilbert Bay is a tissue based standard using the complete egg or embryo of aquatic dependent birds using Gilbert Bay based upon a minimum of five samples over the nesting season. Assessment procedures are incorporated as a part of this standard as follows:

Egg Concentration Triggers: DWQ Responses

Below 5.0 mg/kg: Routine monitoring with sufficient intensity to determine if selenium concentrations within the Great Salt Lake ecosystem are increasing.

5.0 mg/kg: Increased monitoring to address data gaps, loadings, and areas of uncertainty identified from initial Great Salt Lake selenium studies.

6.4 mg/kg: Initiation of a Level II Antidegradation review by the State for all discharge permit renewals or new discharge permits to Great Salt Lake. The Level II Antidegradation review may include an analysis of loading reductions.

9.8 mg/kg: Initiation of preliminary TMDL studies to evaluate selenium loading sources.

12.5 mg/kg and above: Declare impairment. Formalize and implement TMDL.

Antidegradation

Level II Review procedures associated with this standard are referenced at R317-2-3.5.C.

TABLE
1-HOUR AVERAGE (ACUTE) CONCENTRATION OF
TOTAL AMMONIA AS N (MG/L)

pH	Class 3A	Class 3B, 3C, 3D
6.5	32.6	48.8
6.6	31.3	46.8
6.7	29.8	44.6
6.8	28.1	42.0
6.9	26.2	39.1
7.0	24.1	36.1
7.1	22.0	32.8
7.2	19.7	29.5
7.3	17.5	26.2
7.4	15.4	23.0
7.5	13.3	19.9
7.6	11.4	17.0
7.7	9.65	14.4
7.8	8.11	12.1
7.9	6.77	10.1
8.0	5.62	8.40
8.1	4.64	6.95
8.2	3.83	5.72
8.3	3.15	4.71
8.4	2.59	3.88
8.5	2.14	3.20
8.6	1.77	2.65
8.7	1.47	2.20
8.8	1.23	1.84
8.9	1.04	1.56

9.0

0.89

1.32

TABLE
30-DAY AVERAGE (CHRONIC) CONCENTRATION OF
TOTAL AMMONIA AS N (MG/L)

Fish Early Life Stages Present
Temperature, C

pH	0	14	16	18	20	22	24	26	28	30
6.5	6.67	6.67	6.06	5.33	4.68	4.12	3.62	3.18	2.80	2.46
6.6	6.57	6.57	5.97	5.25	4.61	4.05	3.56	3.13	2.75	2.42
6.7	6.44	6.44	5.86	5.15	4.52	3.98	3.50	3.07	2.70	2.37
6.8	6.29	6.29	5.72	5.03	4.42	3.89	3.42	3.00	2.64	2.32
6.9	6.12	6.12	5.56	4.89	4.30	3.78	3.32	2.92	2.57	2.25
7.0	5.91	5.91	5.37	4.72	4.15	3.65	3.21	2.82	2.48	2.18
7.1	5.67	5.67	5.15	4.53	3.98	3.50	3.08	2.70	2.38	2.09
7.2	5.39	5.39	4.90	4.31	3.78	3.33	2.92	2.57	2.26	1.99
7.3	5.08	5.08	4.61	4.06	3.57	3.13	2.76	2.42	2.13	1.87
7.4	4.73	4.73	4.30	3.78	3.32	2.92	2.57	2.26	1.98	1.74
7.5	4.36	4.36	3.97	3.49	3.06	2.69	2.37	2.08	1.83	1.61
7.6	3.98	3.98	3.61	3.18	2.79	2.45	2.16	1.90	1.67	1.47
7.7	3.58	3.58	3.25	2.86	2.51	2.21	1.94	1.71	1.50	1.32
7.8	3.18	3.18	2.89	2.54	2.23	1.96	1.73	1.52	1.33	1.17
7.9	2.80	2.80	2.54	2.24	1.96	1.73	1.52	1.33	1.17	1.03
8.0	2.43	2.43	2.21	1.94	1.71	1.50	1.32	1.16	1.02	0.90
8.1	2.10	2.10	1.91	1.68	1.47	1.29	1.14	1.00	0.88	0.77
8.2	1.79	1.79	1.63	1.43	1.26	1.11	0.97	0.86	0.75	0.66
8.3	1.52	1.52	1.39	1.22	1.07	0.94	0.83	0.73	0.64	0.56
8.4	1.29	1.29	1.17	1.03	0.91	0.80	0.70	0.62	0.54	0.48
8.5	1.09	1.09	0.99	0.87	0.76	0.67	0.59	0.52	0.46	0.40
8.6	0.92	0.92	0.84	0.73	0.65	0.57	0.50	0.44	0.39	0.34
8.7	0.78	0.78	0.71	0.62	0.55	0.48	0.42	0.37	0.33	0.29
8.8	0.66	0.66	0.60	0.53	0.46	0.41	0.36	0.32	0.28	0.24
8.9	0.56	0.56	0.51	0.45	0.40	0.35	0.31	0.27	0.24	0.21
9.0	0.49	0.49	0.44	0.39	0.34	0.30	0.26	0.23	0.20	0.18

TABLE
30-DAY AVERAGE (CHRONIC) CONCENTRATION OF
TOTAL AMMONIA AS N (MG/L)

Fish Early Life Stages Absent
Temperature, C

pH	0-7	8	9	10	11	12	13	14	16
6.5	10.8	10.1	9.51	8.92	8.36	7.84	7.36	6.89	6.06
6.6	10.7	9.99	9.37	8.79	8.24	7.72	7.24	6.79	5.97
6.7	10.5	9.81	9.20	8.62	8.08	7.58	7.11	6.66	5.86
6.8	10.2	9.58	8.98	8.42	7.90	7.40	6.94	6.51	5.72
6.9	9.93	9.31	8.73	8.19	7.68	7.20	6.75	6.33	5.56
7.0	9.60	9.00	8.43	7.91	7.41	6.95	6.52	6.11	5.37
7.1	9.20	8.63	8.09	7.58	7.11	6.67	6.25	5.86	5.15
7.2	8.75	8.20	7.69	7.21	6.76	6.34	5.94	5.57	4.90
7.3	8.24	7.73	7.25	6.79	6.37	5.97	5.60	5.25	4.61
7.4	7.69	7.21	6.76	6.33	5.94	5.57	5.22	4.89	4.30
7.5	7.09	6.64	6.23	5.84	5.48	5.13	4.81	4.51	3.97
7.6	6.46	6.05	5.67	5.32	4.99	4.68	4.38	4.11	3.61
7.7	5.81	5.45	5.11	4.79	4.49	4.21	3.95	3.70	3.25
7.8	5.17	4.84	4.54	4.26	3.99	3.74	3.51	3.29	2.89
7.9	4.54	4.26	3.99	3.74	3.51	3.29	3.09	2.89	2.54
8.0	3.95	3.70	3.47	3.26	3.05	2.86	2.68	2.52	2.21
8.1	3.41	3.19	2.99	2.81	2.63	2.47	2.31	2.17	1.91
8.2	2.91	2.73	2.56	2.40	2.25	2.11	1.98	1.85	1.63
8.3	2.47	2.32	2.18	2.04	1.91	1.79	1.68	1.58	1.39
8.4	2.09	1.96	1.84	1.73	1.62	1.52	1.42	1.33	1.17
8.5	1.77	1.66	1.55	1.46	1.37	1.28	1.20	1.13	0.990
8.6	1.49	1.40	1.31	1.23	1.15	1.08	1.01	0.951	0.836
8.7	1.26	1.18	1.11	1.04	0.976	0.915	0.858	0.805	0.707
8.8	1.07	1.01	0.944	0.885	0.829	0.778	0.729	0.684	0.601
8.9	0.917	0.860	0.806	0.758	0.709	0.664	0.623	0.584	0.513
9.0	0.790	0.740	0.694	0.651	0.610	0.572	0.536	0.503	0.442

pH	18	20	22	24	26	28	30
6.5	5.33	4.68	4.12	3.62	3.18	2.80	2.46
6.6	5.25	4.61	4.05	3.56	3.13	2.75	2.42
6.7	5.15	4.52	3.98	3.50	3.07	2.70	2.37
6.8	5.03	4.42	3.89	3.42	3.00	2.64	2.32
6.9	4.89	4.30	3.78	3.32	2.92	2.57	2.25
7.0	4.72	4.15	3.65	3.21	2.82	2.48	2.18

7.1	4.53	3.98	3.50	3.08	2.70	2.38	2.09
7.2	4.41	3.78	3.33	2.92	2.57	2.26	1.99
7.3	4.06	3.57	3.13	2.76	2.42	2.13	1.87
7.4	3.78	3.32	2.92	2.57	2.26	1.98	1.74
7.5	3.49	3.06	2.69	2.37	2.08	1.83	1.61
7.6	3.18	2.79	2.45	2.16	1.90	1.67	1.47
7.7	2.86	2.51	2.21	1.94	1.71	1.50	1.32
7.8	2.54	2.23	1.96	1.73	1.52	1.33	1.17
7.9	2.24	1.96	1.73	1.52	1.33	1.17	1.03
8.0	1.94	1.71	1.50	1.32	1.16	1.02	0.897
8.1	1.68	1.47	1.29	1.14	1.00	0.879	0.733
8.2	1.43	1.26	1.11	1.073	0.855	0.752	0.661
8.3	1.22	1.07	0.941	0.827	0.727	0.639	0.562
8.4	1.03	0.906	0.796	0.700	0.615	0.541	0.475
8.5	0.870	0.765	0.672	0.591	0.520	0.457	0.401
8.6	0.735	0.646	0.568	0.499	0.439	0.396	0.339
8.7	0.622	0.547	0.480	0.422	0.371	0.326	0.287
8.8	0.528	0.464	0.408	0.359	0.315	0.277	0.244
8.9	0.451	0.397	0.349	0.306	0.269	0.237	0.208
9.0	0.389	0.342	0.300	0.264	0.232	0.204	0.179

TABLE 2.14.3a
EQUATIONS TO CONVERT TOTAL RECOVERABLE METALS STANDARD
WITH HARDNESS (1) DEPENDENCE TO DISSOLVED METALS STANDARD
BY APPLICATION OF A CONVERSION FACTOR (CF).

Parameter	4-Day Average (Chronic) Concentration (UG/L)
CADMIUM	$CF * e^{(0.7977 * \ln(\text{hardness}) - 3.909)}$ $CF = 1.101672 - \ln(\text{hardness}) (0.041838)$
CHROMIUM III	$CF * e^{(0.8190(\ln(\text{hardness})) + 0.6848)}$ $CF = 0.860$
COPPER	$CF * e^{(0.8545(\ln(\text{hardness})) - 1.702)}$ $CF = 0.960$
LEAD	$CF * e^{(1.273(\ln(\text{hardness})) - 4.705)}$ $CF = 1.46203 - \ln(\text{hardness}) (0.145712)$
NICKEL	$CF * e^{(0.8460(\ln(\text{hardness})) + 0.0584)}$ $CF = 0.997$
SILVER	N/A
ZINC	$CF * e^{(0.8473(\ln(\text{hardness})) + 0.884)}$ $CF = 0.986$

TABLE 2.14.3b
EQUATIONS TO CONVERT TOTAL RECOVERABLE METALS STANDARD
WITH HARDNESS (1) DEPENDENCE TO DISSOLVED METALS STANDARD
BY APPLICATION OF A CONVERSION FACTOR (CF).

Parameter	1-Hour Average (Acute) Concentration (UG/L)
CADMIUM	$CF * e^{(0.9789 * \ln(\text{hardness}) - 3.866)}$ $CF = 1.136672 - \ln(\text{hardness}) (0.041838)$
CHROMIUM (III)	$CF * e^{(0.8190(\ln(\text{hardness})) + 3.7256)}$ $CF = 0.316$
COPPER	$CF * e^{(0.9422(\ln(\text{hardness})) - 1.700)}$ $CF = 0.960$
LEAD	$CF * e^{(1.273(\ln(\text{hardness})) - 1.460)}$ $CF = 1.46203 - \ln(\text{hardness}) (0.145712)$
NICKEL	$CF * e^{(0.8460(\ln(\text{hardness})) + 2.255)}$ $CF = 0.998$
SILVER	$CF * e^{(1.72(\ln(\text{hardness})) - 6.59)}$ $CF = 0.85$
ZINC	$CF * e^{(0.8473(\ln(\text{hardness})) + 0.884)}$ $CF = 0.978$

FOOTNOTE:

(1) Hardness as mg/l CaCO₃.

TABLE 2.14.4
EQUATIONS FOR PENTACHLOROPHENOL
(pH DEPENDENT)

4-Day Average (Chronic) Concentration (UG/L)	1-Hour Average (Acute) Concentration (UG/L)
$e^{(1.005(\text{pH}))-5.134}$	$e^{(1.005(\text{pH}))-4.869}$

TABLE 2.14.5
SITE SPECIFIC CRITERIA FOR DISSOLVED OXYGEN FOR
JORDAN RIVER FROM FARMINGTON BAY TO CONFLUENCE WITH LITTLE
COTTONWOOD CREEK, SURPLUS CANAL, AND STATE CANAL

DISSOLVED OXYGEN:

May-July	
7-day average	5.5 mg/l
30-day average	5.5 mg/l
Instantaneous minimum	4.5 mg/l
August-April	
30-day average	5.5 mg/l
Instantaneous minimum	4.0 mg/l

TABLE 2.14.6
LIST OF HUMAN HEALTH CRITERIA (CONSUMPTION)

Chemical Parameter and CAS #	Water and Organism	Organism Only
	(ug/L)	(ug/L)
	Class 1C	Class 3A,3B,3C,3D
Antimony 7440-36-0	5.6	640
Arsenic 7440-38-2	A	A
Beryllium 7440-41-7	C	C
Chromium III 16065-83-1	C	C
Chromium VI 18540-29-9	C	C
Copper 7440-50-8	1,300	
Mercury 7439-97-6	A	A
Methylmercury 22967-92-6	0.3 E	0.3 E
Nickel 7440-02-0	610	4,600
Selenium 7782-49-2	170	4,200
Thallium 7440-28-0	0.24	0.47
Zinc 7440-66-6	7,400	26,000
Free Cyanide 57-12-5	4	400
Asbestos 1332-21-4	7 million Fibers/L	
2,3,7,8-TCDD Dioxin 1746-01-6	5.0 E -9 B	5.1 E-9 B
Acrolein 107-02-8	3	400
Acrylonitrile 107-13-1	0.061	7.0
Benzene 71-43-2	2.1 B	51 B
Bromoform 75-25-2	7.0 B	120 B
Carbon Tetrachloride 56-23-5	0.4 B	5 B
Chlorobenzene 108-90-7	100 MCL	800
Chlorodibromomethane 124-48-1	0.80 B	21 B
Chloroform 67-66-3	60 B	2,000 B
Dichlorobromomethane 75-27-4	0.95 B	27 B
1,2-Dichloroethane 107-06-2	9.9 B	2,000 B
1,1-Dichloroethylene 75-35-4	300 MCL	20,000
1,2-Dichloropropane 78-87-5	0.90 B	31 B
1,3-Dichloropropene 542-75-6	0.27	12
Ethylbenzene 100-41-4	68	130
Methyl Bromide 74-83-9	100	10,000
Methylene Chloride 75-09-2	20 B	1,000 B
1,1,2,2-Tetrachloroethane 79-34-5	0.2 B	3 B
Tetrachloroethylene 127-18-4	10 B	29 B
Toluene 108-88-3	57	520
1,2 -Trans-Dichloroethylene 156-60-5	100 MCL	4,000
1,1,1-Trichloroethane 71-55-6	10,000 MCL	200,000
1,1,2-Trichloroethane 79-00-5	0.55 B	8.9 B
Trichloroethylene 79-01-6	0.6 B	7 B
Vinyl Chloride 75-01-4	0.022	1.6
2-Chlorophenol 95-57-8	30	800

2,4-Dichlorophenol 120-83-2	10	60
2,4-Dimethylphenol 105-67-9	100	3,000
2-Methyl-4,6-Dinitrophenol 534-52-1	2	30
2,4-Dinitrophenol 51-28-5	10	300
3-Methyl-4-Chlorophenol 59-50-7	500	2,000
Pentachlorophenol 87-86-5	0.03 B	0.04 B
Phenol 108-95-2	4,000	300,000
2,4,5-Trichlorophenol 95-95-4	300	600
2,4,6-Trichlorophenol 88-06-2	1.5 B	2.8 B
Acenaphthene 83-32-9	70	90
Anthracene 120-12-7	300	400
Benzidine 92-87-5	0.00014 B	0.011 B
BenzoaAnthracene 56-55-3	0.0012 B	0.0013 B
BenzoaPyrene 50-32-8	0.00012 B	0.00013 B
BenzoBFluoranthene 205-99-2	0.0012 B	0.0013 B
BenzoKFluoranthene 207-08-9	0.012 B	0.013 B
Bis2-ChloroImethylether 542-88-1	0.00015	0.017
Bis2-ChloroImethylethylether 108-60-1	200 B	4000
Bis2-ChloroethylEther 111-44-4	0.030 B	2.2 B
Bis2-ChloroisopropylEther 39638-32-9	1,400	65,000
Bis2-EthylhexylPhthalate 117-81-7	0.32 B	0.37 B
Butylbenzyl Phthalate 85-68-7	0.10	0.10
2-Chloronaphthalene 91-58-7	800	1,000
Chrysene 218-01-9	0.12 B	0.13 B
Dibenzoa,hAnthracene 53-70-3	0.00012 B	0.00013 B
1,2-Dichlorobenzene 95-50-1	1,000	3,000
1,3-Dichlorobenzene 541-73-1	7	10
1,4-Dichlorobenzene 106-46-7	300	900
3,3-Dichlorobenzidine 91-94-1	0.049 B	0.15 B
Diethyl Phthalate 84-66-2	600	600
Dimethyl Phthalate 131-11-3	2,000	2,000
Di-n-Butyl Phthalate 84-74-2	20	30
2,4-Dinitrotoluene 121-14-2	0.049 B	1.7 B
Dinitrophenols 25550-58-7	10	1,000
1,2-Diphenylhydrazine 122-66-7	0.03 B	0.2 B
Fluoranthene 206-44-0	20	20
Fluorene 86-73-7	50	70
Hexachlorobenzene 118-74-1	0.000079 B	0.000079 B
Hexachlorobutadiene 87-68-3	0.01 B	0.01 B
Hexachloroethane 67-72-1	0.1 B	0.1 B
Hexachlorocyclopentadiene 77-47-4	4	4
Ideno 1,2,3-cdPyrene 193-39-5	0.0012 B	0.0013 B
Isophorone 78-59-1	34 B	1,800 B
Nitrobenzene 98-95-3	10	600
N-Nitrosodiethylamine 55-18-5	0.0008 B	1.24 B
N-Nitrosodimethylamine 62-75-9	0.00069 B	3.0 B
N-Nitrosodi-n-Propylamine 621-64-7	0.0050 B	0.51 B
N-Nitrosodiphenylamine 86-30-6	3.3 B	6.0 B
N-Nitrosopyrrolidine 930-55-2	0.016 B	34 B
Pentachlorobenzene 608-93-5	0.1	0.1
Pyrene 129-00-0	20	30
1,2,4-Trichlorobenzene 120-82-1	0.071 MCL	0.076
Aldrin 309-00-2	0.00000077 B	0.00000077 B
alpha-BHC 319-84-6	0.00036 B	0.00039 B
beta-BHC 319-85-7	0.0080 B	0.014 B
gamma-BHC (Lindane) 58-89-9	4.2 MCL	4.4
Hexachlorocyclohexane (HCH) Technical 608-73-1	0.0066	0.010
Chlordane 57-74-9	0.00031 B	0.00032 B
4,4-DDT 50-29-3	0.000030 B	0.000030 B
4,4-DDE 72-55-9	0.000018 B	0.000018 B
4,4-DDD 72-54-8	0.00012 B	0.00012 B

Dieldrin 60-57-1	0.000012 B	0.000012 B
alpha-Endosulfan 959-98-8	20	30
beta-Endosulfan 33213-65-9	20	40
Endosulfan Sulfate 1031-07-8	20	40
Endrin 72-20-8	0.03	0.03
Endrin Aldehyde 7421-93-4	1	1
Heptachlor 76-44-8	0.000059 B	0.000059 B
Heptachlor Epoxide 1024-57-3	0.000032 B	0.000032 B
Methoxychlor 72-43-5	0.02	0.02
Polychlorinated Biphenyls (PCBs) 1336-36-3	0.000064 B,D	0.000064 B,D
Toxaphene 8001-35-2	0.00070 B	0.00071 B

FOOTNOTES:

- A. See Table 2.14.2
- B. Based on carcinogenicity of 10⁻⁶ risk.
- C. EPA has not calculated a human criterion for this contaminant. However, permit authorities should address this contaminant in NPDES permit actions using the State's existing narrative criteria for toxics
- D. This standard applies to total PCBs.
- E. mg/kg wet weight in edible fish and shellfish tissue

TABLE 2.14.7
NUTRIENT CRITERIA FOR CLASSES 2A and 2B (1)

Nutrient Parameters	Criteria
Periphyton	125 mg/m ² chlorophyll-a or 49 g/m ² ash free dry mass

FOOTNOTES:

- (1) Applicable to all Category 1 and Category 2 streams with the following exceptions: Quitchupah Creek through Convulsion Canyon from U. S. Forest Service boundary upstream to East Spring Canyon headwaters; North Fork of Quitchupah Creek from the U. S. Forest Service boundary upstream to its confluence with South Fork; Huntington Creek from U. S. Forest Service boundary to confluence with Crandall Creek and Crandall Creek to headwaters.

TABLE 2.14.8
NUTRIENT CRITERIA FOR CLASSES 3A, 3B, 3C, and 3D(1)

Nutrient Parameters	Criteria(2)
Total Phosphorus	0.035 mg/L(3), and
Total Nitrogen	0.40 mg/L(3), or
Total Phosphorus	0.080 mg/L(3), and
Total Nitrogen	0.80 mg/L(3), and
Filamentous Algae	33% cover(4), or
Gross Primary Production	6 g O ₂ /m ² -day(5), or
Ecosystem Respiration	5 g O ₂ /m ² -day(5)

FOOTNOTES:

- (1) Applicable to all Category 1 and Category 2 streams with the following exceptions: Quitchupah Creek through Convulsion Canyon from U. S. Forest Service boundary upstream to East Spring Canyon headwaters; North Fork of Quitchupah Creek from the U. S. Forest Service boundary upstream to its confluence with South Fork; Huntington Creek from U. S. Forest Service boundary to confluence with Crandall Creek and Crandall Creek to headwaters.
- (2) For water quality assessments, Table 8, Decision Matrix That Will Be Used to Assess Support of Headwater Aquatic Life Uses for Nutrient-related Water Quality Problems, "Proposed Nutrient Criteria: Utah Headwater Streams," Utah Division of Water Quality, March, 2019 is incorporated by reference.
- (3) Not to be exceeded seasonal average for the index period of algal growth through senescence.
- (4) Not to be exceeded average based on at least three transects perpendicular to stream flow and spatially dispersed along a reach of at least 50 meters
- (5) Not to be exceeded during the index period of algal growth through senescence.

KEY: water pollution, water quality standards
 Date of Last Change: ~~2025~~ January 25, 2023
 Notice of Continuation: June 22, 2022
 Authorizing, and Implemented or Interpreted Law: 19-5; FWPCA 33 USC 1251, 1311-1317, 1329

NOTICE OF SUBSTANTIVE CHANGE		
TYPE OF FILING: Amendment		
Rule or Section Number:	R356-8	Filing ID: 57083

Agency Information

1. Title catchline:	Governor, Criminal and Juvenile Justice (State Commission on)	
Building:	Utah State Capitol, Senate Building	
Street address:	350 N State Street	
City, state	Salt Lake City, UT	
Mailing address:	PO Box 142330	
City, state and zip:	Salt Lake City, UT 84114-2330	
Contact persons:		
Name:	Phone:	Email:
Angelo Perillo	801-538-1047	aperillo@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:	R356-8. Designation of Commission Duties
3. Purpose of the new rule or reason for the change:	The purpose of this filing is to modify the Sex Offense Management Advisory Committee in Rule R356-8.
4. Summary of the new rule or change:	This rule modifies the Sex Offense Management Advisory Committee, which was previously created under the Commission to perform the Commission's duties described in Subsection 63M-7-204(1)(z) and Section 63M-7-208.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This rule will not result in any cost or savings to the state budget because it does not create a new entity, it simply describes the members and the duties of the Juvenile Justice Oversight Committee which is already in existence.
B) Local governments:
This rule will not result in any cost or savings to the local governments because it does not create a new entity, it simply describes the members and the duties of the Juvenile Justice Oversight Committee which is already in existence.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule will not result in any cost or savings to the small businesses because it does not create a new entity, it simply describes the members and the duties of the Juvenile Justice Oversight Committee which is already in existence.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

This rule will not result in any cost or savings to the non-small businesses because it does not create a new entity, it simply describes the members and the duties of the Juvenile Justice Oversight Committee which is already in existence.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

This rule will not result in any cost or savings to the persons other than small businesses, non-small businesses, state, or local government entities because it does not create a new entity, it simply describes the members and the duties of the Juvenile Justice Oversight Committee which is already in existence.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

This rule will not result in any compliance costs for affected persons because it only describes the membership and the duties of the Juvenile Justice Oversight Committee which is already in existence.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head comments on fiscal impact and approval of regulatory impact analysis:

The Executive Director of the Commission on Criminal and Juvenile Justice, Tom Ross, has reviewed and approved this regulatory impact analysis.

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Subsection 63G-7-204(2)	Subsection 63G-3-201(2)	
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Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	05/15/2025
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9. This rule change MAY become effective on:	05/22/2025
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Tom Ross, Executive Director	Date:	03/17/2025
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R356. Governor, Criminal and Juvenile Justice (State Commission on).

R356-8. Designation of Commission Duties.

R356-8-1. Authority.

This rule is authorized by Subsections 63M-7-204(2) and 63G-3-201(2).

R356-8-2. Purpose.

The purpose of this rule is for the commission to designate entities to perform specified duties of the commission.

R356-8-3. Definitions.

- (1) Terms used in this rule are defined in Section 63M-7-101.5.
- (2) In addition:
 - (a) "JJOC" means the Juvenile Justice Oversight Committee created in Section R356-8-7; and
 - (b) "SOMAC" means the Sex Offense Management Advisory Committee created in Section R356-8-6.

R356-8-4. Designation of an Entity.

- (1)(a) The commission may designate an entity to perform the commission's duties.
- (b) An entity designated by the commission under this rule shall include representatives from relevant stakeholder groups from the parts of the justice system implicated in the policy area.
- (2) The commission may designate tasks and duties to an entity in addition to those described in this rule.
- (3) An entity designated by the commission may not make a final decision or take final action on a matter unless otherwise specified in this rule.

R356-8-5. Operation of Designated Entities.

- (1)(a) A member appointed to a designated entity shall serve a four-year term.
- (b) If a designated entity has a vacancy, a new member may be appointed for the rest of the previous member's term.
- (c) A member of a designated entity may be reappointed.
- (d) The terms of the designated entity's members shall be staggered so that half of the members of the designated entity are appointed every two years.
- (2)(a) A designated entity shall elect a chair and a vice-chair, or in the alternative may elect two co-chairs.
- (b) A chair or vice-chair shall serve a two-year term, which may be renewed.
- (c) A vacancy in the office of chair or vice-chair shall be filled for the remainder of the unexpired term by a member of the designated entity who is elected by a majority of the members of the designated entity.
- (3) The commission shall provide support staff to a designated entity.
- (4) In the event a member of a designated entity who does not hold an ex officio position has three unexcused absences, the member may be replaced.
- (5) If an appointed member ceases to meet the qualifications of the appointment or accepts another position which creates a conflict of interest, the member's appointment will immediately end, and a replacement shall be appointed to fill the unexpired term.
- (6) A designated entity shall meet as often as necessary to carry out its designated duties.

R356-8-6. Sex Offense Management Advisory Committee.

- (1)(a) The SOMAC is created within the commission.
- (b) The executive director of the commission shall appoint a director of the SOMAC to:
 - (i) assist the SOMAC perform the duties described in this rule; and
 - (ii) coordinate between the SOMAC and the commission.
- (2) The following may participate as members of the SOMAC:
 - (a) the executive director of the Department of Corrections, or the executive director's designee;
 - (b) the commissioner of the Department of Public Safety, or the commissioner's designee;
 - (c) the attorney general, or the attorney general's designee;
 - (d) an officer with the Adult Probation and Parole Division of the Department of Corrections with experience supervising adults convicted of sex offenses, appointed by the executive director of the Department of Corrections;
 - (e) the executive director of the Department of Health and Human Services, or the executive director's designee;
 - (f) an individual who represents the Administrative Office of the Courts appointed by the state court administrator;
 - (g) the director of the Utah Office for Victims of Crime, or the director's designee;
 - (h) the director of the Division of Juvenile Justice and Youth Services, or the director's designee;
 - (i) the chair of the Board of Pardons and Parole, or the chair's designee; and

(j) nine individuals appointed by the executive director of the commission, including:

(i) the following two individuals licensed under Title 58, Chapter 60, Mental Health Professional Practice Act:

(A) an individual with experience in the treatment of adults convicted of sex offenses in the community;

(B) an individual with experience in the treatment of juveniles adjudicated of sex offenses in the community;

(ii) an individual who represents an association of criminal defense attorneys;

(iii) an individual who is a criminal defense attorney experienced in indigent criminal defense;

(iv) an individual who represents an association of prosecuting attorneys;

(v) an individual who represents law enforcement;

(vi) an individual who represents ~~[an association of criminal justice victim advocates;]~~ the Utah Victim Services Commission established in Section 63M-7-901.

~~[(vii) an individual who is a clinical polygraph examiner experienced in providing polygraph examinations to individuals convicted of sex offenses; and~~

~~[(viii) an individual who has been previously convicted of a sex offense and has successfully completed treatment and supervision for the offense.]~~

(3) The SOMAC is designated by the commission to ~~[perform the commission's duties]~~ discuss, study, and make recommendations to the commission regarding the commission's duties described in Subsection 63M-7-204(1)(z) ~~[and shall].~~

(4) The SOMAC shall:

(a) recommend policies that promote public safety and protect victims of sex offenses;

~~[(a)]~~ (b) review research, collect and review data including Utah-specific data, and gather input from stakeholders throughout the criminal justice system regarding effective treatment ~~[, risk assessment,]~~ and supervision practices for individuals ~~[on the registry or individuals ordered to complete sex offense treatment;]~~ convicted of sex offenses to promote public safety;

~~[(b)]~~ (c) under direction of the commission, advise, educate, and make recommendations to other councils, boards, and offices within the commission regarding ~~[evidence-based;]~~ effective treatment and supervision practices for individuals convicted of sex offenses to promote public safety.

~~[(i) sentencing and treatment practices for individuals on the registry or individuals ordered to complete sex offense treatment to reduce recidivism and promote public safety;~~

~~[(ii) policies to promote public safety and protect victims of sex offenses; and~~

~~[(iii) practices related to the registry that promote public safety, account for risk, and protect the rights of individuals on the registry or individuals ordered to complete sex offense treatment; and~~

~~[(c)]~~ (d) under direction of the commission, advise, educate, and make recommendations to the Department of Corrections, Department of Public Safety, and the Department of Health and Human Services regarding ~~[;]~~ effective treatment and supervision practices for individuals convicted of sex offenses to promote public safety.

~~[(i) evidence-based standards for supervision of individuals on the registry or individuals ordered to complete sex offense treatment;~~

~~[(ii) evidence-based standards for training, certification, and evaluation of community treatment providers, polygraph examiners, evaluators, and other professionals who provide treatment and related services to individuals on the registry or individuals ordered to complete sex offense treatment; and~~

~~[(iii) implementation of the treatment standards and other duties described in Section 64-13-25 related to sex offenses.]~~

R356-8-7. Juvenile Justice Oversight Committee.

(1) The JJOC is created within the commission.

(2) The following may participate as members of the JJOC:

(a) the executive director of the commission, or the executive director's designee;

(b) the director of the Division of Juvenile Justice & Youth Services, or the director's designee;

(c) the director of the Department of Health and Human Services, or the director's designee;

(d) the Juvenile Court Administrator from the Administrative Office of the Courts, or the administrator's designee;

(e) the director of the Division of Child and Family Services, or the director's designee;

(f) the Commissioner of the Department of Public Safety, or the commissioner's designee;

(g) a juvenile court judge appointed by the Judicial Council;

(h) thirteen individuals appointed by the executive director of the commission, including:

(i) a representative of a criminal defense attorneys association who primarily represents juveniles in delinquency matters;

(ii) a representative of a prosecuting attorneys association who primarily prosecutes delinquency matters;

(iii) a representative of the Utah State Board of Education;

(iv) two public education representatives from different school districts;

(v) a representative of a juvenile justice victim advocates association;

(vi) a representative of youth court;

(vii) a representative of youth services;

(viii) a licensed behavioral health treatment provider;

(ix) a representative of a law enforcement association;

(x) an individual who has training and experience in restorative justice; and

(xi) two individuals who represent the community at large.

(3) The JJOC is designated by the commission to carry out the commission's duties described in Subsection 63M-7-204(1)(r) and Section 63M-7-208.

KEY: designation of duties
 Date of Last Change: ~~2025~~ January 21, 2025
 Authorizing, and Implemented or Interpreted Law: 63M-7-204(2)

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment		
Rule or Section Number:	R649-6-2	Filing ID: 57092

Agency Information

1. Title catchline:	Natural Resources; Oil, Gas and Mining; Oil and Gas	
Building:	Natural Resources	
Street address:	1594 W North Temple	
City, state:	Salt Lake City, UT	
Mailing address:	1594 W North Temple, Suite 1210	
City, state and zip:	Salt Lake City, UT 84054	
Contact persons:		
Name:	Phone:	Email:
Natasha Ballif	801-589-5486	natashaballif@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R649-6-2. Waste Crude Oil Treatment Facilities
3. Purpose of the new rule or reason for the change:
Section R649-6-2 was supposed to be removed during a previous substantive rule amendment that became effective in February 2025. The R649-6-2 section language was moved to Section R649-9-6.
4. Summary of the new rule or change:
This rule filing is removing the Section R649-6-2 language. Updated language on Waste Crude Oil Treatment Facilities is included in Section R649-9-6. Specific Permit, Application, and Operation Requirements Applicable to Waste Crude Oil Treatment Facilities.

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
This will have no impact to the state budget since the removed language moved to another section in another rule.
B) Local governments:
There will be no impact to local governments. This will have no impact to the state budget since the removed language moved to another section in another rule.
C) Small businesses ("small business" means a business employing 1-49 persons):
There are 303 small business oil and gas operators (for a complete listing of NAICS codes used in this analysis, please contact the agency) in the state of Utah. It is anticipated that this section removal will have no fiscal impact as this section is relocated to Section R649-9-6.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There are a total of 4 non-small business oil and gas operators (for a complete listing of NAICS codes used in this analysis, please contact the agency) in the state of Utah.

It is anticipated that this rule removal will have no fiscal impact as this section is relocated to Section R649-9-6.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

This rule change will not affect persons other than small businesses, businesses, or local governments as this rule only applies to small and non-small business operators and the Division of Oil, Gas and Mining.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

There will be no additional compliance costs for oil and gas operators as this language has been moved to another rule.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head comments on fiscal impact and approval of regulatory impact analysis:

The Executive Director of the Department of Natural Resources, Joel Ferry, has reviewed and approved this regulatory impact analysis.

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 40-6-1 et seq.		
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Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 05/15/2025

9. This rule change MAY become effective on: 05/28/2025

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Mick Thomas, Director	Date:	03/31/2025
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R649. Natural Resources; Oil, Gas and Mining; Oil and Gas.

R649-6. Gas Processing and Waste Crude Oil Treatment.

~~**R649-6-2. Waste Crude Oil Treatment Facilities.**~~

~~1. Prior to the construction of a waste crude oil treatment facility, an application shall be submitted to the division describing the ownership, location, type, and capacity of the facility contemplated; the extent and location of the surface area to be disturbed, including any pit, pond, or land associated with the facility; and a reclamation plan for the site. Approval of the application must be issued by the division before any ground clearing or construction shall occur.~~

~~2. As a condition for approval of any application, the owner or operator shall post a bond in an amount determined by the division to cover reclamation costs for the site. Failure to post the bond shall be considered sufficient grounds for denial of the application.~~

~~3. No waste crude oil treatment facility operator shall accept delivery of crude oil obtained from any tank, reserve pit, disposal pond or pit, or similar facility unless the delivery is accompanied by a run ticket, invoice, receipt or similar document showing the origin and quantity of the crude oil.]~~

KEY: oil and gas law

Date of Last Change: 2025[1989]

Notice of Continuation: April 27, 2023

Authorizing, and Implemented or Interpreted Law: 40-6-1 et seq

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or Section Number:

R698-8

Filing ID: 57088

Agency Information

1. Title catchline:	Public Safety, Administration	
Building:	Calvin Rampton Building	
Street address:	4501 S 2700 W, 1st Floor	
City, state:	Salt Lake City, UT 84119-5994	
Mailing address:	PO Box 141775	
City, state and zip:	Salt Lake City, UT 84114-1775	
Contact persons:		
Name:	Phone:	Email:
Kim Gibb	801-965-4018	kgibb@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R698-8. Local Public Safety and Firefighter Surviving Spouse Trust Fund
3. Purpose of the new rule or reason for the change:
This rule filing is being submitted as a result of the passage of S.B. 255 in the 2025 General Session.
4. Summary of the new rule or change:
This rule change adds dental and vision coverage to the coverages authorized for reimbursement from the Local Public Safety and Firefighter Surviving Spouse Trust Fund to reflect statutory changes made upon passage of S.B. 255 (2025).

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A) State budget:

The proposed rule amendment is not anticipated to have a fiscal impact on the state budget because the amendment only adds dental and vision coverage to the coverages authorized for reimbursement from the Local Public Safety and Firefighter Surviving Spouse Trust Fund to reflect statutory changes made upon passage of S.B. 255 (2025).

The trust fund is funded through cost-sharing rate payments paid to the fund by local law enforcement and fire agencies as required under Section 53-17-301.

There is not any funding provided to the trust fund through the state budget. The bill itself creates a minimal fiscal impact, the rule change just incorporates language to ensure consistency with the statutory language (see <https://le.utah.gov/~2025/bills/static/SB0255.html>).

B) Local governments:

The proposed rule amendment is not anticipated to have a fiscal impact on the local governments because the amendment only adds dental and vision coverage to the coverages authorized for reimbursement from the Local Public Safety and Firefighter Surviving Spouse Trust Fund to reflect statutory changes made upon passage of S.B. 255 (2025).

The trust fund is funded through cost-sharing rate payments that are currently being paid to the fund by local law enforcement and fire agencies as required under Section 53-17-301.

The Department does not anticipate an increase to the cost-sharing rate at this time.

C) Small businesses ("small business" means a business employing 1-49 persons):

The proposed rule amendment is not anticipated to have a fiscal impact on small businesses because the amendment only adds dental and vision coverage to the coverages authorized for reimbursement from the Local Public Safety and Firefighter Surviving Spouse Trust Fund to reflect statutory changes made upon passage of S.B. 255 (2025).

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

The proposed rule amendment is not anticipated to have a fiscal impact on non-small businesses because the amendment only adds dental and vision coverage to the coverages authorized for reimbursement from the Local Public Safety and Firefighter Surviving Spouse Trust Fund to reflect statutory changes made upon passage of S.B. 255 (2025).

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an *agency*):

The rule change result in a positive fiscal impact to individuals who are surviving spouses and children of police officers and firefighters who have lost their lives in the line of duty, because they will now be eligible for dental and vision coverage without incurring out of pocket costs as a result of the passage of S.B. 255 (2025).

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

There are no compliance costs associated with this rule change because the amendment only includes dental and vision coverage as coverages authorized for reimbursement from the Local Public Safety and Firefighter Surviving Spouse Trust Fund to reflect statutory changes made upon passage of S.B. 255 (2025).

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head comments on fiscal impact and approval of regulatory impact analysis:

The Commissioner of the Department of Public Safety, Jess L. Anderson, has reviewed and approved this regulatory impact analysis.

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 53-17-301		
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Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	05/15/2025
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9. This rule change MAY become effective on:	05/22/2025
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Jess L. Anderson, Commissioner Department of Public Safety	Date:	03/31/2025
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R698. Public Safety, Administration.

R698-8. Local Public Safety and Firefighter Surviving Spouse Trust Fund.

R698-8-1. Purpose.

The purpose of this rule is to establish procedures for implementation of the Public Safety Officer and Firefighter Line-of-Duty Death Act.

R698-8-2. Authority.

This rule is authorized by Section 53-17-301.

R698-8-3. Definitions.

- (1) The terms used in this rule are defined in Section 53-17-102.
- (2) In addition:
 - (a) "department" means the Utah Department of Public Safety; and
 - (b) "participating agency" means an employer defined in Section 53-17-102 that has elected to participate in the trust fund.

R698-8-4. Participation Process.

- (1) An employer that elects or is required to participate in the trust fund pursuant to Section 53-17-301 shall submit:
 - (a) a cost sharing agreement form approved by the board;
 - (b) a certificate of eligible employees form approved by the board that identifies the number of eligible members at the time the employer elects to participate in the trust fund; and
 - (c) the required annual premium payment as determined by the board.

(2) The information described in Subsection R698-8-4(1) shall be addressed to the Commissioner's office of the Department of Public Safety, Attn. Trust Fund.

(3) The cost sharing agreement form shall contain the following:

- (a) the name, address and phone number of the employer; and
- (c) the name, mailing address and signature of the agency administrator completing the cost sharing agreement form.

R698-8-5. Annual Payment of Premiums.

(1) A participating agency shall continue to submit annual premium payments to the department in order to continue to participate in the trust fund.

(2) Annual premium payments shall be submitted to the department no later than June 30 of each year and shall be accompanied by an updated certificate of eligible employees form that identifies the number of eligible members as of March 31.

(3) If a participating agency fails to submit a premium payment as required in this subsection, the department shall notify the participating agency of the delinquency in premium payments.

(4) If after receipt of a delinquency notice the participating agency fails to submit the annual premium payment within 30 days of the date of the notice, the department shall:

- (a) notify the participating agency that the employer is no longer considered to be a participant in the trust fund; and
- (b) include in the notice the total amount of premiums paid by the employer into the trust fund.

R698-8-5. Reimbursement of Health, Dental, and Vision Coverage Costs.

(1) In the event of a line-of-duty death of a member, a participating agency may receive reimbursement for payment of health, dental, and vision coverage premiums and contributions made to a health savings account as described in Section 53-17-201.

(2) To receive reimbursement for payments described in Subsection (1), the participating agency shall submit to the department:

(a) a request for reimbursement on a form approved by the board upon initial request; and

(b) a copy of the statement provided by the group health, dental, and vision plan that includes the participating agency's costs for coverage upon initial request and each month thereafter.

(3) The request for reimbursement form shall include:

(a) the name of the spouse for whom coverage is provided; and

(b) the name and date of birth for each child under the age of 26 for whom coverage is provided.

(4) If the member did not have a living spouse at the time of death, the request for reimbursement form shall include the name and date of birth for each child under the age of 26 for whom coverage is provided.

(5) An employer is only eligible for reimbursement of health[~~care~~], dental, and vision coverage costs from the trust fund for a line of duty death that occurred between July 1, 2005 and July 1, 2018 if the employer participated in the trust fund in compliance with Section R698-8-4 prior to July 1, 2018 and is current with premium payments.

(6) An employer is not eligible for reimbursement of health[~~care~~], dental, and vision coverage costs from the trust fund for a line of duty death if at the time the line of duty death occurs, the employer is not a participating agency in compliance with this rule.

R698-8-6. Discontinuation of Reimbursement of Health, Dental, and Vision Coverage Costs.

(1) In the event of the death of a spouse or child for whom coverage is provided under Section 53-17-201, the participating agency shall submit to the department:

(a) a form approved by the board that includes;

(i) the name of the spouse or child that is deceased;

(ii) the individual's date of birth; and

(iii) the date of the individual's death.

(2) Upon receipt of the form described in Subsection (1), the department shall discontinue reimbursement of health, dental, and vision coverage costs from the trust fund for the deceased individual.

(3) If reimbursement is being paid from the trust fund for health, dental, or vision coverage costs to an employer for a child under the age of 26, reimbursement will be automatically discontinued when the child reaches the age of 26.

KEY: line-of-duty death, cost sharing agreement, surviving spouse trust fund

Date of Last Change: 2025[~~August 4, 2024~~]

Notice of Continuation: January 15, 2021

Authorizing, and Implemented or Interpreted Law: 53-17-301

End of the Notices of Proposed Rules Section

NOTICES OF CHANGES IN PROPOSED RULES

After an agency has published a **PROPOSED RULE** in the *Utah State Bulletin*, it may receive comment that requires the **PROPOSED RULE** to be altered before it goes into effect. A **CHANGE IN PROPOSED RULE** allows an agency to respond to comments it receives.

As with a **PROPOSED RULE**, a **CHANGE IN PROPOSED RULE** is preceded by a **RULE ANALYSIS**. This analysis provides summary information about the **CHANGE IN PROPOSED RULE** including the name of a contact person, anticipated cost impact of the rule, and legal cross-references.

While the law does not designate a comment period for a **CHANGE IN PROPOSED RULE**, it does provide for a 30-day waiting period. An agency may accept additional comments during this period and, at its option, may designate a comment period or may hold a public hearing. The 30-day waiting period for **CHANGES IN PROPOSED RULES** published in this issue of the *Utah State Bulletin* ends May 15, 2025.

Following the **RULE ANALYSIS**, the text of the **CHANGE IN PROPOSED RULE** is usually printed. The text shows only those changes made since the **PROPOSED RULE** was published in an earlier edition of the *Utah State Bulletin*. Additions made to the rule appear underlined (example). Deletions made to the rule appear struck out with brackets surrounding them (~~example~~). A row of dots in the text between paragraphs (.) indicates that unaffected text, either whole sections or subsections, was removed to conserve space. If a **CHANGE IN PROPOSED RULE** is too long to print, the Office of Administrative Rules may include only the **RULE ANALYSIS**. A copy of rules that are too long to print is available from the agency or from the Office of Administrative Rules.

From the end of the 30-day waiting period through August 13, 2025, an agency may notify the Office of Administrative Rules that it wants to make the **CHANGE IN PROPOSED RULE** effective. When an agency submits a **NOTICE OF EFFECTIVE DATE** for a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** as amended by the **CHANGE IN PROPOSED RULE** becomes the effective rule. The agency sets the effective date. The date may be no fewer than 30 days nor more than 120 days after the publication date of the **CHANGE IN PROPOSED RULE**. If the agency designates a public comment period, the effective date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date. Alternatively, the agency may file another **CHANGE IN PROPOSED RULE** in response to additional comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or another **CHANGE IN PROPOSED RULE** by the end of the 120-day period after publication, the **CHANGE IN PROPOSED RULE** filing, along with its associated **PROPOSED RULE**, lapses.

CHANGES IN PROPOSED RULES are governed by Section 63G-3-303, Rule R15-2, and Sections R15-4-3, R15-4-4, R15-4-5b, R15-4-7, R15-4-9, and R15-4-10.

The Changes in Proposed Rules Begin on the Following Page

NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: CPR (Change in Proposed Rule)		
Rule or Section Number:	R590-277	Filing ID: 57005
Date of Previous Publication (Only for CPRs):	02/01/2025	

Agency Information

1. Title catchline:	Insurance, Administration	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state	Taylorsville, UT	
Mailing address:	PO Box 146901	
City, state and zip:	Salt Lake City, UT 84114-6901	
Contact persons:		
Name:	Phone:	Email:
Steve Gooch	801-957-9322	sgooch@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R590-277. Managed Care Health Benefit Plan Standards
3. Purpose of the new rule or reason for the change:
The Department of Insurance (Department) was alerted to a missing provision in the initial filing. This change in proposed rule adds that provision back into this rule.
4. Summary of the new rule or change:
This filing returns to this rule a provision related to services in connection with a prearranged surrogacy agreement. This provision was inadvertently left out of the initial repeal and reenactment filing.
This filing also updates the numbering in Section R590-277-4 due to the re-added provision.
(EDITOR'S NOTE: The original proposed repeal and reenact upon which this change in proposed rule (CPR) was based was published in the February 1, 2025, issue of the Utah State Bulletin, on page 105. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the CPR and the proposed repeal and reenact together to understand all of the changes that will be enforceable should the agency make this rule effective.)

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated cost or savings to the state budget. The changes are clerical in nature and will not change how the Department functions.
B) Local governments:
There is no anticipated cost or savings to local governments. The changes do not affect local governments because they only apply to insurer licensees of the Department.

NOTICES OF CHANGES IN PROPOSED RULES

C) Small businesses ("small business" means a business employing 1-49 persons):			
There is no anticipated cost or savings to small businesses. The changes return to this rule a provision that insurer licensees of the Department already follow.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
There is no anticipated cost or savings to non-small businesses. The changes return to this rule a provision that insurer licensees of the Department already follow.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):			
There is no anticipated cost or savings to any other persons. The changes do not affect any other persons because they only apply to insurer licensees of the Department.			
F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):			
There are no compliance costs for any affected persons. The changes return to this rule a provision that insurer licensees of the Department already follow.			
G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head comments on fiscal impact and approval of regulatory impact analysis:			
The Commissioner of the Insurance Department, Jonathan T. Pike, has reviewed and approved this regulatory impact analysis.			

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Section 31A-2-201	Section 31A-2-201.1	Section 31A-22-623
Section 31A-22-626	Section 31A-45-103	

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	05/15/2025
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9. This rule change MAY become effective on:	05/22/2025
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Steve Gooch, Public Information Officer	Date:	03/24/2025
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R590. Insurance Administration.

R590-277. Managed Care Health Benefit Plan Standards.

R590-277-1. Authority.

This rule is promulgated by the commissioner pursuant to Sections 31A-2-201, 31A-2-201.1, 31A-22-623, 31A-22-626, and 31A-45-103.

R590-277-2. Purpose and Scope.

- (1) The purpose of this rule is to:
 - (a) standardize and simplify the terms and coverage of a managed care health benefit plan;
 - (b) facilitate public understanding and comparison of coverage;
 - (c) prohibit use of a provision that is misleading or confusing in connection with the purchase of coverage or the settlement of a claim;
 - (d) set minimum coverage requirements; and
 - (e) provide for full disclosure in the sale of insurance.
- (2) This rule applies to a health benefit plan issued by a managed care organization.
- (3) This rule does not apply to short-term limited duration health insurance subject to Rule R590-286.

R590-277-3. Definitions.

Terms used in this rule are defined in Sections 31A-1-301 and 31A-45-102, and Rules R590-126, R590-192, R590-233, R590-261, and R590-266.

R590-277-4. Prohibited Provisions.

- (1) A contract may not impose a preexisting condition limitation or exclusion provision.
- (2) Unless otherwise required by law, a contract may not limit or exclude coverage or benefits by type of illness, accident, injury, treatment, or medical condition except:
 - (a) abortion;
 - (b) acupuncture or acupressure services;
 - (c) administrative charge for completing an insurance form, duplication service, interest, finance charge, or other administrative charge;
 - (d) administrative exam or service;
 - (e) applied behavioral analysis therapy, except as required under Section 31A-22-642;
 - (f) aviation, to a non-fare-paying passenger;
 - (g) axillary hyperhidrosis;
 - (h) benefits paid for under:
 - (i) employers' liability or occupational disease law;
 - (ii) Medicare or another governmental program except Medicaid; or
 - (iii) state or federal workers' compensation;
 - (i) charge for a missed appointment;
 - (j) chiropractic care;
 - (k) complementary or alternative medicine;
 - (l) corrective lenses, including examination for the prescription or fitting, except:
 - (i) lens implant following cataract surgery; and
 - (ii) as required under Rule R590-266;
 - (m) cosmetic surgery including reversal, revision, repair, complication, or treatment related to a non-covered cosmetic surgery, except reconstructive surgery:
 - (i) when the service is incidental to or follows surgery resulting from trauma, infection, or other disease; or
 - (ii) due to a congenital disease or anomaly of a covered dependent child that has resulted in a functional defect;

NOTICES OF CHANGES IN PROPOSED RULES

- (n) custodial care;
 - (o) dental care or treatment, except as required under Section R590-266-4;
 - (p) dietary products, except as required under Rule R590-194;
 - (q) educational or nutritional training, except as required under Rule R590-200;
 - (r) experimental or investigational services;
 - (s) expenses before coverage begins or after coverage ends;
 - (t) felony, riot, or insurrection, when it is determined the enrollee was a voluntary participant;
 - (u) fitness training, exercise equipment, or membership fee to a spa or health club;
 - (v)(i) foot care for a corn, a callus, flat feet, a fallen arch, a weak foot, chronic foot strain, or symptomatic complaints of a foot, including an orthotic; and
 - (ii) the cutting or removal of a corn, a callus, or a nail may not be excluded when provided to an enrollee who has a systemic disease, such as diabetes with peripheral neuropathy or circulatory insufficiency, if unskilled performance of the procedure would be hazardous;
 - (w)(i) gastric or intestinal bypass service, including lap banding, gastric stapling, or a similar procedure to facilitate weight loss;
 - (ii) the reversal or revision of a procedure under Subsection (2)(w)(i); or
 - (iii) a service required for the treatment of a complication from a procedure in Subsection (2)(w)(i);
 - (x) gender reassignment, except as required under Section 1557 of PPACA;
 - (y) gene therapy;
 - (z) genetic testing;
 - (aa) hearing aid, including examination for the prescription or fitting;
 - (bb) infertility services, except as required under Subsection 31A-22-610.1(1);
 - (cc) injury as a result of a motor vehicle, to the extent the enrollee is required to have no-fault coverage, up to the minimum coverage required by law, whether or not coverage is in effect;
 - (dd) mental health condition or substance use disorder services, except as required under Section 31A-22-625 and Rule R590-266;
 - (ee) nuclear release;
 - (ff) refractive eye surgery;
 - (gg) rehabilitation or habilitative therapy services, such as physical, speech, and occupational, unless required to correct an impairment caused by a covered accident, injury, or illness, or as required under Rule R590-266;
 - (hh) respite care;
 - (ii) rest cures;
 - (jj) services performed by an enrollee's parent, spouse, sibling, or child, including a step or in-law relationship;
 - (kk) services performed by an employee of a hospital, laboratory, or other institution;
 - (ll) services that are not medically necessary;
 - (mm) services for which no charge is normally made in the absence of insurance;
 - (nn) services while in the armed forces or an auxiliary unit;
 - (oo) services in connection with a prearranged surrogacy agreement, except for services for the baby, where the covered person relinquishes a baby and receives payment or other compensation arising out of such services;
 - ~~(pp)~~ sexual dysfunction procedures, equipment, or drugs;
 - ~~(pp)~~~~(qq)~~ shipping or handling;
 - ~~(qq)~~~~(rr)~~ telephone or electronic consultation, except as required under Sections 31A-22-649 and 31A-22-649.5;
 - ~~(rr)~~~~(ss)~~ territorial limitations outside the United States, except as required under Section 31A-22-627;
 - ~~(ss)~~~~(tt)~~ terrorism, including acts of terrorism;
 - ~~(tt)~~~~(uu)~~ transplants, except as required by Rule R590-266;
 - ~~(uu)~~~~(vv)~~ transportation, except medically necessary ambulance services;
 - ~~(vv)~~~~(ww)~~ war or act of war, whether declared or undeclared;
 - ~~(ww)~~~~(xx)~~ except under Subsection (2)~~(xx)~~~~(yy)~~, a loss directly related to the enrollee's voluntary participation in an activity when the enrollee:
 - (i) is found guilty of an illegal activity in a criminal proceeding, including a plea of guilty, a no contest plea, and a plea in abeyance; or
 - (ii) is found liable for the activity in a civil proceeding;
 - ~~(xx)~~~~(yy)~~ a loss established under Subsection (3) that is directly related to the enrollee violating:
 - (i) Section 41-6a-502, if the loss occurred in Utah; or
 - (ii) a law in a state other than Utah that prohibits operating a motor vehicle while exceeding the legal limit of concentration of alcohol, drugs, or a combination of both in the blood, if the loss occurred in the other state; or
 - ~~(yy)~~~~(zz)~~ any other exclusion that, in the opinion of the commissioner, is not inequitable, misleading, deceptive, obscure, unjust, unfair, or unfairly discriminatory to an enrollee.
- (3)(a) A violation under Subsection (2)~~(xx)~~~~(yy)~~ shall be established:
- (i) in a criminal proceeding in which the enrollee is found guilty, enters a no contest plea or a plea in abeyance, or enters into a diversion agreement; or
 - (ii) by a request for an independent review when the findings support a decision to deny coverage based on the exclusion.
- (b)(i) For purposes of Subsection (3)(a)(ii), an independent review means a process that:

- (A) is conducted by an independent entity designated by the managed care organization;
- (B) renders an independent and impartial decision on a decision to deny coverage based on the exclusion; and
- (C) is paid for by the managed care organization.
- (ii) The independent review entity may not have a material professional, familial, or financial conflict of interest with:
 - (A) the managed care organization;
 - (B) an officer, director, or management employee of the managed care organization;
 - (C) the enrollee;
 - (D) the enrollee's health care provider;
 - (E) the health care provider's medical group or independent practice association; or
 - (F) a health care facility where services were provided.

(c) The exclusion in Subsection (2)(~~xx~~)(yy) does not apply to an enrollee who is under 18 years of age.

(4) A contract provision precluded in this section may not be construed as a limitation on the commissioner's authority to prohibit a contract provision that, in the opinion of the commissioner, is unjust, unfair, or unfairly discriminatory to an enrollee.

R590-277-5. General Requirements.

(1) A contract may not include a definition regarding a matter defined in Section R590-277-3 unless the definition complies with that section.

(2) Except for an employer-sponsored health benefit plan, a contract:

(a) may not provide for termination of coverage of the spouse or a dependent solely because of the occurrence of an event specified for termination of coverage of the contract holder, other than for nonpayment of premium; and

(b) shall provide that in the event of the contract holder's death, the spouse shall become the contract holder.

(3) A contract providing coverage for the recipient in a transplant operation shall also provide reimbursement of medically necessary transplant expenses of a live donor.

(4) A premium change notice shall be given no less than 45 days before the renewal date.

(5)(a) Except under Subsection (5)(b), a completed application:

- (i) is made part of the contract; and
- (ii) shall be provided to the applicant before, or at delivery, of the contract.

(b) Subsection (5)(a) does not apply to:

- (i) an employer-sponsored health benefit plan; or
- (ii) an individual if the application was submitted through the health insurance exchange.

(6) A managed care organization offering an individual health benefit plan shall issue with an individual policy:

- (a)(i) an outline of coverage; or
- (ii) a benefit summary; and
- (b) a summary of benefits and coverage.

R590-277-6. Required Provisions.

(1)(a) A contract shall include a renewal, continuation, and nonrenewal provision.

(b) Each provision shall:

- (i) appear on the first page of the contract;
- (ii) be appropriately captioned; and
- (iii) clearly state the renewability of coverage.

(2)(a) Except for an endorsement by which the managed care organization effectuates a written request by the policyholder or exercises a specifically reserved right under the contract, signed acceptance by the policyholder is required for an endorsement that reduces or eliminates a benefit or coverage and is added to a contract after the date of issue, at reinstatement, or at renewal.

(b) After the contract issue date, an endorsement that increases a benefit or coverage with a concurrent increase in premium during the contract term shall be agreed to in writing and signed by the policyholder, except if the increased benefit or coverage is required by law.

(3) If a separate additional premium is charged for a benefit provided in connection with an endorsement, the premium charge shall be set forth in the contract.

(4) A contract that provides for the payment of a benefit based on a standard described as usual and customary, reasonable and customary, or similar words, shall include a definition and explanation of the term in the accompanying outline of coverage or benefit summary.

R590-277-7. Restrictions Relating to Premium Rates.

(1) The premium charged may not be adjusted more frequently than annually, except the premium rate may be changed:

- (a) to reflect a change in enrollment;
- (b) to reflect a change to the contract; or
- (c) as expressly permitted by federal or state law.

(2) Premium rates may vary based only on the following:

- (a) whether the plan covers an individual or a family, as follows:

NOTICES OF CHANGES IN PROPOSED RULES

(i) the total family premium shall only include premiums for covered family members over the age of 21 and the three oldest children under the age of 21; and

(ii) a rating variation based on age or tobacco use shall be applied separately to the portion of the premium attributable to each covered family member;

(b) geographic rating area, determined by the policyholder's primary address, as follows:

(i) Area 1, Cache and Rich counties;

(ii) Area 2, Box Elder, Morgan, and Weber counties;

(iii) Area 3, Davis, Salt Lake, Summit, Tooele, and Wasatch counties;

(iv) Area 4, Utah County;

(v) Area 5, Iron and Washington counties; and

(vi) Area 6, Beaver, Carbon, Daggett, Duchesne, Emery, Garfield, Grand, Juab, Kane, Millard, Piute, San Juan, Sanpete, Sevier, Uintah, and Wayne counties;

(c) age of each enrollee, as of the date of the contract issuance or renewal, in accordance with the Utah Individual and Small Employer Health Benefit Plan Age Curve; and

(d) tobacco rate factor not greater than 1.5.

(3) Subsection (2) does not apply to:

(a) a large employer contract; or

(b) an individual or small employer contract issued before January 1, 2014, if the contract rating complies with:

(i) Title 31A, Chapter 30, Individual, Small Employer, and Group Health Insurance Act; and

(ii) Rule R590-167.

R590-277-8. Severability.

If any provision of this rule, Rule R590-277, or its application to any person or situation is held invalid, such invalidity does not affect any other provision or application of this rule that can be given effect without the invalid provision or application. The remainder of this rule shall be given effect without the invalid provision or application.

KEY: insurance, health insurance

Date of Last Change: 2025

Notice of Continuation: August 9, 2024

Authorizing, and Implemented or Interpreted Law: 31A-45-103; 31A-2-201(3)(a); 31A-23a-402(8); 31A-23a-412; 31A-2-202

End of the Notices of Changes in Proposed Rules Section

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Within five years of an administrative rule's original enactment or last five-year review, the agency is required to review the rule. This review is intended to help the agency determine, and to notify the public, that the administrative rule in force is still authorized by statute and necessary. Upon reviewing a rule, an agency may: repeal the rule by filing a **PROPOSED RULE**; continue the rule as it is by filing a **FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION (REVIEW)**; or amend the rule by filing a **PROPOSED RULE** and by filing a **REVIEW**. By filing a **REVIEW**, the agency indicates that the rule is still necessary.

A **REVIEW** is not followed by the rule text. The rule text that is being continued may be found in the online edition of the *Utah Administrative Code* available at adminrules.utah.gov. The rule text may also be inspected at the agency or the Office of Administrative Rules. **REVIEWS** are effective upon filing.

REVIEWS are governed by Section 63G-3-305.

NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R70-610	Filing ID: 52749
Effective Date:	03/26/2025	

Agency Information

1. Title catchline:	Agriculture and Food, Regulatory Services	
Building:	Taylorsville State Office Buildings, South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state	Taylorsville, UT	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	Ambermbrown@Utah.gov
Kelly Pehrson	801-982-2200	Kwpehrson@Utah.gov
Travis Waller	801-982-2200	Twaller@Utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	R70-610. Uniform Retail Wheat Standards of Identity	
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:	<p>Sections 4-2-102 and 4-5-104 grant the Department of Agriculture and Food (Department) broad rulemaking authority, enabling the Department to enact this rule for implementing its statutory duties.</p> <p>Specifically, Section 4-5-207 authorizes the Department to establish definitions and standards of identity and quality and fill containers for foods. This provision directly necessitates the creation of Rule R70-610, the Uniform Retail Wheat Standards of identity, to ensure consistency and consumer protection within the state's retail food market.</p>	

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:

The Department has not received any public comments regarding this rule or the continuation of this rule within the past five years.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

This rule, R70-610, the Uniform Retail Wheat Standards of Identity, is justified by the Department's statutory mandate under Section 4-5-207, which grants the Department the authority to establish and maintain standards of identity for food products. Maintaining this rule ensures consistent quality and consumer protection within the retail wheat market, directly fulfilling the Department's legislative obligations, and is essential for regulatory compliance and public welfare. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Kelly Pehrson, Interim Commissioner	Date:	03/26/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R70-620	Filing ID: 55106
Effective Date:	03/26/2025	

Agency Information

1. Title catchline:	Agriculture and Food, Regulatory Services	
Building:	Taylorsville State Office Buildings, South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state	Taylorsville, UT	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	Ambermbrown@Utah.gov
Kelly Pehrson	801-982-2200	Kwpehrson@Utah.gov
Travis Waller	801-982-2200	Twaller@Utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R70-620. Enrichment of Flour and Cereal Products
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 4-5-104 grants the Department of Agriculture and Food (Department) rulewriting authority to enact rules related to food standards and safety.
This rule establishes essential enrichment standards and labeling requirements.
Also, this rule incorporates by reference 21 CFR Parts 137 and 139 to ensure that flour and cereal products sold in Utah meet nationally recognized standards for vitamin and mineral fortification, which promotes public health and consumer protection.
This rule directly aligns with the Department's mandate to regulate food quality and safety.

4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:

The Department has not received any public comments regarding this rule or the continuation of this rule within the last five years.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

This rule provides information to ensure consistent vitamin and mineral fortification in flour and cereal products sold in Utah and directly safeguards consumer health by maintaining nationally recognized standards for food enrichment. By requiring adherence to these standards, the Department promotes public health and ensures food product consistency across the market. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Kelly Pehrson, Interim Commissioner	Date:	03/26/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R357-14	Filing ID: 53055
Effective Date:	03/28/2025	

Agency Information

1. Title catchline:	Governor, Economic Opportunity		
Building:	World Trade Center		
Street address:	60 E South Temple, Suite 300		
City, state	Salt Lake City, UT		
Contact persons:			
Name:	Phone:	Email:	
Greg Jeffs	801-368-1957	gjeffs@utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule catchline:
R357-14. Electronic Meetings
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 52-4-207(2)(a) states that a public body may not hold an electronic meeting unless the public body has adopted a resolution, rule, or ordinance governing the use of electronic meetings. This rule fulfills that requirement.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No comments have been received since the last five-year review.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule is necessary so that the Governor’s Office of Economic Opportunity (GOEO) can continue to hold electronic meetings. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Greg Jeffs, Agency head's designee	Date:	03/28/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R364-2	Filing ID:	52660
Effective Date:	03/25/2025		

Agency Information

1. Title catchline:	Governor, Criminal and Juvenile Justice (State Commission on), Indigent Defense Commission		
Street address:	370 E South Temple, Suite 500		
City, state	Salt Lake City, UT		
Contact persons:			
Name:	Phone:	Email:	
Matthew Barraza	801-707-4440	mbarraza @utah.gov	
Katriina Adair	801-455-0793	kaadair@utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule catchline:	R364-2. Indigent Defense Commission Complaint Rule
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:	This rule is authorized by Subsections 78B-22-404(2)(a) and 63G-4-201(2). The commission may make rules in accordance with Title 63G, Chapter3, Utah Administrative Rulemaking Act, to carry out the commission's duties under this part.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	No comments either supporting or opposing this rule have been received.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:	The Indigent Defense Commission's (IDC) duties include overseeing individuals and entities involved in providing indigent defense services and emphasizing the importance of ensuring constitutionally effective indigent defense services (Subsections 78B-22-404(1)(c) and (e)). The purpose of Rule R364-2 is to establish standards and procedures to receive and resolve complaints regarding the provision of indigent defense services by an indigent defense system. This rule is instrumental in allowing the IDC to carry out its legislative mandate. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Matthew Barraza, Executive Director	Date:	03/20/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R414-59	Filing ID:	55933
Effective Date:	03/25/2025		

Agency Information

1. Title catchline:	Health and Human Services, Integrated Healthcare	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state	Salt Lake City, UT	
Mailing address:	288 N 1460 W	
City, state and zip:	Salt Lake City, UT 84114-3325	
Contact persons:		
Name:	Phone:	Email:
Craig Devashrayee	801-538-6641	cdevashrayee@utah.gov
Mariah Noble	385-214-1150	mariahnoble@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R414-59. Audiology Services
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 26B-3-108 requires the Department of Health and Human Services (Department) to implement Medicaid through administrative rules, and Section 26B-1-213 grants the Department the authority to adopt, amend, or rescind these rules.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Department has not received any written comments in support of or opposition to this rule since the rule's last five-year review.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule is necessary because this rule implements, through an incorporation, a scope of audiology services for Medicaid members, as necessary to implement the program through Subsection 26B-3-108(2)(b)(ii). Therefore, this rule should be continued.
As the Department did not receive any comments in opposition to this rule, it did not respond to any such comments.

Agency Authorization Information

Agency head or designee and title:	Tracy S. Gruber, Executive Director	Date:	03/24/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R657-6	Filing ID: 57010
Effective Date:	04/01/2025	

Agency Information

1. Title catchline:	Natural Resources, Wildlife Resources	
Building:	Dept. of Natural Resources complex	
Street address:	1594 W North Temple	
City, state	Salt Lake City, UT 84116	

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Mailing address:	PO Box 146301	
City, state and zip:	Salt Lake City, UT 84114-6301	
Contact persons:		
Name:	Phone:	Email:
Staci Coons	801-450-3093	stacicoons@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R657-6. Taking Upland Game
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Under Sections 23A-2-305 and 23A-2-304, the Wildlife Board is authorized and required to regulate and prescribe the means by which wildlife may be taken. This rule is specific to the taking of Upland Game.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments supporting or opposing Rule R657-6 have been received since the last rule review in 2020.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Rule R657-6 provides the procedures, standards, and requirements for taking upland game. The provisions adopted in this rule are effective in providing the standards and requirements for taking upland game birds. This rule is necessary for continued success of this program. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Riley Peck, Director	Date:	04/01/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R722-300	Filing ID: 54003
Effective Date:	03/20/2025	

Agency Information

1. Title catchline:	Public Safety, Criminal Investigations and Technical Services, Criminal Identification	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state	Taylorsville, UT	
Mailing address:	4315 S 2700 W, Suite 1300	
City, state and zip:	Taylorsville, UT 84129	
Contact persons:		
Name:	Phone:	Email:
Kim Gibb	801-556-8198	kgibb@utah.gov
Nicole Borgeson	801-281-5072	nshepherd@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R722-300. Concealed Firearm Permit and Instructor Rule
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized by Subsection 53-5-704(17), which provides that the commissioner may make rules necessary to administer Title 53, Chapter 5, Regulation of Firearms, and Section 53-5-707.6.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There have not been any written comments received since the last five-year review of this rule.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule is authorized by Subsection 53-5-704(17) and Section 53-5-707.6 and is needed in order to establish procedures for administration of the Concealed Firearms Act in accordance with Title 53, Chapter 5, Part 7, for producing and distributing a firearms safety and suicide prevention video, and for providing access to the video to an applicant seeking renewal of a firearm permit. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Jason Ricks, BCI Division Director	Date:	03/20/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R916-6	Filing ID: 52111
Effective Date:	03/18/2025	

Agency Information

1. Title catchline:	Transportation, Operations, Construction	
Building:	Calvin Rampton	
Street address:	4501 S 2700 W	
City, state	Taylorsville, UT	
Mailing address:	PO Box 148455	
City, state and zip:	Salt Lake City, UT 84114-8455	
Contact persons:		
Name:	Phone:	Email:
Leif Elder	801-580-8296	lelder@utah.gov
Marlene Galindo	801-965-4026	mgalindo1@utah.gov
James Godin	801-573-7181	jamesjgodin@agutah.gov
Lori Edwards	385-341-3414	loriedwards@agutah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R916-6. Drug and Alcohol Testing in State Construction Contracts

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 63G-6a-1303(4) both authorizes and requires this rule.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments since the last five-year review of this rule.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Subsection 63G-6a-1303(4) still authorizes and requires this rule and thus the Department is choosing to keep this rule. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Carlos M. Braceras, PE, Executive Director, UDOT	Date:	03/18/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION		
Rule Number:	R920-8	Filing ID: 53061
Effective Date:	03/18/2025	

Agency Information

1. Title catchline:	Transportation, Operations, Traffic and Safety	
Building:	Calvin Rampton	
Street address:	4501 S 2700 W	
City, state	Taylorsville, UT	
Mailing address:	PO Box 148455	
City, state and zip:	Salt Lake City, UT 84114-8455	
Contact persons:		
Name:	Phone:	Email:
Leif Elder	801-580-8296	lelder@utah.gov
Marlene Galindo	801-965-4026	mgalindo1@utah.gov
James Godin	801-573-7181	jamesjgodin@agutah.gov
Lori Edwards	385-341-3414	loriedwards@agutah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R920-8. Flashing Light Usage on Highway Construction or Maintenance Vehicles
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 41-6a-1617 requires the Department of Transportation (Department) to make rules providing specifications governing the design and use of special flashing lights on vehicles engaged in highway construction or maintenance operations.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments have been received.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

Section 41-6a-1617 still requires this rule, and the Department deems it necessary. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Carlos M. Braceras, PE, Executive Director, UDOT	Date:	03/18/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule Number:	R926-14	Filing ID:	56754
Effective Date:	03/18/2025		

Agency Information

1. Title catchline:	Transportation, Program Development		
Building:	Calvin Rampton		
Street address:	4501 S 2700 W		
City, state	Taylorsville, UT		
Mailing address:	PO Box 148455		
City, state and zip:	Salt Lake City, UT 84114-8455		
Contact persons:			
Name:	Phone:	Email:	
Leif Elder	801-580-8296	lelder@utah.gov	
Marlene Galindo	801-965-4026	mgalindo1@utah.gov	
James Godin	801-573-7181	jamesjgodin@agutah.gov	
Lori Edwards	385-341-3414	loriedwards@agutah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule catchline:
R926-14. Utah Scenic Byway Program Administration; Scenic Byways Designation, De-designation, and Segmentation Processes
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized under Subsection 72-4-102.5(7)(a), which authorizes the Department of Transportation (Department) to make rules: 1) establishing and defining a functional classification of highways for the purpose of implementing this section; 2) defining and designating regionally significant arterial highways; and 3) establishing an access management policy consistent with the functional classification of roadways.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No written comments received.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Section 72-4-102.5 continues to authorize this rule and the Department has determined to keep this rule in its current form. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee and title:	Carlos M. Braceras, PE, Executive Director, UDOT	Date:	03/18/2025
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End of the Five-Year Notices of Review and Statements of Continuation Section

NOTICES OF RULE EFFECTIVE DATES

State law provides for agencies to make their administrative rules effective and enforceable after publication in the *Utah State Bulletin*. In the case of **PROPOSED RULES** or **CHANGES IN PROPOSED RULES** with a designated comment period, the law permits an agency to make a rule effective no fewer than seven calendar days after the close of the public comment period, nor more than 120 days after the publication date. In the case of **CHANGES IN PROPOSED RULES** with no designated comment period, the law permits an agency to make a rule effective on any date including or after the thirtieth day after the rule's publication date, but not more than 120 days after the publication date. If an agency fails to file a **NOTICE OF EFFECTIVE DATE** within 120 days from the publication of a **PROPOSED RULE** or a related **CHANGE IN PROPOSED RULE** the rule lapses.

Agencies have notified the Office of Administrative Rules that the rules listed below have been made effective.

NOTICES OF EFFECTIVE DATE are governed by Subsection 63G-3-301(12), Section 63G-3-303, and Sections R15-4-5a and R15-4-5b.

Agriculture and Food

Plant Industry

No. 57034 (Repeal and Reenact) R68-15: Quarantine Pertaining to Japanese Beetle, *Popillia japonica*
Published: 02/15/2025
Effective: 03/27/2025

No. 57019 (New Rule) R68-21: Beekeeping Standards
Published: 02/01/2025
Effective: 03/17/2025

Regulatory Services

No. 56972 (Amendment) R70-101: Bedding, Upholstered Furniture, and Quilted Clothing
Published: 01/01/2025
Effective: 04/09/2025

No. 56972 (Amendment-CPR) R70-101: Bedding, Upholstered Furniture, and Quilted Clothing
Published: 03/01/2025
Effective: 04/09/2025

Commerce

Consumer Protection

No. 57051 (Repeal and Reenact) R152-1: Division of Consumer Protection Buyer Beware List Rule
Published: 03/01/2025
Effective: 04/08/2025

Education

Administration

No. 57047 (Amendment) R277-609: Standards for LEA Discipline Plans and Emergency Safety Interventions
Published: 03/01/2025
Effective: 04/08/2025

No. 57048 (Amendment) R277-627: Early Warning Program
Published: 03/01/2025
Effective: 04/08/2025

No. 57049 (Amendment) R277-704: Financial and Economic Literacy: Integration into Core Curriculum
Published: 03/01/2025
Effective: 04/08/2025

NOTICES OF RULE EFFECTIVE DATES

No. 57050 (Repeal) R277-708: Enhancement for At-Risk Students
Published: 03/01/2025
Effective: 04/08/2025

Environmental Quality

Air Quality

No. 56934 (New Rule) R307-209: Portable Aggregate Processing Plants
Published: 12/01/2024
Effective: 03/31/2025

No. 56934 (Change in Proposed Rule) R307-209: Portable Aggregate Processing Plants
Published: 03/01/2025
Effective: 03/31/2025

Waste Management and Radiation Control, Radiation

No. 57041 (Amendment) R313-12: General Provisions
Published: 03/01/2025
Effective: 04/14/2025

No. 57042 (Amendment) R313-14-3: Definitions
Published: 03/01/2025
Effective: 04/14/2025

No. 57043 (Amendment) R313-16: General Requirements Applicable to the Installation, Registration, Inspection, and Use of Radiation Machines
Published: 03/01/2025
Effective: 04/14/2025

No. 57044 (Amendment) R313-28: Use of X-Rays in the Healing Arts
Published: 03/01/2025
Effective: 04/14/2025

No. 57045 (Amendment) R313-30: Therapeutic Radiation Machines
Published: 03/01/2025
Effective: 04/14/2025

No. 57046 (Amendment) R313-35: Requirements for X-Ray Equipment Used for Non-Medical Applications
Published: 03/01/2025
Effective: 04/14/2025

Health and Human Services

Integrated Healthcare

No. 57033 (Amendment) R414-49: Dental, Oral, and Maxillofacial Surgeons and Orthodontia
Published: 02/15/2025
Effective: 04/01/2025

Higher Education (Utah Board of)

Administration

No. 57040 (New Rule) R765-130: Equal Opportunity Initiatives
Published: 03/01/2025
Effective: 04/10/2025

No. 57031 (New Rule) R765-266: Utah System of Higher Education Disclosures
Published: 02/15/2025
Effective: 04/01/2025

No. 57030 (Amendment) R765-611: Veterans Tuition Gap Program
Published: 02/15/2025
Effective: 04/01/2025

Insurance

Administration

No. 57003 (Repeal and Reenact) R590-126: Accident and Health Insurance Standards

Published: 02/01/2025

Effective: 03/24/2025

No. 57004 (Repeal and Reenact) R590-233: Health Benefit Plan Insurance Standards

Published: 02/01/2025

Effective: 03/24/2025

No. 57006 (Repeal and Reenact) R590-286: Minimum Standards for Short-Term Limited Duration Health Insurance

Published: 02/01/2025

Effective: 03/24/2025

Labor Commission

Occupational Safety and Health

No. 57039 (Amendment) R614-1-4: Incorporation of Federal Standards

Published: 03/01/2025

Effective: 04/08/2025

Transportation

Administration

No. 57037 (Amendment) R907-80: Disposition of Surplus Land

Published: 03/01/2025

Effective: 04/09/2025

End of the Notices of Rule Effective Dates Section