

An Introduction to Variances

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Overview

- ❖ What is a variance?
- ❖ What's required to justify a variance?
- ❖ Workgroup path Forward



Variations

- ❖ **Variations are temporary modifications of WQS**
 - **Temporary change in WQS and its relevant criteria, usually regarding a specific pollutant but can be watershed**
 - **Each variance subject to EPA and public review**
 - **Avoids removing a use**



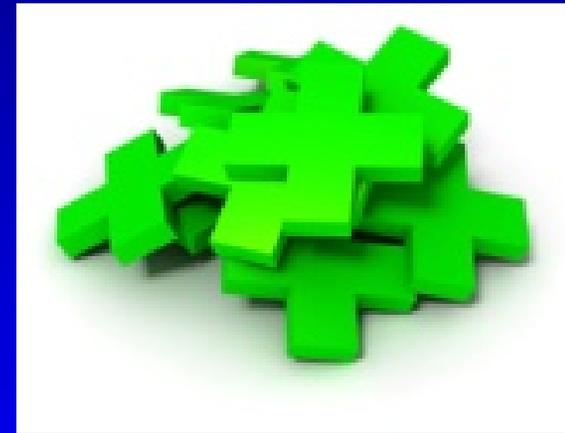
Relevant Reasons for Variance

1. Naturally occurring pollutant concentrations.
2. Dams or other hydrologic modifications.
3. Natural, ephemeral intermittent low-flow.
4. Natural physical conditions preclude attainment of aquatic life uses.
5. Human-caused conditions or pollutant sources that cannot be remedied or would cause more environmental damage to correct than to leave in place.
6. Substantial and widespread economic and social impact.



Variance Advantages

- ❖ Avoids changing a WQS when the WQS is ultimately attainable
- ❖ Intended to support progress in improving water quality
- ❖ UDPEs permits can be written with interim goals that demonstrate reasonable progress



Utah Needs

- ❖ **UPDES compliance schedules**
- ❖ **Difficult to remove uses w/o tiered aquatic life uses**
- ❖ **Nutrient Criteria**
- ❖ **Can be watershed or pollutant-specific**



Utah Approach

- ❖ **Variance Policy relatively simple to write**
- ❖ **Devil is in the details of each variance**
 - **WQ Board approval**
 - **Public Comment**
 - **EPA approval**
- ❖ **More detail?**



THANK YOU

