

Official Draft Public Notice Version **June 24, 2016**.

The findings, determinations, and assertions contained in this document are not final and subject to change following the public comment period.

**FACT SHEET AND STATEMENT OF BASIS
CASPER'S ICE CREAM, INC.
RENEWAL PERMIT: DISCHARGE
UPDES PERMIT NUMBER: UT0025623
UPDES MULTI-SECTOR STORM WATER GENERAL PERMIT NUMBER: UTR000000
MINOR INDUSTRIAL**

FACILITY CONTACTS

Person Name: Shawn Anderson
Position: Facility Engineer
Phone Number: (435) 258-2477 Ext. 13

Person Name: Kyle Smith
Position: Vice President
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Facility Name: Casper's Ice Cream, Inc.
Facility Address: 11805 North 200 East
Richmond, Utah 84333.
Telephone: (435) 258-2477

DESCRIPTION OF FACILITY

Casper's Ice Cream, Inc. (Casper's) is an ice cream manufacturing company that produces novelty products such as ice cream sandwiches as well as hard ice cream. It is located at 11805 North 200 East, in Richmond, Utah at latitude 41°56.81' and longitude 111°49.89'. Casper's Standard Industrial Classification (SIC) code is 2024, with a North American Industry Classification System (NAICS) code of 311520 for Ice Cream and Frozen Dessert Manufacturing.

Casper's has two pipes that leave the facility; one contains non-contact cooling water and the other contains process water. Approximately 8,000 gallons of process water are generated per day. The process water is currently being treated through several grease traps, septic tanks, and to an aerated containment pond. Process water will be blended with irrigation and non-contact cooling water then land applied on cropland located west of the facility.

Casper's generates up to approximately 75,000 gallons of non-contact cooling water effluent per day. The non-contact cooling water is collected and discharged through Outfall 001 to a pond located between Casper's property, and a farm to the West. The pond discharges to the Cub River. During the months when the irrigation is needed for the fields, the non-contact cooling water will be added to the process water to be used for make-up water for the irrigation system. This will bring about long periods of no discharge for the non-contact cooling water.

In the initial (2005) permit, chemical oxygen demand (COD) and biological oxygen demand (BOD) were included. At that time they had not finalized a disposal system for the process wash down water from the facility. There was also still a connection between the process wash down system and the cooling water system.

Since the permit was first issued a land application system has been installed and approved, and the systems no longer have a connection. As a result of these changes, the COD and BOD monitoring were removed during the 2010 permit renewal. In addition to the removal of BOD and COD, the monitoring frequency for pH and total suspended solids were adjusted to be in step with other parameters.

SUMMARY OF CHANGES FROM PREVIOUS PERMIT

There have been no significant changes at the facility during the previous permitting cycle. There are no planned changes that will impact the discharge during this permitting cycle.

Previous permits have indicated seasonal temperature discharge limits. The 2015 WLA determined that the same limits were appropriate for the discharge. During the renewal process it was determined that using a single annual limit would be less complicated than seasonal limits, so the annual limit will be the most conservative limit of 84 °C.

	2010 Permit		2015 Permit	
	WLA	Limits	WLA	Limit
Temperature, °C				84
Winter (Jan-Mar)	84.1	84.1	84.1	
Spr (Apr-Jun)	91.3	91.3	91.3	
Sum (Jul-Sept)	100	100	100	
Fall (Oct-Dec)	88.1	88.1	88.1	

DISCHARGE

DESCRIPTION OF DISCHARGE

Casper's generates up to approximately 75,000 gallons of non-contact cooling water effluent per day. It is this water that will be discharged into the Cub River. During the months when the irrigation is needed for the fields, the non-contact cooling water will be added to the process water to be used for make-up water for the irrigation system. This will bring about long periods of no discharge for the non-contact cooling water.

Outfall

Description of Discharge Point

001

Located at latitude 41° 56.81 and longitude 111° 49.89'. The discharge is through a pipe to an unnamed pond that connects to the Cub River.

RECEIVING WATERS AND STREAM CLASSIFICATION

The discharge flows into the Cub River. The Cub River is classified 2B, 3B and 4 at this location according to *Utah Administrative Code (UAC) R317-2-13*:

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

BASIS FOR EFFLUENT LIMITATIONS

Limitations on total suspended solids (TSS) and pH are based on current Utah Secondary Treatment Standards, UAC R317-1-3.2. The oil and grease is based on best professional judgment (BPJ). The phosphorus limit is based on the Cub River TMDL. The temperature limit is from the Wasteload Analysis. Attached is a Wasteload Analysis for this discharge to the Cub River. It has been determined that this discharge will not cause a violation of water quality standards. An Antidegradation Level II review is not required since the Level I review shows that water quality impacts are minimal and limited in duration. The permittee is expected to be able to comply with these limitations.

Reasonable Potential Analysis

Since January 1, 2016, DWQ has conducted reasonable potential analysis (RP) on all new and renewal applications received after that date. RP for this permit renewal was conducted following DWQ's September 10, 2015 Reasonable Potential Analysis Guidance (RP Guidance). There are four outcomes defined in the RP Guidance: Outcome A, B, C, or D. These outcomes provide a frame work for what routine monitoring or effluent limitations are required. A qualitative review of the effluent monitoring data for the past decade indicated that no further analysis was required. This is Outcome D.

The permit limitations are:

Parameter	Effluent Limitations *a				
	Maximum Monthly Avg	Maximum Weekly Avg	Yearly Average	Daily Minimum	Daily Maximum
Total Flow, MGD	--	--	--	--	0.08
Dissolved Oxygen, mg/L	--	--	--	5.0	--
Temperature, °C	--	--	--	--	84
TSS, mg/L	25	35	--	--	--
Phosphorous, mg/L,	--	--	--	--	0.05
Oil & Grease, mg/L, *f	--	--	--	--	10.0
pH, Standard Units	--	--	--	6.5	9

SELF-MONITORING AND REPORTING REQUIREMENTS

The following self-monitoring requirements are the same as in the previous permit. The permit will require reports to be submitted monthly on Discharge Monitoring Report (DMR) forms due 28 days after the end of the monitoring period.

Self-Monitoring and Reporting Requirements *a			
Parameter	Frequency	Sample Type	Units
Total Flow *b, *c	Continuous	Recorder	MGD
pH	Monthly	Grab	SU
DO	Monthly	Grab	mg/L
Temperature, mg/L	Monthly	Grab	mg/L
TSS, mg/L	Monthly	Grab	mg/L
Oil & Grease *f	Monthly	Grab	mg/L
Phosphorus, Total	Monthly	Grab	mg/L

- *a See Definitions, *Part VIII*, for definition of terms.
- *b Flow measurements of influent/effluent volume shall be made in such a manner that the permittee can affirmatively demonstrate that representative values are being obtained.
- *c If the rate of discharge is controlled, the rate and duration of discharge shall be reported.
- *f Oil & Grease sampled when sheen is present or visible. If no sheen is present or visible, report NA.

BIOSOLIDS

The State of Utah has adopted the 40 CFR 503 federal regulations for the disposal of sewage sludge (biosolids) by reference. However, this facility does not receive, generate, treat or dispose of biosolids. Therefore 40 CFR 503 does not apply.

STORM WATER

STORMWATER REQUIREMENTS

The storm water requirements in the permit are based on the UPDES Multi-Sector General Permit for Storm Water Discharges for Industrial Activity, General Permit No. UTR000000 (MSGP).

Ice Cream and Frozen Dessert facilities are not required to perform analytical monitoring so none have been included. The storm water section in the permit does contain requirements for Storm Water Pollution Prevention Plan Preparation, Discharge Certification, CWA Section 313, Visual Monitoring and Spill Prevention and Response.

PRETREATMENT REQUIREMENTS

Any process wastewater that the facility may discharge to the sanitary sewer, either as direct discharge or as a hauled waste, is subject to federal, state and local pretreatment regulations. Pursuant to Section 307

of the Clean Water Act, the permittee shall comply with all applicable Federal General Pretreatment Regulations promulgated, found in 40 CFR section 403, the State Pretreatment Requirements found in UAC R317-8-8, and any specific local discharge limitations developed by the Publicly Owned Treatment Works (POTW) accepting the waste.

In addition, in accordance with *40 CFR 403.12(p)(1)*, the permittee must notify the POTW, the EPA Regional Waste Management Director, and the State hazardous waste authorities, in writing, if they discharge any substance into a POTW which if otherwise disposed of would be considered a hazardous waste under *40 CFR 261*. This notification must include the name of the hazardous waste, the EPA hazardous waste number, and the type of discharge (continuous or batch).

BIOMONITORING REQUIREMENTS

As part of the nationwide effort to control toxics, biomonitoring requirements are being included in all major permits and in minor permits for facilities where effluent toxicity is an existing or potential concern. Authorization for requiring effluent biomonitoring is provided for in UAC R317-8-4.2 and R317-8-5.3. The Whole Effluent Toxicity (WET) Control Guidance Document, February 15, 1991, outlines guidance to be used by Utah Division of Water Quality staff and by permittee's for implementation of WET control through the UPDES discharge permit program.

Casper's is a minor facility discharging approximately 75,000 gallons per day of non-contact cooling water. Comparison of the laboratory analysis performed on their effluent to the waste load analysis on the Cub River, Casper's discharge is not likely to be toxic. As a result, biomonitoring of the effluent will not be required. However, the permit will contain a WET reopener provision.

PERMIT DURATION

It is recommended that this permit be effective for a duration of five (5) years.

Drafted by
Daniel Griffin, Discharge, Biosolids
Jennifer Robinson/Mathew Garn, Pretreatment
Michael George, Storm Water
Ken Hoffman, Reasonable Potential Analysis
Nick von Stackelberg/Dave Wham, Wasteload Analysis
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PUBLIC NOTICE

Began: Month Day, Year
Ended: Month Day, Year

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

The Public Noticed of the draft permit was published in the (NEWSPAPER OF RECORD FOR AREA).

During the public comment period provided under R317-8-6.5, any interested person may submit written comments on the draft permit and may request a public hearing, if no hearing has already been scheduled. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing. All comments will be considered in making the final decision and shall be answered as provided in R317-8-6.12.

ADDENDUM TO FSSOB

During finalization of the Permit certain dates, spelling edits and minor language corrections were completed. Due to the nature of these changes they were not considered Major and the permit is not required to be re Public Noticed.

Responsiveness Summary

(Explain any comments received and response sent. Actual letters can be referenced, but not required to be included).

ATTACHMENT 1

Effluent Monitoring Data

Effluent Monitoring Data.

Month	Flow	DO	pH		O&G	BOD	COD	TSS	Phosphorus	Temperature
	MGD	mg/L	Min	Max	mg/L	mg/L	mg/L	mg/L	mg/L	Deg C
Limit	0.08	5	6.5	9	10	25	20	25	0.05	84
Mar-06	0.000	-	-	-	-	-	-	-	-	-
Jun-06	0.000	-	-	-	-	-	-	-	-	-
Sep-06	0.000	-	-	-	-	-	-	-	-	-
Dec-06	0.000	-	-	-	-	-	-	-	-	-
Mar-07	0.000	-	-	-	-	-	-	-	-	-
Jun-07	0.010	9.0	7.5	7.5	0	0.0	0.0	0	0	17
Sep-07	0.010	8.0	7.5	8.0	0	7.0	3.0	0	0	26
Dec-07	0.000	-	-	-	-	-	-	-	-	-
Mar-08	0.000	-	-	-	-	-	-	-	-	-
Jun-08	0.000	-	-	-	-	-	-	-	-	-
Sep-08	0.000	-	-	-	-	-	-	-	-	-
Dec-08	0.000	-	-	-	-	-	-	-	-	-
Mar-09	0.000	-	-	-	-	-	-	-	-	-
Jun-09	0.000	-	-	-	-	-	-	-	-	-
Sep-09	0.000	-	-	-	-	-	-	-	-	-
Dec-09	0.000	-	-	-	-	-	-	-	-	-
Mar-10	0.000	-	-	-	-	-	-	-	-	-
Jun-10	0.000	-	-	-	-	-	-	-	-	-
Sep-10	0.005	6.0	8.0	8.0	0	0.0	0.0	10	10	17
Dec-10	0.000	-	-	-	-	-	-	-	-	-
Mar-11	0.000	-	-	-	-	-	-	-	-	-
Jun-11	0.000	-	-	-	-	-	-	-	-	-
Sep-11	0.000	-	-	-	-	-	-	-	-	-
Dec-11	1.000	9.0	8.0	8.0	NA	ND	ND	ND	0.0	15.0
Jun-12	No D	-	-	-	-	/	/	/	-	-
Dec-12	No D	-	-	-	-	/	/	/	-	-
Jun-13	No D	-	-	-	-	/	/	/	-	-
Dec-13	No D	-	-	-	-	/	/	/	-	-
Jun-14	No D	-	-	-	-	/	/	/	-	-
Dec-14	No D	-	-	-	-	/	/	/	-	-
Jun-15	No D	-	-	-	-	/	/	/	-	-
Sep-12	No D	-	-	-	-	/	/	/	-	-
Sep-13	No D	-	-	-	-	/	/	/	-	-
Sep-14	No D	-	-	-	-	/	/	/	-	-
Sep-15	No D	-	-	-	-	/	/	/	-	-
Mar-12	0.008	6.0	8.0	8.0	NA	/	/	4.0	0.0	25.6
Mar-13	0.008	7.0	8.0	8.0	NA	/	/	4.0	0.0	25.6
Mar-14	No D	-	-	-	-	/	/	-	-	-
Mar-15	0.010	7.0	8.0	8.0	NA	/	/	ND	0.0	28.9

ATTACHMENT 2

Wasteload Analysis

PV DRAFT

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