SOUTH VALLEY SEWER DISTRICT

WASTEWATER PRETREATMENT PROGRAM

ADOPTED PER RESOLUTION NO. _____

_____(DATE)

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PRETREATMENT PROGRAM INTRODUCTION

1.1 INTRODUCTION

The General Pretreatment Regulations as promulgated by the US Environmental Protection Agency (EPA) in 40 Code of Federal Regulations (CFR) Part 403 require that the South Valley Sewer District (SVSD) develop and implement a pretreatment program. The objectives of the National Pretreatment Program are:

A. To prevent the introduction of pollutants into Publicly Owned Treatment Works (POTWs) that may interfere with the operation of the facility, including the use or disposal of municipal sludge,

B. Prevent the introduction of pollutants into POTWs that pass through, interfere, or are otherwise incompatible with the treatment works, and

C. To improve opportunities to recycle and reclaim municipal wastewaters and sludges.

To meet the National objectives, this industrial pretreatment program was developed in accordance with the pretreatment program requirements and the program submission requirements both of which are found in 40 CFR Part 403. Integral to these are the National Pretreatment Standards for prohibited discharges and categorical industries. The prohibited standards provide specific prohibitions of nondomestic pollutants that shall not be discharged into the POTW. The standards for categorical industries present limitations for specific pollutants which may be discharged into the POTW by Industrial Users (IUs). SVSD is responsible for identifying IUs subject to the current Categorical Standards found in 40 CFR Chapter I Subchapter N and the National Prohibited Discharge Standards. This wastewater pretreatment program has been developed and will operate effectively to control these discharges and identify such users.

1.2 LEGAL AUTHORITY

The SVSD has developed Pretreatment Rules and Regulations for the Jordan Basin Water Reclamation Facility (JBWRF) which provide for the implementation of this program at the JBWRF. The Pretreatment Rules and Regulations are included in Section 2 of this document. A copy of the Attorney's Statement endorsing the legal authority of the SVSD to implement this program in its entirety may be found in Section 8.

1.3 PROGRAM MANAGEMENT PROCEDURES

The Pretreatment Program Management procedures are found in Section 3 hereof. Included in Section 3 are subsections dealing with identifying, classifying and permitting IUs, inspecting, monitoring, and notifying permitted IUs, control of potential slug loads, and enforcement of

permit violations. The Program procedures are divided such that the user of this manual would be able to easily find needed information.

1.4 DEVELOPMENT OF LOCAL LIMITS

Section 4 contains development information on Local Limits for the JBWRF. A separate document entitled *JBWRF Industrial Pretreatment Local Limits Development* has been prepared to cover this complex subject. A copy of the document may be obtained from SVSD upon request.

1.5 FINANCIAL PROGRAM RESOURCES

The Service Charge System for Users which pays for the POTW operations is discussed in Section 5. Also discussed in Section 5 is the fee structure that is used by SVSD to cover the costs related to the operation of the pretreatment program.

1.6 SUMMARY

It should be noted that the SVSD Pretreatment Program is essentially a compilation of sections and subsections each addressing an area of the program. For the program to be implemented correctly, a complete understanding of each section or subsection is needed. This program should enable the SVSD to meet all the statutory requirements of the Federal and State of Utah pretreatment regulations, and protect the operation of the POTW and the quality of the receiving waters.

SECTION 2
SOUTH VALLEY SEWER DISTRICT PRETREATMENT RULES AND REGULATIONS

2.1 GENERAL PROVISIONS

2.1.1 Purpose and Policy

These Pretreatment Rules and Regulations set forth uniform requirements for Users of the POTW and enables the SVSD to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code [U.S.C.] section 1251 et seq.) and the General Pretreatment Regulations (Title 40 of the *Code of Federal Regulations* (CFR) Part 403) and the Utah Administrative Code R317-8-8. In addition to the achieving the objectives of the National Pretreatment Program described in Section 1.1 A-C, the objectives of these Pretreatment Rules and Regulations include:

A. The protection of the health and safety of POTW personnel who may come in contact with wastewater and sludge in the course of their employment;

B. Providing for a system of fees for the equitable distribution of costs of the operation, maintenance, and improvement of the POTW; and

C. Enable the JBWRF to comply with its Utah Pollutant Discharge Elimination System (UPDES) permit conditions, sludge use and disposal requirements, and all other Federal or State laws to which the POTW is subject.

The Pretreatment Rules and Regulations shall apply to all Users of the POTW. The Pretreatment Rules and Regulations authorize the issuance of individual and general wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires User reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

2.1.2 Administration

Except as otherwise provided herein, the Treatment Facility Manager shall administer, implement, and enforce the provisions of these Pretreatment Rules and Regulations. Any powers granted to, or duties imposed upon, the Treatment Facility Manager may be delegated by the SVSD Board to a duly authorized SVSD employee.

2.1.3 Abbreviations

The following abbreviations, when used in this these Pretreatment Rules and Regulations, shall have the designated meanings:

AO Administrative Order
BMP Best Management Practice

BMR	Baseline Monitoring Report
BOD	Biochemical Oxygen Demand
CFR	*Code of Federal Regulations*
CIU	Categorical Industrial User
COD	Chemical Oxygen Demand
CWA	Clean Water Act
EPA	U.S. Environmental Protection Agency
FOG	Fats, Oils and Grease
FOGS	Fats, Oils, Grease and Sand
gpd	gallons per day
IU	Industrial User
mgd	million gallons per day
mg/l	milligrams per liter
NOV	Notice of Violation
NPDES	National Pollutant Discharge Elimination System
POTW	Publicly Owned Treatment Works
RCRA	Resource Conservation and Recovery Act
SIU	Significant Industrial User
SNC	Significant Noncompliance
TRC	Technical Review Criteria
TSS	Total Suspended Solids
UPDES	Utah Pollutant Discharge Elimination System
U.S.C.	United States Code

2.1.4 **Definitions**

Unless a provision explicitly states otherwise, the following terms and phrases, as used in these Pretreatment Rules and Regulations, shall have the meanings hereinafter designated.

A. Act or "the Act." The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. section 1251 et seq. and any subsequent amendments thereto.

B. Approval Authority means the State of Utah, Department of Environmental Quality, Division of Water Quality (DWQ) or its successor agency.

C. Authorized or Duly Authorized Representative of the User.

1. If the User is a corporation:

a. The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

b. The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make

management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual and general wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

2. If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

3. If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

4. The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the Treatment Facility Manager.

D. Best Management Practices or BMPs means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 2.2.1 A and B. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. BMPs may be developed by the Pretreatment Program as Local Limits to control discharges from SIUs as needed.

E. Biochemical Oxygen Demand or BOD. The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/l).

F. Biosolids means any material or materials derived from sewage solids that have been biologically treated.

G. Bypass means the intentional diversion of waste streams from any portion of a User's treatment facility.

H. Board. The SVSD Board of Trustees.

I. Compatible Pollutant. Biochemical oxygen demand, suspended solids, coliform bacteria that are treatable by conventional wastewater treatment works.

J. Categorical Pretreatment Standard or Categorical Standard. Any regulation containing pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and (c) of the Act (33 U.S.C. section 1317) that apply to a specific category of Users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

K. Categorical Industrial User or CIU. An Industrial User subject to a categorical Pretreatment Standard or categorical Standard.

L. Chemical Oxygen Demand or COD. A measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water.

M. Control Authority. The South Valley Sewer District.

N. Cooling Water (Contact). Wastewater used for cooling purposes which comes into direct contact with raw material, intermediate product, waste product and/or finished product.

O. Cooling Water (Non-Contact). Water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

P. Composite Samples can be flow or time proportioned. The composite sample shall, as a minimum, contain at least four (4) samples collected over the compositing period. Unless otherwise specified, the time between the collection of the first sample and the last sample shall not be less than six (6) hours nor more than 24 hours. Acceptable methods for preparation of composite samples are as follows:

1. Constant time interval between samples, sample volume proportional to flow rate at the time of sampling;

2. Constant time interval between samples, sample volume proportional to total flow (volume) since last sample. For the first sample, the flow rate at the time the sample was collected may be used;

3. Constant sample volume, time interval between samples proportional to flow (i.e., sample taken every "X" gallons of flow); and

4. Continuous sample volume, with sample collection rate proportional to flow rate.

Q. Daily Maximum. The arithmetic average of all effluent samples for a pollutant collected during a calendar day.

R. Daily Maximum Limit. The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

S. Environmental Protection Agency or EPA. The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official of said agency.

T. Existing Source. Any source of discharge that is not a "New Source."

U. General Manager. The Chief Executive Officer of the South Valley Sewer District or his or her designated representative(s).

V. Grab Sample. A sample that is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.

W. Hazardous Waste. Any solid, liquid or gaseous waste material that, if improperly managed or disposed of may pose substantial hazards to human health and the environment. The definition of hazardous waste appearing in 40 CFR 261.3 is by this reference incorporated herein and made a part hereof.

X. Indirect Discharge or Discharge. The introduction of pollutants into the POTW from any nondomestic source.

Y. Industrial User or User. A source of indirect discharge.

Z. Instantaneous Limit. The maximum or minimum concentration (or load) of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete, grab or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

AA. Instantaneous Measurement, for monitoring requirements, is defined as a single reading, observation, or measurement.

BB. Interference. A discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of the JBWRF's UPDES permit or of the prevention of

sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

CC. Jordan Basin Water Reclamation Facility or JBWRF. The Wastewater Treatment Facility (POTW) which is located in Riverton, Utah and is owned, operated and maintained by SVSD.

DD. Local Limit. Specific discharge limits developed to protect the POTW in accordance with 40 CFR 403.5 and enforced by SVSD upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in Section 2.2.1 A and B. The technically based local limits and development documents are kept on file at the JBWRF office and can be reviewed if requested.

EE. Medical Waste. Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

FF. Monthly Average. The sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

GG. Monthly Average Limit. The highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

HH. New Source.

1. Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Act that will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that:

    a. The building, structure, facility, or installation is constructed at a site at which no other source is located; or
    b. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an Existing Source; or

c. The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an Existing Source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the Existing Source, should be considered.

2. Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Subsection (1) (b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.

3. Construction of a New Source as defined under this paragraph has commenced if the owner or operator has:

a. Begun, or caused to begin, as part of a continuous onsite construction program
   (1) any placement, assembly, or installation of facilities or equipment; or
   (2) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

b. Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

II. Pass Through. A discharge which exits the POTW into Waters of the State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the JBWRF's UPDES permit, including an increase in the magnitude or duration of a violation.

JJ. Pathogen means an organism that is capable of producing an infection or disease in a susceptible host.

KK. Person. Any individual, partnership, co-partnership, firm, company, corporation, association, limited liability company, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns.

LL. pH. A measure of the acidity or basicity of a solution, expressed in standard units.

MM. Pollutant. Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

NN. Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable Pretreatment Standard.

OO. Pretreatment Coordinator. The person designated by SVSD to coordinate the SVSD Pretreatment Program, charged with certain duties and responsibilities under the Pretreatment Rules and Regulations as directed and delegated by the Treatment Facility Manager. A technically skilled position, the Pretreatment Coordinator or his or her designee performs surveillance, administrative, and related work in monitoring compliance and liaison with IUs of the SVSD.

PP. Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment imposed on a User, other than a Pretreatment Standard.

QQ. Pretreatment Rules and Regulations. The Pretreatment Rules and Regulations for the POTW adopted by the Board as part of the SVSD Wastewater Pretreatment Program.

RR. Pretreatment Standards or Standards. Pretreatment Standards shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with section 307 (b) and (c) of the Act, which applies to Industrial Users, which includes but is not limit to prohibited discharge standards, categorical Pretreatment Standards, and Local Limits.

SS. Prohibited Discharge Standards or Prohibited Discharges. Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 2.2.1 of these Pretreatment Rules and Regulations.

TT. Publicly Owned Treatment Works or POTW. A treatment works, as defined by section 212 of the Act (33 U.S.C. section 1292), which is owned by the SVSD. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid

nature and any conveyances, which convey wastewater to a treatment plant. It also includes sewers, pipes and other conveyances if they convey wastewater to a POTW Treatment Plant. The term also means the municipality as defined in section 502(4) of the Act, which has jurisdiction over the Indirect Discharges to and the discharges from such a treatment works.

UU. Runoff is rainwater, leachate, or other liquid that drains over any part of a land surface and runs off the land surface.

VV. Septic Tank Waste. Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

WW. Seven (7)-day and weekly average other than for E. Coli bacteria, is the arithmetic average of all samples collected during a consecutive 7-day period or calendar week, whichever is applicable. Geometric means shall be calculated for E. Coli bacteria. The 7-day and weekly averages are applicable only to those effluent characteristics for which there are 7-day average effluent limitations. The calendar week, which begins on Sunday and ends on Saturday, shall be used for purposes of reporting self-monitoring data on discharge monitoring report forms. Weekly averages shall be calculated for all calendar weeks with Saturdays in the month. If a calendar week overlaps two months (i.e., the Sunday is in one month and the Saturday is the following month), the weekly average calculated for that calendar week shall be included in the data for the month that contains Saturday.

XX. Severe Property Damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

YY. Sewage. Human excrement and gray water (household showers, dishwashing operations, etc.).

ZZ. Significant Industrial User (SIU).

Except as provided in paragraph (3) of this Section, a SIU is:

1. An IU subject to categorical Pretreatment Standards; or

2. An IU that:

   a. Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);

b. Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or

c. Is designated as such by the SVSD on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

3. Upon a finding that a User meeting the criteria in Subsection (2) of this Subsection has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement, the SVSD may at any time, on its own initiative or in response to a petition received from an Industrial User, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such User should not be considered a Significant Industrial User.

AAA. Significant Noncompliance. The term Significant Noncompliance shall mean: Any violation(s) that meets one or more of the following criteria:

1. Chronic violations of wastewater discharge limits, defined here are those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant during a six (6) month period exceeded (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Section 2.

2. Technical Review Criteria (TRC) violations, defined here are those in which thirty-three percent (33%) or more of wastewater measurements taken for the same pollutant parameter during a six (6) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Section 2 multiplied by the applicable TRC criteria (TRC= 1.4 for BOD, TSS, fats, oils and grease, and TRC= 1.2 for all other pollutants except pH);

3. Any other violation of a Pretreatment Standard or Requirement as defined by Section 2 (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the Treatment Facility Manager determines had caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;

4. Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the SVSD's exercise of its emergency authority to halt or prevent such discharge;

5. Failure to meet, within ninety (90) calendar days after the scheduled date, a compliance schedule milestone contained in an individual and general

wastewater discharge permit or enforcement order of starting construction, completing construction or attaining final compliance;

6. Failure to provide within forty-five (45) calendar days after the due date, required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

7. Failure to accurately report noncompliance; or

8. Any other violation(s), which may include a violation of Best Management Practices, which the Treatment Facility Manager determines will adversely affect the operation or implementation of the local pretreatment program.

BBB. Slug or Slug Load or Slug Discharge. Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 2.2.1 of these Pretreatment Rules and Regulations. A Slug Discharge is any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions.

CCC. South Valley Sewer District or SVSD. The South Valley Sewer District, a political subdivision of the State of Utah.

DDD. Standard Methods means procedures described in the latest edition of "Standard Methods for the Examination of Water and Wastewater" as published by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation or such other procedures as may be adopted by the POTW.

EEE. State. The State of Utah.

FFF. Storm Water. Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

GGG. Total Suspended Solids or Suspended Solids or TSS. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.

HHH. Treatment Facility Manager. The person designated by the SVSD to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by these Pretreatment Rules and Regulations or his or her designated representative(s).

III. Treatment Works are either federally-owned, publicly-owned, or privately-owned devices or systems used to treat (including recycling and reclamation) either domestic sewage or a combination of domestic sewage and industrial waste or liquid manure.

JJJ. Upset means an exceptional incident in which there is unintentional and temporary noncompliance with categorical Pretreatment Standards because of factors beyond the reasonable control of the User. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.

KKK. Wastewater. Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

LLL. Wastewater Treatment Plant or Treatment Plant or Treatment Facility. That portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

MMM. Waters of the State means all streams, lakes, ponds, marshes, water-courses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, which are contained within, flow through, or border upon this state or any portion thereof, except that bodies of water confined to and retained within the limits of private property, and which do not develop into or constitute a nuisance, or a public health hazard, or a menace to fish and wildlife, shall not be considered to be "waters of the state" under this definition (UCA Section 19-5-102).

2.2 GENERAL SEWER USE REQUIREMENTS

2.2.1 Prohibited Discharge Standards

A. General Prohibitions. No User shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes Pass Through or Interference. These general prohibitions apply to all Users of the POTW whether or not they are subject to categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or Requirements.

B. Specific Prohibitions. No User shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

1. Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21;

2. Pollutants which will cause corrosive structural damage to the POTW, but in no case Discharges with pH lower than 5.0.

3. Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with a pH of more than 12.0;

4. Solid or viscous pollutants in amounts which will cause obstruction of the flow in the POTW resulting in Interference;

5. Any pollutant, including oxygen-demanding pollutants (BOD, TSS, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference with the POTW;

6. Wastewater having a temperature greater than 60° C (140° F), or which will inhibit biological activity in the JBWRF resulting in Interference, but in no case in such quantities that cause the temperature at the JBWRF headworks to exceed 40 °C (104 °F).

7. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through;

8. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin exceeding 100mg/l;

9. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;

10. Storm water, surface water, groundwater, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, and unpolluted wastewater, unless specifically authorized by the SVSD.

11. Hauled waste of any kind, including septic tank and industrial waste.

Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such a manner that they could be discharged to the POTW.

2.2.2 National Categorical Pretreatment Standards

A. National Categorical Pretreatment Standards specifying quantities or concentrations of pollutants or pollutant properties which may be discharged to a POTW by existing or new Industrial Users in specific industrial subcategories have been established by EPA in 40 CFR Chapter I, Subchapter N, Parts 405-471 and are hereby incorporated.

B. Users must comply with the categorical Pretreatment Standards found at 40 CFR Chapter I, Subchapter N, Parts 405–471.

C. When wastewater subject to a categorical Pretreatment Standard is mixed with wastewater not regulated by the same Standard, the Treatment Facility Manager shall impose an alternate limit in accordance with 40 CFR 403.6(e).

2.2.3 State Pretreatment Standards

State of Utah Pretreatment standards established by the Utah Administrative Code R317-8-8 are hereby incorporated. Any User subject to a state pretreatment standard is required to comply with the applicable standard.

2.2.4 Local Limits

A. The Treatment Facility Manager is authorized to establish Local Limits pursuant to 40 CFR 403.5(c).

B. Local Limits apply at the point where the wastewater is discharged to the POTW. All limits set for metallic substances are for total metals unless indicated otherwise. The Treatment Facility Manager may impose mass limitations in addition to concentration-based limitations. The document entitled *JBWRF Industrial Pretreatment Local Limits Development* is kept at the JBWRF office and may be reviewed if requested.

C. The Treatment Facility Manager may develop Best Management Practices (BMPs), by rules and regulations or in individual and general wastewater

discharge permits, to implement Local Limits and the requirements of Section 2.2.1.

2.2.5 SVSD's Right of Revision

The SVSD reserves the right to establish, by rules and regulations or in individual and general wastewater discharge permits, more stringent Standards or Requirements on discharges to the POTW consistent with the purpose of these Pretreatment Rules and Regulations. In addition, the Treatment Facility Manager is authorized to temporarily or permanently revoke or suspend issuance of any permit at any time in order to protect the POTW from Pass Through or Interference in order to maintain compliance with any UPDES permit requirement or pretreatment program requirement. The Treatment Facility Manager shall also have the right to deny new or increased contributions or to set additional conditions on such contributions to protect the POTW, including limits that may be more stringent than the approved Local Limits.

2.2.6 Dilution Prohibition

No User shall increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement. The Treatment Facility Manager may impose mass limitations on Users who are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases when the imposition of mass limitations is appropriate.

2.3 PRETREATMENT OF WASTEWATER

2.3.1 Pretreatment Facilities

Users shall provide wastewater treatment as necessary to comply with these Pretreatment Rules and Regulations and shall achieve compliance with all categorical Pretreatment Standards, Local Limits, and the prohibitions set out in Section 2.2.1 of these Pretreatment Rules and Regulations within the time limitations specified by EPA, the State, or the Treatment Facility Manager, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the User's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Treatment Facility Manager for review, and shall be acceptable to the Treatment Facility Manager before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the User from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the SVSD under the provisions of these Pretreatment Rules and Regulations.

2.3.2 Additional Pretreatment Measures

A. Whenever deemed necessary, SVSD may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the User's compliance with the requirements of this ordinance.

B. The Treatment Facility Manager may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. An individual or general wastewater discharge permit may be issued solely for flow equalization.

C. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Treatment Facility Manager, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for domestic use by residential users. All interception units shall be of a type and capacity complying with the SVSD Design Standards and Construction Specifications and shall be so located to be easily accessible for cleaning and inspection and away from building entrances and exits. Such interceptors shall be inspected, cleaned, and repaired by the User at their expense.

D. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

E. Sampling manholes shall be located in an area to allow for ease of cleaning, sampling and inspection by the User and the SVSD. No parking shall be allowed on the sampling manhole.

2.3.3 Accidental Discharge/Slug Discharge Control Plans

The Pretreatment Coordinator shall evaluate whether each SIU needs an accidental discharge/slug discharge control plan or other action to control Slug Discharges. The Pretreatment Coordinator may require any User to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control Slug Discharges. An accidental discharge/slug discharge control plan shall address, at a minimum, the following:

A. Description of discharge practices, including non-routine batch discharges;

B. Description of stored chemicals;

C. Procedures for immediately notifying the Treatment Facility Manager of any accidental or Slug Discharge, as required by Section 2.6.6 of these Pretreatment Rules and Regulations; and

D. Procedures to prevent adverse impact from any accidental or Slug Discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

2.3.4 Shopping Malls/Strip Centers

A. It is the responsibility of owner/operators of shopping malls/strip centers to require any business, tenant, or user that is subject to these Pretreatment Rules and Regulations to fully meet the requirements of these Pretreatment Rules and Regulations and all other applicable federal, State or local regulations.

B. It is the responsibility of each owner, tenant, or User located in shopping malls/strip centers to obtain from SVSD any applicable discharge permits, licenses and approvals to discharge to the SVSD.

C. All existing shopping malls/strip centers shall have one year from written notification from SVSD to fully comply with these Pretreatment Rules and Regulations, and all other applicable rules and regulations.

2.3.5 Business/Industrial Parks

It is the responsibility of owners/operators of business/industrial parks designed for the conglomeration of commercial and industrial operations, research and development, scientific and other business endeavors, and conducted in a business park-like setting, to require their

tenants to comply with applicable sections of these Pretreatment Rules and Regulations and any other applicable federal, State or local regulations.

2.3.6 Medical Facilities

The owner(s) of any medical facility that uses x-ray equipment that has a developer shall install silver recovery systems designed to meet the best available technology for removing silver from any discharge to the SVSD sewer system. For sampling purposes the discharge from the silver recovery unit must be piped to a floor sink with a six-inch air gap between the bottom of the discharge pipe and the lip of the sink. If the medical facility is using digital x-ray equipment, the fore mentioned requirement does not apply. The owner(s) of the facility shall submit a BMP (Best Management Practice) plan describing the procedure that will be used to maintain equipment in an operable manner and will retain shipping records and manifests showing the method and location of silver disposal.

2.3.7 Dental Offices

The owner(s) of dental offices that do not use digital x-ray equipment must adhere to the requirements described in subsection 2.3.7 above. In addition, the owner(s) must install amalgam separation/removal systems on all piping and sinks where amalgam has the potential to be discharged to the SVSD sewer system, according to best available technology as recommended by the American Dental Association. Amalgam separator systems must be certified under International Organization for Standardization (ISO) Standard 11143, and have documented amalgam removal efficiency rating of 95% or better. The owner(s) of dental offices must also submit a BMP (Best Management Practice) Plan to the SVSD describing the procedures to be used to maintain this equipment in operable manner and retain shipping records and manifests showing the method and location of amalgam waste disposal.

2.3.8 Commercial and Institutional Swimming Pools

The owner(s) of commercial and institutional (non-residential) swimming pools, when draining a swimming pool to the sanitary sewer system, must restrict the volume of discharge to prevent surcharging (hydraulic overload) of the sewer system. SVSD must be advised in advance of plans to drain a swimming pool to the SVSD sewer system and may require, among other conditions, specific times of day that the discharge may take place. The owner(s) of all commercial and institutional swimming pools must prepare a BMP (Best Management Practice) Plan that describes procedures acceptable to SVSD for draining their pool(s) to the sanitary sewer system.

2.3.9 Recreational Vehicle (RV) Dump Stations

It shall be the responsibility of owner/operators of commercial recreational vehicle (RV) wastewater dump stations to obtain permission from SVSD to connect an RV dump station to the SVSD Collection system. Owner/operators of commercial RV dump stations are responsible for compliance with all applicable federal, state, and local wastewater discharge standards, including those general and specific prohibitions listed in Section 2.2.1.

It shall be the responsibility of owner/operators of commercial RV dump stations to post appropriate signage next to wastewater discharge points that prohibit the discharge of the following:

A. Flammable and/or explosive materials, materials having a flashpoint less than 140 degrees F

B. Solid or viscous materials

C. Toxic, hazardous, or corrosive materials

D. Noxious or malodorous materials.

The owner/operator of a commercial RV dump station is liable for damages and losses of SVSD if it is determined that a discharge of damaging and prohibited substances emanated from User's establishment. It shall be the User's sole responsibility to pay for all associated costs therewith, including but not limited to, investigation, sampling, analysis, damages, fines and penalties and any other costs that are the result of said discharges.

It is prohibited for any owner/operator of a commercial RV dump station to allow the discharge of any wastes other than RV generated wastes, including but not limited to, commercially hauled wastes, grease interceptor wastes, and car wash interceptor wastes, and any other wastes generated and/or hauled by a business.

2.4 INDIVIDUAL & GENERAL WASTEWATER DISCHARGE PERMITS

SVSD uses individual and general wastewater discharge permits as control mechanisms to control and enforce limits upon IUs that indirectly discharge to the POTW.

2.4.1 Wastewater Analysis

When requested by the Pretreatment Coordinator, a User must submit information on the nature and characteristics of its wastewater within thirty (30) days of the request. The Pretreatment Coordinator is authorized to prepare a form for this purpose and may periodically require Users to update this information. If the User changes or adds a process the User is required to update the information provided to the Pretreatment Coordinator 30 days prior to the process being changed or added.

2.4.2 Individual & General Wastewater Discharge Permit Requirements

A. No Significant Industrial User shall discharge wastewater into the POTW without first obtaining an individual or general wastewater discharge permit from the Treatment Facility Manager, except that a Significant Industrial User that has filed a timely application pursuant to Section 2.4.3 of these Pretreatment Rules and Regulations may continue to discharge for the time period specified therein.

B. The Treatment Facility Manager may require other Users to obtain individual or general wastewater discharge permits as necessary to carry out the purposes of these Pretreatment Rules and Regulations.

C. Any violation of the terms and conditions of an individual or general wastewater discharge permit shall be deemed a violation of these Pretreatment Rules and Regulations and subjects the individual or general wastewater discharge permittee to the sanctions set out in Sections 2.11 through 2.13 of these Pretreatment Rules and Regulations. Obtaining an individual or general wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal and State Pretreatment Standards or Requirements or with any other requirements of Federal, State, and local law.

2.4.3 Individual & General Wastewater Discharge Permitting: Existing Connections

Any User required to obtain an individual or general wastewater discharge permit who was discharging wastewater into the POTW prior to the effective date of these Pretreatment Rules and Regulations and who wishes to continue such discharges in the future, shall, within ninety (90) days after said date, apply to the Pretreatment Coordinator for an individual or general wastewater discharge permit in accordance with Section 2.4.5 of these Pretreatment Rules and Regulations, and shall not cause or allow discharges to the POTW to continue after one hundred eighty (180) days of the effective date of these Pretreatment Rules and Regulations except in accordance with an individual or general wastewater discharge permit issued by the Treatment Facility Manager.

2.4.4 Individual & General Wastewater Discharge Permitting: New Connections

Any User required to obtain an individual or general wastewater discharge permit who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this individual or general wastewater discharge permit, in accordance with Section 2.4.5 of these Pretreatment Rules and Regulations, must be filed at least ninety (90) days prior to the date upon which any discharge will begin or recommence.

2.4.5 Individual & General Wastewater Discharge Permit Application Contents

A. All Users required to obtain an individual or general wastewater discharge permit must submit a permit application. Users that are eligible may request a general permit under Section 2.4.5 E. All permittees that will be continuing to discharge are required to complete an application 90 days prior to the permit expiring. The SVSD may require Users to submit all or some of the following information as part of a permit application:

1. Identifying Information.

   a. The name and address of the facility, including the name of the operator and owner.
   b. Contact information for the authorized representative and the duly authorized representative for the facility, and
   c. The description of activities, facilities, and plant production processes on the premises;

2. Environmental Permits. A list of any environmental control permits held by or for the facility.

3. Description of Operations.

   a. A brief description of the nature, average rate of production (including each product produced by type, amount, processes, and rate of production), and standard industrial classifications of the operation(s) carried out by such User. This description should include a schematic process diagram, which indicates points of discharge to the POTW from the regulated processes.
   b. Types of wastes generated, and a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
   c. Number and type of employees, hours of operation, and proposed or actual hours of operation;
   d. Type and amount of raw materials processed (average and maximum per day);

e. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;

4. Time and duration of discharges;

5. The location for monitoring all wastes covered by the permit;

6. Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in Section 2.2.2 C. (40 CFR 403.6(e)).

7. Measurement of Pollutants.

   a. The categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.
   b. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by the Pretreatment Coordinator, of regulated pollutants in the discharge from each regulated process.
   c. Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.
   d. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 2.6.10 of these Pretreatment Rules and Regulations. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the Pretreatment Coordinator or the applicable Standards to determine compliance with the Standard.
   e. Sampling must be performed in accordance with procedures set out in Section 2.6.11 of these Pretreatment Rules and Regulations.

8. Any requests for a monitoring waiver (or a renewal of an approved monitoring waiver) for a pollutant neither present nor expected to be present in the discharge based on Section 2.6.4 B.

9. Any request to be covered by a general permit based on Section 2.4.5 E.

10. Any other information as may be deemed necessary by the Pretreatment Coordinator to evaluate the permit application.

B. Incomplete or inaccurate applications will not be processed and will be returned to the User for revision.

C. Based on information provided by the permittee as required in Section 2.4.5 A, the SVSD will within 30 days determine that: 1) additional information is needed; or 2) a permit is not necessary; or 3) if a permit will be required before the IU is allowed to discharge to the POTW.

D. Should any of the information requested or supplied be considered by the User to be confidential, the User should request confidential status in accordance with Section 2.9 of these Pretreatment Rules and Regulations. Information regarding sampling and analysis of the discharge cannot be considered confidential information.

E. Wastewater Discharge Permitting: General Permits

1. The Treatment Facility Manager may, at his/her discretion, use general permits to control SIU discharges to the POTW if the following conditions are met. All facilities to be covered by a general permit must:

   a. Involve the same or substantially similar types of operations;

   b. Discharge the same types of wastes;

   c. Require the same effluent limitations;

   d. Require the same or similar monitoring; and

   e. In the opinion of the Treatment Facility Manager, are more appropriately controlled under a general permit than under an individual wastewater discharge permit.

2. To be covered by the general permit, The SIU must file a written request for coverage that identifies its contact information, production processes, the types of wastes generated, the location for monitoring all wastes covered by the general permit, any requests in accordance with Section 2.6.4 B for a monitoring waiver for a pollutant neither present nor expected to be present in the Discharge, and any other information the Treatment Facility Manager deems appropriate. A monitoring waiver for a pollutant neither present nor expected to be present in the discharge is not effective in the general permit until after the Treatment Facility Manager has provided written notice to the SIU that such a waiver request has been granted in accordance with Section 2.6.4 B.

3. The Treatment Facility Manager will retain a copy of the general permit, documentation to support he Treatment Facility Manager's determination that a specific SIU meets the criteria in Section 2.4.5 E 1 (a) to (e) and

applicable State regulations, and a copy of the User's written request for coverage for five (5) years after the expiration of the general permit.

4. The Treatment Facility Manager may not control an SIU through a general permit where the facility is subject to production-based categorical Pretreatment Standards or categorical Pretreatment Standards expressed as mass of pollutant discharged per day or for IUs whose limits are based on the Combined Wastestream Formula (40 CFR 403.6 (3))

2.4.6 Application Signatories and Certifications

A. All individual and general wastewater discharge permit applications, User reports and certification statements must be signed by an Authorized Representative, see Section 2.1.4 C., of the User and contain the certification statement in Section 2.6.14 A.

B. If the designation of an Authorized Representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this Section must be submitted to the Pretreatment Coordinator prior to or together with any reports to be signed by an Authorized Representative.

2.4.7 Individual and General Wastewater Discharge Permit Decisions

The Pretreatment Coordinator will evaluate the data furnished by the User and may require additional information. Within thirty (30) days of receipt of a complete permit application, the Treatment Facility Manager will determine whether to issue an individual or general wastewater discharge permit. The Treatment Facility Manager may deny or conditionally approve any application for an individual or general wastewater discharge permit.

2.5 INDIVIDUAL & GENERAL WASTEWATER DISCHARGE PERMIT ISSUANCE

2.5.1 Individual and General Wastewater Discharge Permit Duration

An individual or general wastewater discharge permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. An individual or general wastewater discharge permit may be issued for a period less than five (5) years at the discretion of the Treatment Facility Manager. Each individual or general wastewater discharge permit will indicate a specific date upon which it will expire.

2.5.2 Individual and General Wastewater Discharge Permit Contents

An individual or general wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the Treatment Facility Manager to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

A. Individual and general wastewater discharge permits must contain:

1. A statement that indicates the individual and general wastewater discharge permit issuance date, expiration date and effective date;

2. A statement that the individual and general wastewater discharge permit is nontransferable;

3. Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards;

4. Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or best management practice) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law.

5. The process for seeking a waiver from monitoring for a pollutant neither present nor expected to be present in the Discharge in accordance with Section 2.6.4 B.

6. A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.

7. Requirements to control Slug Discharge, if determined by the Treatment Facility Manager to be necessary.

8. Any grant of the monitoring waiver by the Treatment Facility Manager must be included as a condition in the User's permit or other control mechanism (see Section 2.6.4 B for additional requirements).

9. Requirements that the permittee notify the Treatment Facility Manager of changes to the industrial users discharge 30 days prior to the change. The Treatment Facility Manager may deny or conditionally approve the change prior to the User making the change at the facility that may impact the discharge at the facility to the POTW.

B. Individual and general wastewater discharge permits may contain, but need not be limited to, the following conditions:

1. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;

2. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the POTW;

3. Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or non-routine discharges;

4. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;

5. The unit charge or schedule of User charges and fees for the management of the wastewater discharged to the POTW;

6. Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;

7. A statement that compliance with the individual or general wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State Pretreatment Standards, including those which become effective during the term of the individual or general wastewater discharge permit; and

8. Other conditions as deemed appropriate by the Treatment Facility Manager to ensure compliance with these Pretreatment Rules and Regulations, and State and Federal laws, rules, and regulations.

2.5.3 Permit Modification

A. The Treatment Facility Manager may modify an individual or general wastewater discharge permit for good cause, including, but not limited to, the following reasons:

1. To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements;

2. To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of the individual or general wastewater discharge permit issuance;

3. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;

4. Information indicating that the permitted discharge poses a threat to the POTW, related personnel, receiving waters, or sludge;

5. Violation of any terms or conditions of the individual or general wastewater discharge permit;

6. Misrepresentations or failure to fully disclose all relevant facts in the individual or general wastewater discharge permit application or in any required reporting;

7. Revision of or a grant of variance from categorical Pretreatment Standards pursuant to 40 CFR 403.13; or

8. To correct typographical or other errors in the individual wastewater discharge permit.

B. The Treatment Facility Manager may modify a general permit for good cause including, but not limited to, the following reasons:

1. To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements; or

2. A change in the POTW that requires either a temporary or permanent reductions or elimination of the authorized discharge; or

3. To correct typographical or other errors in the general wastewater discharge permit;

2.5.4 Individual & General Wastewater Discharge Permit Revocation

A. The Treatment Facility Manager may revoke an individual or general wastewater discharge permit for good cause, including but not limited to, the following reasons:

1. Failure to notify the Treatment Facility Manager of significant changes to the wastewater prior to the changed discharge;

2. Failure to provide prior notification to the Treatment Facility Manager of changed conditions pursuant to Section 2.6.5 of these Pretreatment Rules and Regulations;

3. Misrepresentation or failure to fully disclose all relevant facts in the individual or general wastewater discharge permit application;

4. Falsifying self-monitoring reports

5. Falsifying certification statements;

6. Tampering with monitoring equipment;

7. Refusing to allow the Treatment Facility Manager or his or her designee timely access to the facility premises and/or records;

8. Failure to meet effluent limitations;

9. Failure to pay fines;

10. Failure to pay sewer charges;

11. Failure to meet compliance schedules;

12. Failure to complete an industrial wastewater survey or the individual or general wastewater discharge permit application or reapplication;

13. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or

14. Violation of any Pretreatment Standard or Requirement, or any terms of the individual or general wastewater discharge permit or these Pretreatment Rules and Regulations.

15. Upon request by the permittee due to a change in ownership, or the business is moving or going out of business.

B. Non-compliant industrial users will be notified of the proposed termination of their wastewater permit and will be offered an opportunity to show cause under these standards why the proposed action should not be taken. However, notwithstanding any other provisions of this Section, the Treatment Facility Manager may in his or her sole discretion immediately revoke any discharge permit where the discharge reasonably appears to present an imminent endangerment to the health or welfare of persons.

C. Individual and general wastewater discharge permits shall be void upon cessation of operations or transfer of business ownership. All individual and general wastewater discharge permits issued to a User are void upon the issuance of a new individual or general wastewater discharge permit to that User.

2.5.5 Individual & General Wastewater Discharge Permit Reissuance

A User with an expiring individual or general wastewater discharge permit shall apply for individual or general wastewater discharge permit reissuance by submitting a complete permit application, in accordance with Section 2.4.5 of these Pretreatment Rules and Regulations, a minimum of ninety (90) days prior to the expiration of the User's existing individual or general wastewater discharge permit.

2.6 REPORTING REQUIREMENTS

2.6.1 Baseline Monitoring Reports

A. Baseline Monitoring Reports shall contain sufficient data to categorize the effectiveness of pretreatment. The Pretreatment Coordinator may periodically require Industrial Users to provide updated monitoring reports. If an Industrial User that was required to submit a BMR changes or adds a process the Industrial User is required to resubmit a BMR 30 days prior to the process being changed or added. Historical data may be used if it provides sufficient information to determine compliance with permit requirements or the need for new pretreatment measures. The BMRs shall indicate the time, date and location of all sampling provided, method of analysis, and shall certify that the sampling and analysis is representative of normal work cycles and expected pollutant discharges to the POTW. The BMR should indicate whether Pretreatment Standards are being met on a consistent basis and, if not, what actions will be taken to comply with standards. If additional actions are necessary to meet standards, the BMR shall include a compliance schedule meeting the requirements of these standards.

B. Within either one hundred eighty (180) days after the effective date of a categorical Pretreatment Standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing Categorical Industrial Users currently discharging to or scheduled to discharge to the POTW shall submit to the Pretreatment Coordinator a report which contains the information listed in paragraph C, below. At least ninety (90) days prior to commencement of their discharge, New Sources, and sources that become Categorical Industrial Users subsequent to the promulgation of an applicable categorical Standard, shall submit to the Pretreatment Coordinator a report which contains the information listed in paragraph C, below. A New Source shall report the method of pretreatment it intends to use to meet applicable categorical Standards. A New Source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.

C. Users described in A. and B. above shall submit the information set forth below.

1. All information required in Section 2.4.5A 1, Section 2.4.5A 2, Section 2.4.5A 3, and Section 2.4.5A 6.

2. Measurement of pollutants.

   a. The User shall provide the information required in Section 2.4.5 A 7 a through e.
   b. The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.

c. Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the User should measure the flows and concentrations necessary to allow use of the combined wastestream formula in 40 CFR 403.6(e) to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the Control Authority;

d. Sampling and analysis shall be performed in accordance with Section 2.6.10 and 2.6.11;

e. The Pretreatment Coordinator may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures; and

f. The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant Discharges to the POTW.

3. Compliance Certification. A statement, reviewed by the User's Authorized Representative as defined in Section 2.1.4 C and certified by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the Pretreatment Standards and Requirements.

4. Compliance Schedule. If additional pretreatment and/or O&M will be required for the User to meet the Pretreatment Standards, the shortest schedule by which the User will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. A compliance schedule pursuant to this Section must meet the requirements set out in Section 2.6.2 of these Pretreatment Rules and Regulations.

5. Signature and Report Certification. All baseline monitoring reports must be certified in accordance with Section 2.6.14 A of these Pretreatment Rules and Regulations and signed by an Authorized Representative as defined in Section 2.1.4C.

2.6.2 Compliance Schedule Progress Reports

The following conditions shall apply to the compliance schedule required by Section 2.6.1 C.(4) of these Pretreatment Rules and Regulations:

A. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable Pretreatment Standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);

B. No increment referred to above shall exceed nine (9) months;

C. The User shall submit a progress report to the Pretreatment Coordinator no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule; and

D. In no event shall more than nine (9) months elapse between such progress reports to the Pretreatment Coordinator.

2.6.3 Reports on Compliance with Categorical Pretreatment Standard Deadline

Within ninety (90) days following the date for final compliance with applicable categorical Pretreatment Standards, or in the case of a New Source following commencement of the introduction of wastewater into the POTW, any User subject to such Pretreatment Standards and Requirements shall submit to the Pretreatment Coordinator a report containing the information required by these Pretreatment Rules and Regulations. For Users subject to equivalent mass or concentration limits established in accordance with the procedures set forth in 40 CFR 403.6(c), this report shall contain a reasonable measure of the User's long-term production rate. For all other Users subject to categorical Pretreatment Standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with these Pretreatment Rules and Regulations. All sampling will be done in conformance with Section 2.6.10.

2.6.4 Periodic Compliance Reports

A. All Significant Industrial Users must, at a frequency determined by the Pretreatment Coordinator submit no less than twice per year (June and December) reports indicating the nature and concentration of pollutants in the discharge which are limited by Pretreatment Standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the

Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the Pretreatment Coordinator or the Pretreatment Standard necessary to determine the compliance status of the User.

B. The Treatment Facility Manager may authorize an Industrial User subject to a categorical Pretreatment Standard to forego sampling of a pollutant regulated by a categorical Pretreatment Standard if the Industrial User has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the Discharge, or is present only at background levels from intake water and without any increase in the pollutant due to activities of the Industrial User. This authorization is subject to the following conditions:

1. The waiver may be authorized where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical Standard and otherwise includes no process wastewater.

2. The monitoring waiver is valid only for the duration of the effective period of the individual or general wastewater discharge permit, but in no case longer than 5 years. The User must submit a new request for the waiver before the waiver can be granted for each subsequent individual or general wastewater discharge permit. See also Section 2.4.5A (8).

3. In making a demonstration that a pollutant is not present, the Industrial User must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes.

4. The request for a monitoring waiver must be signed by the authorized representative of the User, and include the certification statement in 2.6.14 A.

5. Non-detectable sample results may be used only as a demonstration that a pollutant is not present if the EPA approved method from 40 CFR Part 136 with the lowest minimum detection level for that pollutant was used in the analysis.

6. Any grant of the monitoring waiver by the Treatment Facility Manager must be included as a condition in the User's permit. The reasons supporting the waiver and any information submitted by the User in its request for the waiver must be maintained by the Treatment Facility Manager for 3 years after expiration of the waiver.

7. Upon approval of the monitoring waiver and revision of the User's permit by the Treatment Facility Manager, the Industrial User must certify on

each report with the statement in Section 2.6.14 B, that there has been no increase in the pollutant in its wastestream due to activities of the Industrial User.

8. In the event that a waived pollutant is found to be present or is expected to be present because of changes that occur in the User's operations, the User must immediately comply with the monitoring requirements of Section 2.6.4 A, or other more frequent monitoring requirements imposed by the Treatment Facility Manager, and notify the Treatment Facility Manager.

9. This provision does not supersede certification processes and requirements established in categorical Pretreatment Standards, except as otherwise specified in the categorical Pretreatment Standard.

C. All periodic compliance reports must be signed and certified in accordance with Section 2.6.14 A of these Pretreatment Rules and Regulations.

D. All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.

E. If a User subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the Pretreatment Coordinator, using the procedures prescribed in Section 2.6.11 of these Pretreatment Rules and Regulations, the results of this monitoring shall be included in the report.

2.6.5 Reports of Changed Conditions

A. Each User must notify the Pretreatment Coordinator of any significant changes to the User's operations or system which might alter the nature, quality, or volume of its wastewater at least thirty (30) days before the change, including changes that may affect slug discharges to the POTW. Significant changes shall be considered to be changes beyond the typical operating range of the User or changes that would have significant impact on POTW operations.

1. The Pretreatment Coordinator may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of an individual or general wastewater discharge permit application under Section 2.4.5 of these Pretreatment Rules and Regulations.

2. The Treatment Facility Manager may issue an individual or general wastewater discharge permit or modify an existing individual or general wastewater discharge permit under Section 2.5.3 of these Pretreatment Rules and Regulations in response to changed conditions or anticipated changed conditions.

B. The Treatment Facility Manager may approve, deny or conditionally approve the change based on the effects the change may have on the POTW and/or the Pretreatment Program.

2.6.6 Reports of Potential Problems

A. In the case of any discharge, including but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, a Slug Discharge or Slug Load, that might cause potential problems for the POTW, the User shall immediately notify the Pretreatment Coordinator of the incident either in person or by telephone conversation . This notification shall include the location of the discharge, type of waste, concentration and volume if known, and corrective actions taken by the User.

B. Within five (5) days following such discharge, the User shall, unless waived in writing by the Treatment Facility Manager, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the User of any fines, penalties, or other liability which may be imposed pursuant to these Pretreatment Rules and Regulations.

C. A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph A, above. Employers shall ensure that all employees, who could cause or have knowledge of such a discharge, are advised of the emergency notification procedure.

D. Significant Industrial Users are required to notify the Pretreatment Coordinator immediately of any changes at its facility affecting the potential for a Slug Discharge

2.6.7 Reports from Unpermitted Users

All Users not required to obtain an individual or general wastewater discharge permit shall provide appropriate reports as required by the Pretreatment Coordinator.

2.6.8 Repeat Sampling Report

If sampling performed by a User indicates a violation, the User must notify the Pretreatment Coordinator within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Pretreatment Coordinator within thirty (30) days after becoming aware of the violation. Resampling by the Industrial User is not required if the SVSD performs sampling at the User's facility at least once a month, or if the SVSD performs sampling at the User between the time when the initial sampling was conducted and the time when the User or the SVSD receives the results of this sampling, or if the SVSD performs sampling and analysis in lieu of the Industrial User. If the SVSD's sample indicates a violation the SVSD may require the User to resample within 30 days. The Pretreatment Coordinator may require the User to submit a five day report, per the requirements of Section 2.6.6B, if the violation warrants additional explanation.

2.6.9 Notification of the Discharge of Hazardous Waste

A. Any User who commences the discharge of hazardous waste shall notify the Treatment Facility Manager, the EPA Regional Waste Management Division Director, and State hazardous waste authorities in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Par 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known, and readily available to the User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notification of changed conditions must be submitted under Section 2.6.5 of these Pretreatment Rules and Regulations. The notification requirement in this Section does not apply to pollutants already reported by Users subject to categorical Pretreatment Standards under the self-monitoring requirements of Sections 2.6.1, 2.6.3, and 2.6.4 of these Pretreatment Rules and Regulations.

B. Dischargers are exempt from the requirements of paragraph A, above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30 (d) and 261.33 (e). Discharge of more than fifteen (15) kilograms of nonacute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30 (d) and 261.33 (e), requires a

one-time notification. Subsequent months during which the User discharges more than such quantities of any hazardous waste do not require additional notification.

C. In the case of any new regulations under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the Treatment Facility Manager, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.

D. In the case of any notification made under this Section, the User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

E. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by these Pretreatment Rules and Regulations, a permit issued thereunder, or any applicable Federal or State law.

2.6.10 **Analytical Requirements**

A. All pollutant analyses, including sampling techniques, to be submitted as part of an individual or general wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the 40 CFR Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or other applicable sampling and analytical procedures, including procedures suggested by the Pretreatment Coordinator.

B. All sampling analysis shall be performed by a laboratory certified by the Utah Bureau of Laboratory Improvements or approved by the Treatment Facility Manager.

2.6.11 **Sample Collection**

Samples collected to satisfy reporting requirements must be obtained through appropriate sampling procedures, performed during the period covered by the report, and based on data that is representative of conditions occurring during the reporting period.

A. Except as indicated in Subsections B and C below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Pretreatment Coordinator. Where time-proportional composite

sampling or grab sampling is authorized by the Pretreatment Coordinator, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the Pretreatment Coordinator, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.

B. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

C. For sampling required in support of baseline monitoring and 90-day compliance reports required in Sections 2.6.1 and 2.6.3, a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the Pretreatment Coordinator may authorize a lower minimum. For the reports required by Section 2.6.4 the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance by with applicable Pretreatment Standards and Requirements.

2.6.12 **Date of Receipt of Reports**

Written reports will be deemed to have been submitted on the date postmarked. For reports, that are not mailed, or reports with no postmark affixed, the date of receipt of the report by the SVSD shall govern.

2.6.13 **Recordkeeping**

Users subject to the reporting requirements of these Pretreatment Rules and Regulations shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by these Pretreatment Rules and Regulations, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with Best Management Practices established under Section 2.2.4 C. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation to which the User or SVSD are parties or where the User has been specifically notified of a longer retention period by the Pretreatment Coordinator.

2.6.14 Certification Statements

A. Certification of Permit Applications, User Reports and Initial Monitoring Waiver. The following certification statement is required to be signed and submitted by Users submitting permit applications in accordance with Section 2.4.6; Users submitting baseline monitoring reports under Section 2.6.1; Users submitting reports on compliance with the categorical Pretreatment Standard deadlines under Section 2.6.3; Users submitting periodic compliance reports required by Section 2.6.4, and Users submitting an initial request to forego sampling of a pollutant on the basis of Section 2.6.4 B(4). The following certification statement must be signed by an Authorized Representative:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

B. Certification of Pollutants Not Present

Users that have an approved monitoring waiver based on Section 2.6.4 B must certify on each report with the following statement that there has been no increase in the pollutant in its wastestream due to activities of the User.

"Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR _____ [specify applicable National Pretreatment Standard Part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of _____ [list pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic report under Section 2.6.4 A."

2.7 COMPLIANCE MONITORING

2.7.1 Right of Entry: Inspection and Sampling

The Treatment Facility Manager or his or her designees shall have the right to enter the premises of any User during hours of operation to determine whether the User is complying with all requirements of these Pretreatment Rules and Regulations and any individual or general wastewater discharge permit or order issued hereunder. Users shall allow the Treatment Facility Manager or his or her designee ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and/or the performance of any additional duties.

A. Where a User has security measures in force which require proper identification and clearance before entry into its premises, the User shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the Treatment Facility Manager shall be permitted to enter without delay for the purposes of performing specific responsibilities.

B. The Treatment Facility Manager shall have the right to set up on the User's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User's operations.

C. The Treatment Facility Manager may require the User to install monitoring equipment as necessary. Unless otherwise provided, the facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated at least annually or as required per the manufacturer's requirements, to ensure their accuracy.

D. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the Treatment Facility Manager and shall not be replaced. The costs of clearing such access shall be borne by the User.

E. Delays in allowing the Treatment Facility Manager or his or her designee access to the User's premises shall be a violation of these Pretreatment Rules and Regulations.

F. The location of the monitoring facility shall provide ample room in or near the monitoring facility to allow accurate sampling and preparation of samples and analysis and whether constructed on public or private property, the monitoring facility should be provided in accordance with the SVSD's requirements and all applicable local construction standard and specifications. Such facilities shall be constructed and maintained in a manner that enables the Treatment Facility Manager to perform independent monitoring activities.

G. All Significant Industrial Users will be inspected at least annually including review of facilities and reports. Inspections will not typically be announced to the User in advance of the inspection.

2.7.2 Search Warrants

If the Treatment Facility Manager or his or her designees have been refused access to a building, structure, or property, or any portion thereof, and is able to demonstrate probable cause to believe that there may be a violation of these Pretreatment Rules and Regulations, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the SVSD designed to verify compliance with these Pretreatment Rules and Regulations or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, the Treatment Facility Manager may seek issuance of a search warrant from a court of competent jurisdiction.

2.8 FATS, OILS, GREASE, AND SAND (FOGS) CONTROL

2.8.1 General

The following Section is applicable to Commercial and Industrial Users that have the potential to discharge deleterious wastewaters containing elevated levels of fat, oils, grease and/or sand and grit to the POTW.

2.8.2 Definitions

The following definitions are supplemental to these Pretreatment Rules and Regulations and applicable to this Section:

A. Commercial User – Any business or public or private entity, except for Significant Industrial Users (SIU), who causes or permits the contribution or discharge of wastewater into the POTW; and who may be regulated, where necessary, to comply with these Pretreatment Rules and Regulations.

B. Common Interceptor – One or more interceptors receiving deleterious wastewater from more than one establishment.

C. Dwelling Unit – Any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking, and sanitation, for not more than one (1) family, or a congregate residence for ten (10) or fewer persons. For purposes of this Section, dwelling unit includes hotel rooms, dormitory rooms, apartments, condominiums, sleeping rooms in nursing homes, and similar living units.

D. FOG – Fats, oil and grease of vegetable and animal origin.

E. FOGS – Fats, oil, grease (of vegetable and animal origin), petroleum oils (or crude oil origin), and soil (sand, dirt, etc.).

F. Food Service Establishment (FSE) – means any building, vehicle, place, or structure, or any room or division in a building, vehicle, place, or structure where food is prepared, served, or sold for immediate consumption on or in the vicinity of the premises; called for or taken out by customers; or prepared prior to being delivered to another location for consumption.

G. Grease Interceptor – A structure or device designed for the purpose of removing and preventing fats, oils, and grease from entering the sanitary sewer collection system. These devices are below-ground units in outside areas with a minimum capacity of 800 gallons.

H. Grease Trap – A device designed for the purpose of removing and preventing fats, oils, and grease from entering the sanitary sewer collection system. These devices are typically compact under-the-sink units located near food preparation areas.

I. Petroleum Oil – hydrocarbon fuels, oils, greases, and like products, derived from crude oil.

J. Sand/Oil Interceptor – A structure or device designed for the purpose of separating sand, dirt, and petroleum oils and preventing them from entering the sanitary sewer collection system. These devices are below-ground units in outside areas with a minimum capacity of 800 gallons.

K. Surchargable Business – A Commercial or Industrial User whose wastewater strength may exceed parameters established by the SVSD, and is subject to surcharges (fees) based on wastewater strength and volume as outlined in the SVSD Consolidated Fee Schedule.

2.8.3 Interceptor and Trap Installation Specifications

A. Grease and Sand/Oil Interceptors, as described by the International Plumbing Code (IPC), shall be required of any Commercial User when the SVSD determines they are necessary for the proper handling of wastewater containing FOGS in excessive amounts except that such interceptors shall not be required for residential dwelling units.

B. All construction plans for interceptors shall be submitted to SVSD for review and approval prior to installation. All interceptors shall be of a type, construction, and capacity approved by SVSD.

C. All interceptors shall be installed and located so as to be readily accessible for cleaning by the User and inspection by SVSD employees. Interceptor access manholes should not be located in parking spaces or adjacent to entrances or exits.

D. All interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, water tight and equipped with easily removable covers which are gas and water tight.

E. All existing commercial or industrial businesses shall have one year upon notification by SVSD to install an interceptor where required by SVSD standards.

F. Interceptors for businesses that have closed shall be dewatered and cleaned by the owner of said establishment. A representative of SVSD may inspect and verify this process has been completed to the satisfaction of SVSD.

G. Grease Traps are only allowed in place of grease interceptors when it is physically impossible to install a grease interceptor outside of the building or business. As such, a variance request from the owner of the property must be made to SVSD with a letter from a Utah State certified plumber or engineer.

H. Alternative, but equivalent, FOGS management BMPs may be approved on a case-by-case basis, in lieu of installation of interceptors and traps.

2.8.4 General FOGS Waste Discharge Limits and Requirements

A. It shall be unlawful to discharge within SVSD jurisdiction, any sanitary wastewater, commercial and industrial waste, or other polluted waters, except where suitable treatment has been provided in accordance with provisions of these Pretreatment Rules and Regulations. The following are general requirements and prohibitions applicable to this Section:

1. The discharge of any substance into the sewer system that exceeds or violates general or specific prohibitions listed in Section 2.2.1 is prohibited.

2. The discharge into the sewer system of FOGs that may accumulate and/or cause or contribute to blockages in the sewer system or at the sewer system lateral except as provided herein is prohibited.

3. Installation and use of food grinders in new and/or remodeled FSE's is not recommended.

4. Emulsifiers, enzymes or degreasers shall not be added as sewer aids to any plumbing that leads to, directly or indirectly to any interceptor.

5. The disposal of cooking oil (yellow grease) into the sewer system is prohibited. All waste cooking oils shall be collected, stored and labeled properly in receptacles such as barrels or drums for recycling or other acceptable methods of disposal.

6. The discharge of wastewater with temperatures in excess of 140°F to any FOGS control device including interceptors and traps is prohibited.

7. The discharge of waste from toilets, urinals, washbasins, and other fixtures containing fecal materials into sewer lines intended for interceptor service is prohibited.

8. The discharge to the sewer system of any waste including FOGS and solid materials that were otherwise removed from an interceptor or other FOGS control device is prohibited. Wastes removed from interceptors must be

hauled off and properly disposed of periodically in compliance with operation and maintenance requirements.

9. Operation of an interceptor with FOGS and solids (floating + settled) accumulation exceeding 25 percent of the design hydraulic depth of the interceptor is prohibited.

10. Commercial Users shall during regular business hours, provide immediate and safe access to the Treatment Facility Manager or his or her designee to the Users premises and FOGS handling BMP facilities.

11. The Pretreatment Coordinator may require visual monitoring at the expense of the Commercial User to observe conditions of the User's sewer lateral and lines downstream.

2.8.5 Kitchen Best Management Practices (BMP) Requirements

All Food Service Establishments (FSE) shall be required, at a minimum, to implement and comply with the following Kitchen BMPs, whenever applicable:

A. Drain screens (strainers) shall be installed on all drainage pipes in food preparation areas.

B. All waste cooking oil shall be collected and stored properly in recycling receptacles such as barrels or drums. Such recycling receptacles shall be maintained properly to ensure that they do not leak.

C. All garbage and food waste shall be disposed of directly into trash bins or containers, and not in sinks, drainage pipes or the sewer system. Food waste should be disposed of in lined trash bins.

D. Employee Training: Employees of the FSEs shall be trained twice each calendar year in the following areas:

1. How to "dry wipe/scrape" pots, pans, dishware and work areas before washing to remove FOG.

2. How to properly dispose of garbage, food waste and solids in lined plastic bags prior to disposal in trash bins or containers to prevent leaking and odors.

3. The location and use of absorbent products to clean under fryer baskets and other locations where FOG may be spilled or accumulated.

4. How to properly dispose of cooking oil from fry equipment into a FOG receptacle such as a barrel or drum without spilling.

5. Training shall be documented and employee signatures recorded indicating each employee's attendance and understanding of the practices reviewed. Training records shall be available for review at any reasonable time by the Pretreatment Coordinator, or designee.

E. Exhaust filters shall be maintained in good operating condition utilizing frequent cleaning practices. The wastewater generated from cleaning the exhaust filter shall be disposed properly.

F. Kitchen BMP and "NO GREASE" signs, posters or similar information in appropriate language(s) shall be prominently displayed in the food preparation and dishwashing areas at all times.

G. Absorbent materials shall be placed under fryers and other areas where FOG typically or frequently drips or spills.

H. Covered devices shall be used in transporting FOG to prevent spills.

I. FOG containers shall be emptied before they are full to avoid accidental or incidental spills.

J. "Spill Kits" (e.g., absorbent materials, kitty litter) shall be provided and readily available in the event a spill.

2.8.6 Interceptor Operation and Maintenance Requirements

All existing and newly constructed interceptors shall be operated in accordance with the manufacturer's specifications. The maintenance frequency for all Commercial Users with interceptors shall be determined by the following:

A. Where installed, an interceptor shall be fully maintained by the User at its sole expense, in a continuous, efficient manner at all times subject to SVSD inspection and approval.

B. Interceptors shall be maintained in efficient operating condition by the periodic removal of the full contents of the interceptor. Interceptors shall be fully pumped out and cleaned at a frequency such that the combined floating and settled FOGS accumulation does not exceed 25% of the design hydraulic depth of the Interceptor. This is to ensure that the minimum hydraulic retention time and required available volume is maintained to effectively intercept and retain FOGS.

C. If an interceptor is at any time observed by the Pretreatment Coordinator or designee to contain floating and settled FOGS accumulation in excess of 25 percent, the user shall be required to have the interceptor serviced as soon as

possible, but no later than 72 hours, such that all FOGS, sludge, and other materials are completely removed from the interceptor.

D. The owner of the property on which a Common Interceptor and/or the facilities discharging to a Common Interceptor are located shall be primarily responsible for the maintenance, upkeep, and repair of the interceptor.

E. No Commercial User shall increase the use of water or in any other manner attempt to dilute a discharge as a way of achieving compliance with these Pretreatment Rules and Regulations.

2.8.7 Grease Trap Operation and Maintenance Requirements

A. Where installed, a grease trap shall be fully maintained by the User at its sole expense, in a continuous, efficient manner at all times subject to SVSD inspection and approval.

B. A FSE may use or be required to install grease traps, in lieu of installation of a grease interceptor when (1) installation of an interceptor cannot physically be accomplished, (2) there is not adequate slope for gravity flow between kitchen plumbing fixtures and a proposed grease interceptor and/or between the grease interceptor and the private collection lines or the public sewer, or (3) no alternative pretreatment can be installed. Sizing and installation of grease traps shall conform to SVSD Design Standards and Construction Specifications.

C. Grease traps shall be operated in accordance with the manufacturer's specifications.

D. Grease traps shall be maintained in efficient operating condition by removing accumulated grease on an as needed basis, or the frequency specified by the manufacturer, but no less than weekly.

E. Grease traps shall be fully emptied of all food residues and any FOG waste during the cleaning and scraping process.

F. Grease traps shall be inspected periodically, but in no event less than once a month, to check for leaking seams and pipes, and for effective operation of the baffles and flow-regulating device. Grease traps and their baffles shall be maintained free of all caked-on FOG and waste. Removable baffles shall be removed and cleaned during the maintenance process.

G. Automatic dishwashers and food grinder units shall not be connected to or discharged into any grease trap.

H. No FSE shall increase the use of water or in any other manner attempt to dilute a discharge as a way of achieving compliance with these Pretreatment Rules and Regulations.

2.8.8 Notification Requirements

A Commercial and Industrial User shall comply with the following notification requirements:

A. Notification of Spills and/or Sanitary Sewer Overflows (SSO)

1. In the event a User is unable to comply with the FOGS Pretreatment Rules and Regulations due to a breakdown of equipment, accidents, or human error or the user has reasonable belief that its discharge will violate the FOGS Pretreatment Rules and Regulations, the User or its representative shall immediately notify the Pretreatment Coordinator by telephone at: (385) 202-2777.

2. If the material discharged has the potential to cause or results in sewer blockage or SSO, the User shall immediately notify the SVSD and the Pretreatment Coordinator by telephone at: (385) 202-2777.

3. Confirmation of this notification shall be made in writing to the Pretreatment Coordinator no later than five (5) workings days from the date of the incident to the following address: Pretreatment Coordinator, SVSD, P.O. Box 908, Draper, Utah 84020. The written notification shall state the date of the incident, the reasons for the discharge or spill, and what steps were taken to immediately correct the problem and what steps are being taken to prevent a recurrence.

4. Such notification shall not relieve the user of any expense, loss, damage or other liability that may be incurred as a result of damage or otherwise arising out of a violation of these Pretreatment Rules and Regulations, or other applicable law.

B. Commercial Users shall notify the Pretreatment Coordinator in writing at least 60 days prior to any facility expansion and/or remodeling or process modifications that may result in new or substantially increased FOGS discharges or a change in the nature of the discharge. The user shall submit any information requested by the Pretreatment Coordinator for evaluation of the effect of such expansion and/or remodeling or process modifications on the users FOGS discharge to the sewer system. The written notification shall state the FSE name, name the title of the users contact person or person most knowledgeable concerning the facility expansion and/or remodeling or process modifications, address and telephone number of the user, date of the proposed facility expansion and/or remodeling or process modifications and the reasons for the same.

2.8.9 Record-Keeping Requirements

The following records shall be maintained for no less than three (3) years and the Commercial User shall make them available to Pretreatment Coordinator, or designee:

A. A record or logbook of interceptor or trap cleaning and maintenance practices and activities. The record or logbook shall include:

1. Dates inspected;
2. Name of inspector;
3. Inspector's observations concerning the effectiveness of the interceptor or trap in controlling FOGS;
4. Dates cleaned; and
5. Dates and nature of maintenance.

B. A record or logbook of FSE Kitchen BMPs being implemented including employee training.

C. Any other information deemed appropriate by the Pretreatment Coordinator to ensure compliance with these Pretreatment Rules and Regulations.

D. Copies of records and manifests of waste hauling of interceptor contents, which will include:

1. Name of hauling company and disposal site
2. Name and signature of operator performing the pump out
3. Documentation of volume of water and FOGS removed
4. Documentation if repairs to the interceptor are required.

E. Records of any spills and/or cleaning of the lateral or sewer system.

2.8.10 Inspections and Sampling

Commercial Users are inspected on a regular basis by SVSD Pretreatment to determine if the businesses are in compliance with these Pretreatment Rules and Regulations. The purpose of inspections is as follows:

A. To verify if Users are complying with Pretreatment Rules and Regulations

B. To collect and analyze samples and compare results to established discharge limitations

C. To provide evidence in support of enforcement actions

D. To verify correction of problems

E. To maintain records of User discharge constituents

F. To provide data in order to calculate surcharge fees.

2.8.11 Commercial Wastewater Discharge Permits

All Commercial Users subject to this Section are required to obtain a Commercial Wastewater Discharge Permit. Commercial Wastewater Permits may contain numeric and/or narrative discharge limitations specific to the business. Any variance from the rules set forth in this Section must be described in writing in the Users permit and issued by the Treatment Facility Manager or his authorized representative. Terms of the permits are fully enforceable under the Enforcement Response Plan (ERP).

2.8.12 Fees

SVSD has established a fee schedule for the use of the wastewater collection system and POTW. They are published in the SVSD Consolidated Fee Schedule. Fees are charged to Users of the SVSD collection system and JBWRF based on the following factors:

A. Wastewater strength (BOD, TSS, oil and grease, etc.) (A flat fee is charged to Users that cannot be sampled).

B. Inspection and sampling costs

C. Permit issuance and renewal

D. Construction inspection and plan review

2.9 CONFIDENTIAL INFORMATION

Information and data regarding a User obtained from reports, surveys, individual or general wastewater discharge permit applications, individual or general wastewater discharge permits, and monitoring programs, and from the Treatment Facility Manager's inspection and sampling activities, shall be available to the public pursuant to law, unless the User specifically requests, and is able to demonstrate to the satisfaction of the Treatment Facility Manager, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the User furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the UPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other effluent data, as defined at 40 CFR 2.302 shall not be recognized as confidential information and shall be available to the public without restriction.

2.10 PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE

The Treatment Facility Manager shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Users which, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements. The term Significant Noncompliance shall be applicable to all Significant Industrial Users (or any other Industrial User that violates paragraphs (C), (D) or (H) of this Section) and shall mean:

A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six- (6-) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Section 2;

B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for the same pollutant parameter during a six- (6-) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Section 2 multiplied by the applicable TRC criteria (TRC=1.4 for BOD, TSS, fats, oils and grease, and TRC=1.2 for all other pollutants except pH);

C. Any other violation of a Pretreatment Standard or Requirement as defined by Section 2 (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the Treatment Facility Manager determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;

D. Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the Treatment Facility Manager's exercise of his or her emergency authority to halt or prevent such a discharge;

E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual or general wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

F. Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

G. Failure to accurately report noncompliance; or

H. Any other violation(s), which may include a violation of Best Management Practices, which the Treatment Facility Manager determines will adversely affect the operation or implementation of the local pretreatment program.

2.11 ADMINISTRATIVE ENFORCEMENT REMEDIES

2.11.1 Notification of Violation

When the Treatment Facility Manager finds that a User has violated, or continues to violate, any provision of these Pretreatment Rules and Regulations, an individual or general wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the Treatment Facility Manager may serve upon that User a written Notice of Violation. Within fifteen (15) days of the receipt of such notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the User to the Treatment Facility Manager. Submission of such a plan in no way relieves the User of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this Section shall limit the authority of the Treatment Facility Manager to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

2.11.2 Consent Orders

The Treatment Facility Manager may enter into Consent Orders, assurances of compliance, or other similar documents establishing an agreement with any User responsible for noncompliance. Such documents shall include specific action to be taken by the User to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 2.11.4 and 2.11.5 of these Pretreatment Rules and Regulations and shall be judicially enforceable.

2.11.3 Show Cause Hearing

The Treatment Facility Manager may order a User which has violated, or continues to violate, any provision of these Pretreatment Rules and Regulations, an individual or general wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, to appear before the Treatment Facility Manager and show cause why the proposed enforcement action should not be taken. Notice shall be served on the User specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the User show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least fifteen (15) days prior to the hearing. Such notice may be served on any Authorized Representative of the User. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the User.

2.11.4 Compliance Orders

When the Treatment Facility Manager finds that a User has violated, or continues to violate, any provision of these Pretreatment Rules and Regulations, an individual or general wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the Treatment Facility Manager may issue an order to the User responsible for the discharge directing that the User come into compliance within a specified time. If the User does not come

into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a Pretreatment Standard or Requirement, nor does a compliance order relieve the User of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the User.

2.11.5 **Cease and Desist Orders**

When the Treatment Facility Manager finds that a User has violated, or continues to violate, any provision of these Pretreatment Rules and Regulations, an individual or general wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, or that the User's past violations are likely to recur, the Treatment Facility Manager may issue an order to the User directing it to cease and desist all such violations and directing the User to:

A. Immediately comply with all requirements; and

B. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge. Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the User.

2.11.6 **Emergency Suspensions**

The Treatment Facility Manager may immediately suspend a User's discharge, after informal notice to the User, whenever such suspension is necessary to stop an actual or threatened discharge, which reasonably appears to present, or cause an imminent or substantial endangerment to the health or welfare of persons. The Treatment Facility Manager may also immediately suspend a User's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

A. Any User notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a User's failure to immediately comply voluntarily with the suspension order, the Treatment Facility Manager may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Treatment Facility Manager may allow the User to recommence its discharge when the User has demonstrated to the satisfaction of the Treatment Facility Manager that the period of endangerment has passed, unless the termination proceedings in Section 2.11.7 of these Pretreatment Rules and Regulations are initiated against the User.

B. A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the Treatment Facility Manager prior to the date of any show cause or termination hearing under Sections 2.11.3 or 2.11.7 of these Pretreatment Rules and Regulations

Nothing in this Section shall be interpreted as requiring a hearing prior to any Emergency Suspension of a permit and/or discharge to the POTW.

2.11.7 **Termination of Discharge**

In addition to the provisions in Section 2.5.4 of these Pretreatment Rules and Regulations, any User who violates the following conditions is subject to discharge termination:

A. Violation of individual or general wastewater discharge permit conditions;

B. Failure to accurately report the wastewater constituents and characteristics of its discharge;

C. Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;

D. Refusal of access to the User's premises for the purpose of inspection, monitoring, or sampling; or

E. Violation of the Pretreatment Standards in Section 2 of these Pretreatment Rules and Regulations

Such User will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 2.11.3 of these Pretreatment Rules and Regulations why the proposed action should not be taken. Exercise of this option by the Treatment Facility Manager shall not be a bar to, or a prerequisite for, taking any other action against the User.

2.12 JUDICIAL ENFORCEMENT REMEDIES

2.12.1 Injunctive Relief

When the Treatment Facility Manager finds that a User has violated, or continues to violate, any provision of these Pretreatment Rules and Regulations an individual or general wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the Treatment Facility Manager may petition a court of competent jurisdiction through SVSD's Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the individual or general wastewater discharge permit, order, or other requirement imposed by these Pretreatment Rules and Regulations on activities of the User. The Treatment Facility Manager may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

2.12.2 Civil Penalties

A. A User who has violated, or continues to violate, any provision of these Pretreatment Rules and Regulations, an individual or general wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement shall be liable to SVSD for a maximum civil penalty not to exceed $10,000 per day of violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.

B. The SVSD may file a suit in court to impose, assess and recover civil penalties together with actual damages.

C. The SVSD may recover reasonable attorneys' fees, court costs and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the SVSD.

D. In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.

E. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a User.

2.12.3 Criminal Prosecution

The SVSD will refer to the State of Utah criminal violations of any Pretreatment Rules and Regulations or permit conditions. The Attorney General's office for Utah and/or the District

2.14 AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

2.14.1 Upset

A. An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical Pretreatment Standards if the requirements of paragraph (B), below, are met.

B. A User who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

1. An upset occurred and the User can identify the cause(s) of the upset;

2. The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and

3. The User has submitted the following information to the Treatment Facility Manager within twenty-four (24) hours of becoming aware of the upset if this information is provided orally, a written submission must be provided within five (5) days:

   a. A description of the indirect discharge and cause of noncompliance;
   b. The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
   c. Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

C. In any enforcement proceeding, the User seeking to establish the occurrence of an upset shall have the burden of proof.

D. Users shall have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical Pretreatment Standards.

E. Users shall control production of all discharges to the extent necessary to maintain compliance with categorical Pretreatment Standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

2.14.2 **Bypass**

A. A User may allow any bypass to occur which does not cause Pretreatment Standards or Requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (B) and (C) of this Section.

B. Bypass Notifications

1. If a User knows in advance of the need for a bypass, it shall submit prior notice to the Treatment Facility Manager at least ten (10) days before the date of the bypass, if possible.

2. A User shall submit oral notice to the Treatment Facility Manager of an unanticipated bypass that exceeds applicable Pretreatment Standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Treatment Facility Manager may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

C. Bypass

1. Bypass is prohibited, and the Treatment Facility Manager may take an enforcement action against a User for a bypass, unless

   a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
   b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
   c. The User submitted notices as required under paragraph (B) of this Section.

2. The Treatment Facility Manager may approve an anticipated bypass, after considering its adverse effects, if the Treatment Facility Manager

determines that it will meet the three conditions listed in paragraph (C)(1) of this Section.

2.15 APPEALS

2.15.1 Initial Appeal Hearing

A. A person whose permit is denied, or is granted subject to conditions or terms deemed unacceptable, a permittee/user assessed a civil penalty under these standards, or on issued an administrative order under these standards shall have the right to petition the Treatment Facility Manager for reconsideration within thirty (30) days of notice of its issuance.

B. Failure to petition the Treatment Facility Manager within thirty (30) days of notice is deemed a waiver by the permittee/User of his/her right to challenge the terms, conditions, and/or decisions of the Treatment Facility Manager.

C. In its petition, the appealing party must indicate the individual or general wastewater discharge permit provisions or other matters objected to, the reasons for the objection, and the alternative condition, if any, the appealing party seeks to place in the individual or general wastewater discharge permit.

D. The appealing party may request a hearing before the Treatment Facility Manager and shall set forth in detail the specific issues to be contested.

E. The Treatment Facility Manager shall make a final decision on the contested permit, penalty, order or matter within thirty (30) calendar days of the after receipt of the petition or the conclusion of any hearing held thereon.

F. The Treatment Facility Manager shall transmit to the appellant a copy of the decision by registered or certified mail.

G. The effectiveness of the individual or general wastewater discharge permit shall not be stayed pending the appeal.

2.15.2 Final Appeal Hearing

A. Any decision by the Treatment Facility Manager made as a result of the petition and any hearing held under Section 2.15.1 may be appealed to the Board upon filing a written demand within ten (10) calendar days of receipt of notice of the Treatment Facility Manager's decision.

B. Failure to make written demand within the time specified herein shall bar further appeal.

C. The Board may hold a hearing and shall make a final decision on the appeal within sixty (60) calendar days of the date of the appeal was filed and shall transmit to the appellant a written copy of the decision by registered or certified mail.

D. The decision of the Board shall be considered the final administrative action for purposes of judicial review.

2.15.3 **Judicial Review**

Any User may seek judicial review of a final administrative decision by the Board by filing a written petition within thirty (30) calendar days after receipt of notice by registered or certified mail, but not thereafter, with the Third Judicial District Court of the State of Utah along with a copy to the SVSD.

2.16 MISCELLANEOUS PROVISIONS

2.16.1 Pretreatment Charges and Fees

The SVSD may adopt reasonable fees for reimbursement of costs of setting up and operating the SVSD's Pretreatment Program, which may include:

A. Fees for individual or general wastewater discharge permit applications including the cost of processing such applications;

B. Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a User's discharge, and reviewing monitoring reports and certification statements submitted by Users;

C. Fees for reviewing and responding to accidental discharge procedures and construction;

D. Fees for filing appeals;

E. Fees to recover administrative and legal costs (not included in Section 2.16.1B) associated with the enforcement activity taken by the Treatment Facility Manager to address IU noncompliance; and

F. Other fees as the SVSD may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by these Pretreatment Rules and Regulations and are separate from all other fees, fines, and penalties chargeable by the SVSD.

2.16.2 Severability

If any provision of these Pretreatment Rules and Regulations is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

2.17 Effective Date

These Pretreatment Rules and Regulations shall be in full force and effect immediately following its passage, approval, and publication, as provided by law.

SECTION 3
PRETREATMENT PROGRAM

3.1 INDUSTRIAL USER IDENTIFICATION, INITIAL INSPECTION AND BASELINE MONITORING REPORT

3.1.1 Purpose

The purposes of the Industrial User (IU) Identification, Initial Inspection and Baseline Monitoring Section are:

A. Develop a comprehensive industrial waste survey of all commercial and industrial connections to the Wastewater system.

B. Provide an appropriate initial inspection of all commercial and industrial connections with the intent to identify those that may be Significant Industrial Users (SIU).

C. Obtain accurate baseline monitoring reports from all potential SIU's to use in deciding whom to permit.

D. Provide a means to continuously update the industrial waste survey.

3.1.2 Legal Authority

U.S. Code of Federal Regulations, Title 40, Part 403.8(f)(2)(v)

Pretreatment Rules and Regulations, Sections 3.1.6 and 3.1.7

3.1.3 Program

Identification and investigation of all commercial and industrial connections is the basis of an effective industrial pretreatment program. It is important for the SVSD to identify all commercial and Industrial Users and correctly catalog those that are deemed to be SIU's. All commercial and industrial connections will be assessed to determine their impact on the POTW. Those that may be classified as SIUs are required to complete a Baseline Monitoring Report.

3.1.4 Industrial Waste Survey

The industrial waste survey process involves the identification and preliminary inspection of all commercial and industrial connections to the POTW System. The first step is the completion of an Industrial Waste Survey form. The purpose is to evaluate each commercial and Industrial User to determine potential for adverse impact to the POTW. Some connections may need further investigation beyond a preliminary inspection as follows:

A. Does the IU meet the definition of a SIU?

B. Does the IU have the potential to impact any of the following?

1. Sludge quality or beneficial reuse of biosolids.

2. Receiving water quality by discharging pollutants which could pass through the JBWRF and cause a violation of water quality standards.

3. UPDES permit compliance by discharging pollutants which could cause a permit violation.

4. POTW operations by discharging pollutants which could inhibit or upset the treatment processes.

C. Does the IU use, store or discharge in significant quantities any hazardous waste as defined in 40 CFR Part 261?

D. Does the IU have the potential to discharge Compatible Pollutants such as organic wastes producing a high BOD, TSS, and/or oil and grease in quantities that could overload the POTW or cause a process upset?

E. Does the IU have high water consumption that does not reflect the number of employees?

The flow chart shown in Figure 1 at the end of this Section contains steps taken in the screening process of Users of the POTW. Sources useful in the identification of commercial and Industrial Users are as follows:

1. Connector Cities and Counties in the SVSD boundaries should be contacted to obtain current lists of all business licenses within their jurisdiction.

2. Connector Cities and Counties should be asked to provide recent building permits for comparison against the business list.

3. Other sources of information on IUs connected to the POTW system may include the local Chamber of Commerce, newspaper or yellow page advertising, and culinary water providers.

4. Reconnaissance of all industrial areas in the SVSD boundaries should be conducted by POTW staff to verify that all industries have been identified.

The above information should be provided to the Pretreatment Department on a continual basis and reviewed when received. If necessary, an inspection is performed within 14 days of receiving the information.

Using the information above, a Master IU index will be developed, listing all commercial or industrial connections to the POTW. The Master IU index will be in the form of a spreadsheet and include the following information: name of the IU, location of the facility, SIC code or type of business, number of employees, wastewater flow rate or water consumption rate, whether the discharge is direct, indirect or septic tank, and if the discharge has sanitary process wastes or both.

Of the IUs found to be discharging process wastes the following information will be collected: mass loads and/or concentrations of pollutants, major products manufactured or services supplied, and a description of pretreatment facilities. Optional information provided includes waste residuals generated and locations of discharge points.

3.1.5 Preliminary IU Inspection

Concurrent with the development of the Master IU index, SVSD will perform appropriate inspections of all business or commercial connections on the Index to decide their status under the Pretreatment Program. A form titled Preliminary Pretreatment Inspection Report has been developed for this purpose. The Preliminary Pretreatment Inspection is the process used to exclude the majority of the connections to the POTW from further pretreatment program evaluation. Specifically, those which discharge only domestic wastewater only and have little or no potential to spill or discharge toxic chemicals into the sewer system are not subject to pretreatment oversight. Unless modifications to the business occur in the future, domestic only discharges would be eliminated from further investigation. The remaining IUs, which have the potential to impact the POTW system, would be investigated further. Any likely SIU would be requested to fill out an Industrial User Application Questionnaire and Baseline Monitoring Report (BMR). This would identify Categorical Industrial Users. Industries that store hazardous chemicals but do not discharge them to the sewer system are evaluated under the slug control program and are eligible for a "zero discharge" permit.

3.1.6 SIU Baseline Monitoring Reports

BMRs should be sent to IUs that are discovered during the inspection process where additional information and a permit may be required. The BMR should be sent to the IU via certified mail or hand delivered with the person receiving the BMR signing for it. A letter should be sent with the BMR indicating that it must be completed within thirty (30) days. All BMRs should be evaluated in detail by SVSD to determine if the IU is Significant or Categorical. If the IU is classified as such, a Permit shall be prepared based on information provided in the application questionnaire. If the IU is not Significant or Categorical, the reviewer should evaluate the need to control the industry with a Commercial Wastewater Discharge permit or a zero discharge permit. The exact permitting process and determination is included later in Section 3.2 hereof.

The Industrial User Application Questionnaire and Baseline Monitoring Report (BMR) will serve several purposes as outlined hereafter. The first purpose of the BMR form is as an application questionnaire to be completed by all industries, which are suspected to be Categorical or Significant Industrial Users. The form should be completed entirely using recent test data for existing facilities and estimated data for new facilities. For Categorical Industrial Users, the completed report will also serve as the BMR. The form should, secondly, be used as a follow-up inspection and in-person site questionnaire. This approach facilitates a more critical evaluation of the industry. The BMR could also be used as the basis of the ninety (90) day compliance report for new facilities. All Categorical Industrial Users are required to fill out a ninety (90) day compliance report form. Finally, the BMR form could be used as a follow up questionnaire should any of the existing facilities change their Wastewater or production process or as a reapplication questionnaire for permit renewal. Should a BMR be returned incomplete, the form should either be resubmitted to the IU for completion or completed at the time of a follow-up inspection. Once a BMR is submitted a full inspection report should be completed at the facility and will assist in determining if a permit is needed and to gather information for the development of the permit and the fact sheet.

3.1.7 Gathering Additional / Missing Information

If the SVSD has questions regarding the information on the BMR, an inspection should be performed. If the questions are regarding sampling information provided in the BMR then SVSD should complete its own sampling of the IU discharge or gather information regarding the potential discharge by the IU.

The SVSD should make sure that the IU is aware that the BMR must be completed in order to discharge wastewater. If the IU does not complete the BMR the SVSD should meet with the IU and indicate that the information is required. If an IU does not complete or refuses to complete the BMR within the required time frame, the SVSD should follow appropriate steps in the Enforcement Response Plan (ERP).

3.1.8 Industrial Waste Survey Updates

The industrial waste survey should be updated annually in order to identify any new or previously unidentified SIUs. The procedure used in the original survey should be repeated at least annually in order to find new SIUs.

On-going identification may be greatly aided by the SVSD requiring signatory approval, by the Pretreatment Coordinator, from all building permit issuance departments located with the SVSD for all new or remodeled commercial or industrial building permits. Most SIUs entering a new area will require at least some building changes. This process should be managed efficiently to avoid delay complaints.

Annually the Pretreatment Coordinator will review the local yellow pages in the service area to review and visit businesses that were not previously inspected.

Quarterly the Pretreatment Coordinator will drive through industrial areas in the SVSD to review and visit businesses that were not previously inspected or which have modified their operations.

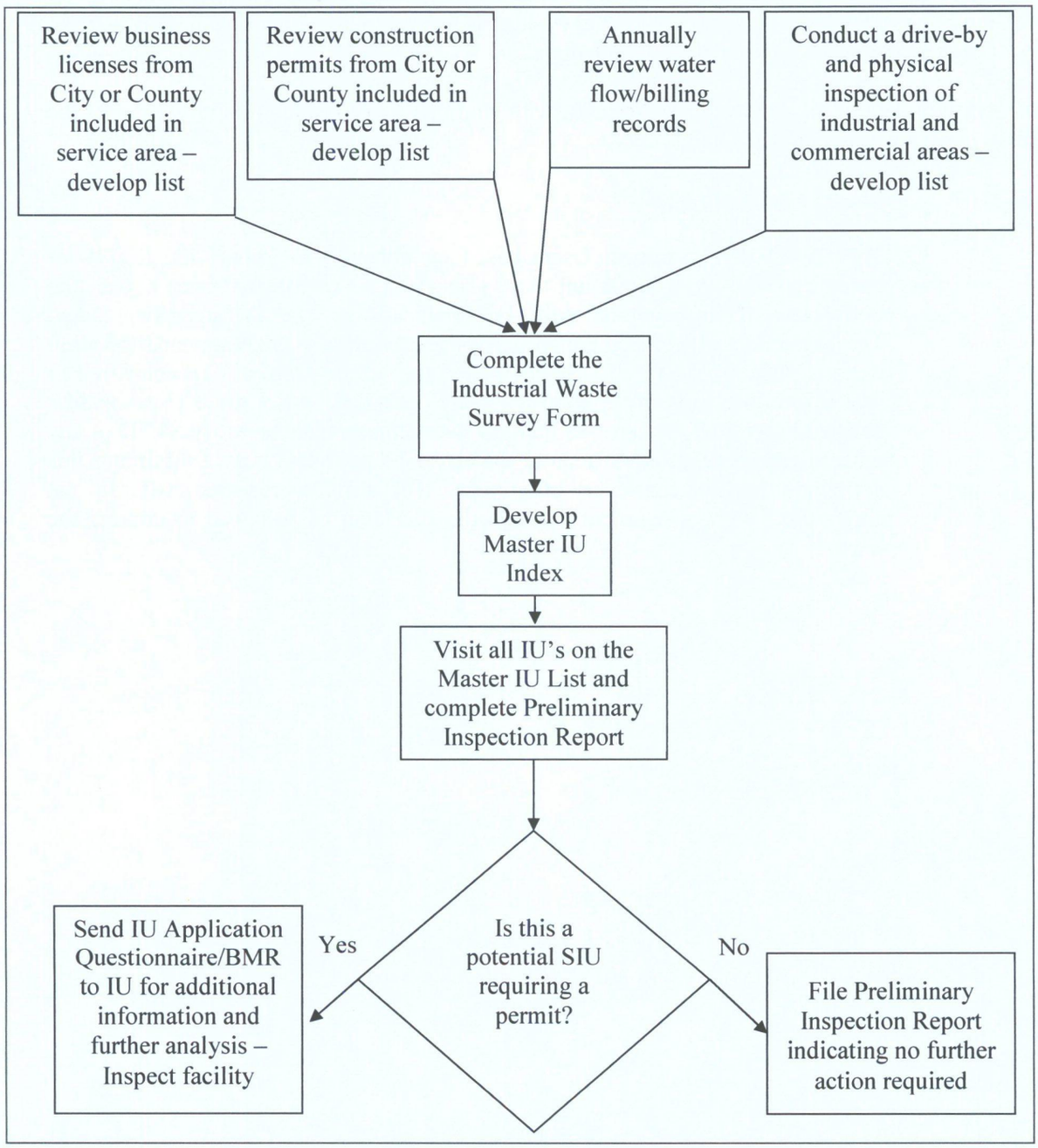
Billing records will be reviewed by the Pretreatment Coordinator yearly. This will ensure that IUs are not overlooked. This will also aid in evaluating existing Users to ensure IUs are making notifications as needed regarding process changes.

Coupling review of all new business licenses, with sign off of construction permits ensures the survey will always be updated and accurate.

A. Changes to Existing Users

The SVSD will re-inspect Users based on potential to impact the POTW or become a SIU. At a minimum these Users will be reevaluated once a year, the frequency of inspections will be included in the Master IU Index. The inspection will be completed using the Preliminary Pretreatment Inspection Report. Once the inspection is completed the information will be compared to past inspections to verify if conditions have changed. Also, these Users will be notified in writing, via certified mail, of their requirements to notify SVSD of any process changes that could require the IU to be permitted. At a minimum this notification will be sent every other year. If it is discovered that an IU did not notify the SVSD of a process change the ERP will be followed to address the issue.

FIGURE 1
INDUSTRIAL WASTE SURVEY
DEVELOPMENT



South Valley Sewer District

INDUSTRIAL WASTE SURVEY

Directions for Completing the Industrial Waste Survey Form

1. The South Valley Sewer District requires certain information from all businesses that discharge wastewater to its wastewater treatment plant.

1. Please complete this Industrial Waste Survey form. Answer all questions as completely as possible. If you do not know the answer to a question, write "Unknown" in the box. If an answer is not applicable to your facility, write "N/A".

2. Please sign and return the Industrial Waste Survey form. Form must be signed by an authorized representative of the business.

3. Failure to complete and submit the Industrial Waste Survey form is a violation of the SVSD Pretreatment Rules and Regulations.

4. Please type or print legibly.

5. If you have any questions, please contact the SVSD Pretreatment Department at: (385) 202-2777

Company Name (or dba):

_____

Physical Street Address: Mailing Address (if different)

_____ _____

_____ _____

_____ _____

Authorized Representative's Name: _____

Title: _____

Phone number: _____

Email address: _____

List all Standard Industrial Classification (SIC) codes for the Company's facility:

_____

_____

Describe the Company's business activities in detail (attach additional sheets if needed):

_____

_____

Type of Business (check all that apply)

	Manufacturing		Distribution/Warehouse		Retail Sales--Non-food
	Service		Office Only		Retail Sales--Food
	Medical		Fabrication		Other:

Check any and all activities occurring at the Company's facility

	Aircraft repair/ maintenance		Brewery
	Treating wastes from other businesses		Laundry
	Copper or aluminum forming		Dairy products manufacturing
	Dental services		Fertilizer manufacture
	Electrical component manufacturing		Firearms- bluing
	Grocery- retail with deli		Grocery- retail without deli
	Hospital		Medical (other than hospital)
	Leather tanning		Meat, vegetable or food processing (factory level, not restaurants)
	Trucked and hauled waste, including domestic septic tanks, sand traps, commercial or industrial		Metal finishing (including electroplating, electroless plating, anodizing, coloring, coating, acid rinse or acid cleaning prior to painting, chemical etching, etc.)
	Non-ferrous metals forming		Metal molding and casting
	Oil and gas refining/ extraction		Paint/ink manufacturing
	Painting of metal		Photographic/ x-ray developing
	Plastics manufacturing		Porcelain enameling
	Printing/ publishing		Restaurant or fast food establishment
	Retail sales only		Smelting/ metal refining
	Soap or detergent manufacture		Steam power generation
	Wood preserving		Transportation equipment cleaning
	Vehicle repair shop/garage		Warehouse

List the square footage of the facility or facilities: _____

_____

List principal products or services if not identified above: _____

_____

_____

Estimate the total wastewater discharged per month _____

Wastewater disposal methods (check all that apply)

	South Valley Sewer District		Hauled off-site		Septic tank, leach field
	Direct discharge to a ditch, river, etc.		Storm sewer		No wastewater generated
Other:					

Does your company or business activity use or generate any of the following?

Chemical	Yes	No	Discharged to sanitary sewer?	Where discharged if not to sanitary sewer?
Antifreeze/ glycol compounds				
Petroleum grease/ oils				
Vegetable grease/ oils				
Acids/ corrosives				
Food wastes				
Solvents (incl. cleaning solvents)				
Flammables/ Explosives				
Pesticides/ Herbicides				
Phenols				
Cyanides				
Metals/ metal solutions				
Nitrogen containing compounds				
Organic chemicals				
Hazardous wastes				
Radioactive isotopes				
Trucked or hauled wastes				
High temperature wastes				
Sulfides or hydrogen sulfide (H_2S) generating wastes				
High total dissolved solids (TDS)				

Is your wastewater treated prior to discharge? _____ YES _____ NO

If so, what treatment does it receive?

	pH adjustment		Grease separation (trap or interceptor)		Oil/ water separator
	Sand/sediment		Filtering		Metals treatment
	Flow equalization		Other:		

Are there any floor drains in the work areas? _____ YES _____ NO

HAZARDOUS WASTE DISCHARGE REPORTING NOTIFICATION

This notification is intended to inform your business of their obligations under Section R317-8-8-11(14)d. of the State of Utah Water Quality Regulations. These requirements are for the reporting of discharges of hazardous waste to the sanitary sewer system.

The User shall notify the SVSD, the EPA Regional Waste Management Division Director, and State hazardous waste authorities in writing of any discharge into the sanitary sewer system of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261.

Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). The SVSD is requiring this notification for a discharge of hazardous waste to the sanitary sewer system and the report shall be made immediately upon learning of the discharge.

The Authorized Representative for the Company shall sign this survey and return to:

Pretreatment Coordinator
South Valley Sewer District
Po Box 908
Draper, Utah 84020

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and/or imprisonment for knowing violations."

_____ _____

Signature of Authorized Representative Date

JORDAN BASIN WATER RECLAMATION FACILITY
PO Box 908, Draper, Utah 84020
Phone: (385) 202-2777 Fax: (385) 202-2776

PRELIMINARY PRETREATMENT INSPECTION

Permittee's facility located at address listed below:	*Authorized Representative Information:*
Business Name:	*Name:*
Address:	*Title:*
	Mailing Address:
Phone No.:	*Phone No.:*

Items Inspected: _____ **Inspector's Comments:** _____

Type of Service or Product: _____ _____

No. of Employees: _____ Business Hours: _____

No. of Sanitary Discharges: _____ **Restrooms:** _____ **Hand Sinks:** _____

No. of Process Discharges: _____ **Other Sinks:** _____ **Floor Drains:** _____

Other Process Discharges? (specify): _____

Grease Interceptor/Sampling Manhole: Y N SMH Location: _____

Grease Trap: Y N Size: _____

Other Treatment Equipment? (specify): Y N _____

Chemicals, Solvents, Oils, etc. Used or Stored: _____

_____

Quantity of Chemical on Hand: _____ Spill Containment: Yes___ No____

Potential SIU/CIU? Y N If yes, requested completion of IU App Questionnaire/BMR form? Y N

Site Contact Person: _____ Phone No.: _____

Additional Inspector Comments:

_____ _____

Inspection by (print name) *Inspection by (signature)*

_____ _____

Date of Inspection *Time of Inspection*

SOUTH VALLEY SEWER DISTRICT
PO Box 908, Draper, Utah 84020
Phone: (385) 202-2777 Fax: (385) 202-2776

INDUSTRIAL USER APPLICATION QUESTIONNAIRE AND BASELINE MONITORING REPORT

Please complete the following industrial wastewater discharge application form and return it within 15 days to the South Valley Sewer District (SVSD) Industrial Pretreatment Department. Failure to respond within the given timeframe may result in denial of public sewer service.

SECTION A – GENERAL INFORMATION

1. Business Name: _____

2. Name(s) of Business Owner(s): _____

3. Facility Address: _____

   City: _____ State: _____ Zip Code: _____

4. Mailing Address:
   Street Address or PO Box: _____

   City: _____ State: _____ Zip Code: _____

5. Billing Address:
   Street Address or PO Box: _____

   City: _____ State: _____ Zip Code: _____

6. List name and mailing address of person who has designated legal signatory authority for this business and can act on matters relating to an industrial wastewater discharge permit:

   Name: _____

   Title: _____

   Mailing Address: _____

   City: _____ State: _____ Zip Code: _____

   Telephone: _____ Ext. _____ Fax: _____

   Email Address: _____

7. List designated site contact person (someone who is normally at the business and can be contacted by SVSD for industrial wastewater related matters):

Name: _____

Title: _____

Telephone: _____ Ext. _____ Fax: _____

Email Address: _____

8. Management Firm or Owner of building or real property that this business occupies:

Name: _____

Title: _____

Street Address or PO Box: _____

Telephone: _____ Ext. _____ Fax: _____

Email Address: _____

SECTION B – BUSINESS ACTIVITY INFORMATION

1. Please indicate by checkmark if your facility will engage in any processes or activities listed below, regardless of whether the process or activity will generate wastewaters, sludges, or solid wastes.

[ ] 467 Aluminum Forming
[ ] 427 Asbestos Manufacturing
[ ] 461 Battery Manufacturing
[ ] 407 Canned or Preserved Fruits and Vegetables
[ ] 408 Canned or Preserved Seafood Processing
[ ] 458 Carbon Black Manufacturing
[ ] 411 Cement Manufacturing
[ ] 434 Coal Mining
[ ] 465 Coil Coating and Can Manufacture
[ ] 468 Copper Forming
[ ] 405 Dairy Products Processing
[ ] 469 Electric and Electronic Components Manufacturing
[ ] 413 Electroplating
[ ] 457 Explosives Manufacturing
[ ] 412 Feedlots
[ ] 424 Ferroalloy Manufacturing
[ ] 418 Fertilizer Manufacturing
[ ] 464 Foundries (Metal Molding and Casting)
[ ] 426 Glass Manufacturing
[ ] 406 Grain Mills
[ ] 415 Inorganic Chemicals Manufacturing
[ ] 420 Iron and Steel Manufacturing

[ ] 425 Leather Tanning and Finishing
[ ] 432 Meat Products
[ ] 433 Metal Finishing
[ ] 436 Mineral Mining and Processing
[ ] 471 Nonferrous Metals Forming and Powders
[ ] 421 Nonferrous Metals Manufacturing
[ ] 440 Ore Mining and Dressing
[ ] 414 Organic Chemicals, Plastics, Synthetic Fibers
[ ] 430 Pulp, Paper and Paperboard
[ ] 430 Pulp, Paper and Fiberboard Manufacturing
[ ] 446 Paint Formulating
[ ] 447 Ink Formulating
[ ] 443 Paving and Roofing Tars and Asphalt Manufacturing
[ ] 455 Pesticide Chemicals
[ ] 419 Petroleum Refining
[ ] 439 Pharmaceuticals Manufacturing
[ ] 463 Plastics and Synthetic Materials Manufacturing
[ ] 463 Plastics Molding and Forming
[ ] 466 Porcelain Enameling
[ ] 428 Rubber Manufacturing
[ ] 417 Soap and Detergent Manufacturing
[ ] 423 Steam Electric Power Generation
[ ] 409 Sugar Manufacturing
[ ] 410 Textile Mills
[ ] 429 Timber Products

A facility with processes or activities listed above may be regulated by U.S. Environmental Protection Agency categorical pretreatment standards. These facilities may be defined as "categorical industrial users" of wastewater treatment facilities.

2. Give a brief description of all operations at this facility including primary products or services (attach additional sheets if necessary):

_____

_____

_____

3. List all applicable Standard Industrial Classification (SIC) and North American Industry Classification System (NAICS) codes for the business:

a. _____ b. _____ c. _____ d. _____ e. _____ f. _____

4. BUSINESS VOLUME

Product Description	Previous Calendar Year		Current Calendar Year	
Brand Name or Generic Name	Amount per Day (Daily Units) Average	Maximum	Amount per Day (Daily Units) Average	Maximum
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

5. Provide a list of all environmental permits held by the facility:

Issuing Environmental Agency	Permit No.
_____	_____
_____	_____
_____	_____

SECTION C – WATER SUPPLY

1. Indicate sources of water used by the business:
   - [ ] Private Well(s)
   - [ ] Surface Water
   - [ ] Municipal Water Utility (specify city): _____
   - [ ] Other (specify): _____

2. Water bills paid by: _____
   Street Address or PO Box: _____
   City: _____ State: _____ Zip Code: _____
   Water Service Account Number: _____

3. List average water usage on premises (new facilities may estimate usage):

	Measured Gallons / Day	Estimated Gallons / Day
a. Contact cooling water	_____	_____
b. Non-contact cooling water	_____	_____
c. Boiler feed water	_____	_____
d. Process water	_____	_____
e. Sanitary flow (toilets)	_____	_____
f. Air pollution control	_____	_____
g. Retained in product	_____	_____

h. Plant and equipment washdown _____ _____
i. Irrigation and lawn watering _____ _____
j. Other (specify): _____ _____ _____
k. **Total of A through J** _____ _____

SECTION D – SEWER INFORMATION

1. This question is for ***existing facilities only***:

   a. Is the building presently connected to the public sanitary sewer system?

   [ ] **YES**: Sewer bill paid by: _____
   Street: _____
   City: _____ State: _____ Zip Code: _____
   Water Service Account Number: _____

   [ ] **NO**: Has business applied to connect? [ ] Yes [ ] No

   b. Does this facility have a sampling manhole? [ ] Yes [ ] No

   If a sampling manhole exists, describe and give location: _____
   _____
   _____

2. This question is for ***new facilities only***:

   a. Will the business occupy an existing building or will a new building be constructed?
   [ ] New Building [ ] Existing Building
   b. Will the building be connected to the public sanitary sewer system?
   [ ] Yes [ ] No
   c. Does this facility currently have a sampling manhole?
   [ ] Yes [ ] No
   d. If a sampling manhole exists, or will be constructed describe and give location: _____
   _____
   _____

3. List size, descriptive location, and flow of each facility service line(s) that connects to the sanitary sewer system. (If more than three sewer lines, attach additional information on a separate sheet.)

Sewer Pipe Size (inches)	Descriptive Location of Sewer Connection or Discharge Point	Average Flow Gallons / Day
_____	_____	_____

_____ _____ _____

SECTION E – WASTEWATER DISCHARGE INFORMATION

1. Does this facility now or in the future plan to discharge any non-domestic wastewater (wastewater other than from restrooms)?

   Present: [ ] Yes [ ] No Future: [ ] Yes [ ] No

2. Provide the following information on wastewater flow rate and times of discharge during the week. New facilities may estimate:

   a. Total hours/day flow is discharged (e.g. 8 hours/day)

      M _____ T _____ W _____ Th _____ F _____ S _____ Sun _____

   b. Time of day discharge occurs (e.g. 9am-5pm):

      M _____ T _____ W _____ Th _____ F _____ S _____ Sun _____

   c. Maximum hourly flow rate (gallons per hour): _____

   d. Maximum daily flow rate (gallons per day): _____

   e. Average daily flow rate (gallons per day): _____

3. If batch discharge(s) occur or will occur, list times, flows and number of batches. New facilities may estimate.

   a. Number of batches discharged per day: _____.

   b. Average gallons discharged per batch: _____.

   c. Time of batch discharges _____ at _____.
      (day of week) (time of day)

   d. Flow rate of a batch discharge: _____ gallons/minute.

   e. Discharge from one batch is _____ percent of the total daily discharge from all sewer discharge sources at facility.

4. **Attach schematic flow diagram** – For each major activity in which wastewater is or will be generated, attach a diagram of the flow materials, products, water and wastewater from the start of the activity to its completion, showing all unit processes. Indicate which processes use water and which generate waste streams. Include the average daily volume and maximum daily volume of each waste stream (new facilities may estimate). If estimates are used for flow data this MUST be indicated. Number each unit process having a wastewater discharge to the sanitary sewer. Use these numbers when showing this unit process in the building layout in Section H. **This drawing must be certified by a Registered Professional Engineer unless otherwise approved by SVSD.**

Facilities that checked activities in Section B 1 are considered Categorical Industrial Users and may skip to question 6, page 6.

5. ***For probable Non-Categorical Industrial Users:*** List the average wastewater discharge, maximum discharge and type of discharge (batch, continuous or both) for each plant process. Include the reference number from the process schematic that corresponds to each process. New facilities should provide estimates for each discharge.

No.	Process Description	Average Flow (gallons/day)	Maximum Flow (gallons/day)	Type of Discharge (batch, continuous)

6. ***For Categorical Users Only:*** Provide the wastewater discharge flows for each regulated and unregulated process or each proposed process. Include the reference numbers from the process schematic that correspond to each process. New facilities should provide estimates for each discharge.

No.	Regulated Process	Average Flow (gallons/day)	Maximum Flow (gallons/day)	Type of Discharge (batch, continuous)

No.	Unregulated Process	Average Flow (gallons/day)	Maximum Flow (gallons/day)	Type of Discharge (batch, continuous)

No.	Dilution	Average Flow (gallons/day)	Maximum Flow (gallons/day)	Type of Discharge (batch, continuous)

7. For all users subject to Total Toxic Organics (TTO) Requirements:

   a. Does (or will) this facility use any of the toxic organics that are listed under the TTO standard of the applicable categorical pretreatment standards published by the EPA?

      [ ] Yes [ ] No

   b. Has a baseline monitoring report (BMR) been submitted to SVWRF which contains TTO information?

      [ ] Yes [ ] No

   c. Has a toxic organics management plan (TOMP) been developed for this facility?

      [ ] Yes [ ] No
      If yes, please attach a copy of the TOMP to this form.

8. Does the facility have, or plan to have, automatic sampling equipment or continuous wastewater flow metering equipment?

Current:	Flow Metering	[ ] Yes	[ ] No	[ ] N/A
	Sampling Equipment	[ ] Yes	[ ] No	[ ] N/A
Future:	Flow Metering	[ ] Yes	[ ] No	[ ] N/A
	Sampling Equipment	[ ] Yes	[ ] No	[ ] N/A

   If so, please indicate the present or future location of this equipment on the sewer schematic and describe the equipment below:

   _____
   _____
   _____

9. Are any process changes or expansions planned in the next three years that could alter wastewater volumes or characteristics? Consider production processes as well as air or water pollution treatment processes that may affect the discharge.

   [ ] Yes [ ] No, (if no skip question 10)

10. Briefly describe these changes and their effects on the wastewater volume and characteristics. Attach additional sheets if needed.

    _____
    _____
    _____
    _____
    _____

11. Are any materials or water reclamation systems in use or planned?

[ ] Yes [ ] No, (if no skip question 12)

12. Briefly describe recovery processes, substances recovered, percent recovered, and the concentration(s) in the spent solution. Submit a flow diagram for each process. Attach additional sheets if needed:

_____

_____

_____

_____

_____

SECTION F – CHARACTERISTICS OF WASTEWATER DISCHARGED

All current industrial users are required to submit monitoring data on all pollutants that are regulated specific to each process. Use the **REPORTING TABLE** provided on the next page, to report the analytical results. **DO NOT LEAVE BLANKS**. For all other non-regulated pollutants use the table to indicate whether the pollutant is known to be present (P), suspected to be present (S), or known not to be present (O), by placing the appropriate letter in the column for average reported values. Indicate on either the top of each table, or list on a separate sheet, if necessary, the sample location and type of analysis used. Be sure testing methods conform to 40 CFR Part 136; if they do not indicate what method was used.

New dischargers should use the **REPORTING TABLE** provided below, to indicate what pollutants will be present or are suspected to be present in proposed waste streams by placing a (P) for expected to be present, (S) for suspected to be present, or (O) for will not be present under the average reported values column.

REPORTING TABLE

Pollutant	Detection Level Used	Maximum Daily Value	Average of Analyses	Number of Analyses	Units
Acenaphthene					
Acrolein					
Acrylonitrile					
Benzene					
Benzidine					
Carbon Tetrachloride					
Chlorobenzene					
1, 2, 4-Trichlorobenzene					
Hexachlorobenzene					
1, 2-Dichloroethane					
1, 1, 1-Trichloroethane					
Hexachloroethane					
1, 1-Dichloroethane					
1, 1, 2-Trichloroethane					
1, 1, 2, 2-Tetrachloroethane					
Chloroethane					
Bis (2-chloroethyl) ether					
17 Bis (chloromethyl) ether					
2-Chloroethyl vinyl ether					
2-Chloronaphthalene					
2, 4, 6-Trichlorophenol					
Parachlorometa cresol					
Chloroform					
2-Chlorphenol					
1, 2-Dichlorobenzene					
1, 3-Dichlorobenzene					
1, 4-Dichlorobenzene					
3, 3-Dichlorobenzidine					
1, 1-Dichloroethylene					
1, 2-Trans-dichloroethylene					
2, 4-Dichloropheno					
1, 2-Dichloropropane					
1, 2-Dichloropropylene					
1, 3-Dichloropropylene					
2, 4-Dimethylphenol					
2, 4-Dinitrotoluene					
2, 6-Dinitrotoluene					
1, 2-Diphenylhydrazine					
Ethylbenzene					

REPORTING TABLE

Pollutant	Detection Level Used	Maximum Daily Value	Average of Analyses	Number of Analyses	Units
Flouranthene					
4-Chlorphenyl phenyl ether					
4-Bromophenyl phenyl ether					
Bis (2-chlorisopropyl) ether					
Bis (2-chloroethoxy) methane					
Methylene Chloride					
Methyl Chloride					
Methyl Bromide					
Bromoform					
Dichlorobromomethane					
Chlorodibromomethane					
Hexachlorocyclopentadiene					
Isophorone					
Naphthalene					
Nitrobenzene					
Nitrophenol					
2-Nitrophenol					
4-Nitrophenol					
2, 4-Dinitrophenol					
4, 6-Dinitro-o-cresol					
N-nitrosodimethylamine					
N-nitrosodiphenylamine					
N-nitrosodi-n-propylamine					
Pentachlorophenol					
Phenol					
Bis (2-ethylhexyl) phthalate					
Butyl benzyl phthalate					
Di-n-butyl phthalate					
Di-n-octyl phthalate					
Dimethyl phthalate					
Benzo (a) anthracene					
Benzo (a) pyrene					
3, 4-benzoflouranthene					
Benzo (k) flouranthene					
Chrysene					
Acenaphthylene					
Anthracene					
Benzo (ghi) perylene					

REPORTING TABLE

Pollutant	Detection Level Used	Maximum Daily Value	Average of Analyses	Number of Analyses	Units
Flourene					
Phenanthrene					
Dibenzo (a,h) anthracene					
Indeno (1, 2, 3-cd) pyrene					
Pyrene					
Tetrachloroethylene					
Toluene					
Trichloroethylene					
Vinyl Chloride					
Aldrin					
Dieldrin					
Chlordane					
4, 4'-DDT					
4, 4'-DDE					
4, 4'-DDD					
Alpha-endosulfan					
Beta-endosulfan					
Endosulfan sulfate					
Endrin					
Endrin aldehyde					
Heptachlor					
Heptachlor epoxide					
Alpha-BHC					
Beta-BHC					
Gamma-BHC					
Delta-BHC					
PCB-1242					
PCB-1254					
PCB-1221					
PCB-1232					
PCB-1248					
PCB-1260					
PCB-1016					
Toxaphene					
(TCDD)					
Asbestos					
Acidity					
Alkalinity					

REPORTING TABLE

Pollutant	Detection Level Used	Maximum Daily Value	Average of Analyses	Number of Analyses	Units
Bacteria					
BOD5					
COD					
Chloride					
Chlorine					
Flouride					
Hardness					
Magnesium					
NH3-N					
Oil and Grease					
TSS					
TOC					
Kjeldahl N					
Nitrate N					
Nitrite N					
Organic N					
Orthophosphate P					
Phosphorous					
Sodium					
Specific Conductivity					
Sulfate (SO4)					
Sulfide (S)					
Sulfite (SO3)					
Antimony					
Arsenic					
Barium					
Beryllium					
Cadmium					
Chromium					
Copper					
Cyanide					
Lead					
Mercury					
Nickel					
Selenium					
Silver					
Thallium					
Zinc					

SECTION G – WASTEWATER TREATMENT

1. Is any form of wastewater treatment (see #3) practiced at this facility?

   [ ] Yes [ ] No

2. Is any form of wastewater treatment (or changes to an existing wastewater treatment) planned for this facility in the next three years?

   [ ] Yes, describe: _____

   [ ] No

3. Treatment devices or processes used at this facility or proposed for future use for treating wastewater or sludge (check as many boxes as apply):

   [ ] Air Flotation
   [ ] Centrifuge
   [ ] Chemical precipitation
   [ ] Chlorination
   [ ] Cyclone
   [ ] Filtration
   [ ] Flow equalization
   [ ] Grease or oil separation, type: _____
   [ ] Grease Trap
   [ ] Grinding filter
   [ ] Grit removal
   [ ] Ion exchange
   [ ] Neutralization, pH correction
   [ ] Ozonation
   [ ] Reverse Osmosis
   [ ] Screen
   [ ] Sedimentation
   [ ] Septic tank
   [ ] Solvent separation
   [ ] Spill prevention
   [ ] Sump
   [ ] Biological treatment, type: _____
   [ ] Rain water diversion or storage _____
   [ ] Other chemical treatment, type: _____
   [ ] Other physical treatment, type: _____

4. Describe the pollutant loadings, flow rates, design capacity, physical size, and operating procedures of each treatment device or system checked in question 3.

   _____
   _____
   _____
   _____

5. Attach a process flow diagram for each existing treatment system. Include process equipment, by-products, the by-product disposal method, waste and by-product volumes and design and operating conditions.

6. Describe any changes in treatment or disposal methods, planned or under construction, for the wastewater discharge to the sanitary sewer system. Please include the estimated completion dates.

_____
_____
_____
_____
_____

7. Does the facility have a wastewater treatment plant operator? [ ] Yes [ ] No

If yes: Name: _____
Title: _____
Phone No.: _____
Full Time: _____ (specify hours)
Part Time: _____ (specify hours)

8. Does the facility have an operations and maintenance manual for the treatment equipment?

[ ] Yes [ ] No

9. Does the facility have a written maintenance schedule for the treatment equipment?

[ ] Yes [ ] No

SECTION H – FACILITY OPERATIONAL CHARACTERISTICS

1. Manufacturing operation shift information:

Mark the days worked:

Mon	Tues	Wed	Thurs	Fri	Sat	Sun
[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]

Shifts per work day:

Mon	Tues	Wed	Thurs	Fri	Sat	Sun
_____	_____	_____	_____	_____	_____	_____

Shift start and end times:

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
1st	_____	_____	_____	_____	_____	_____	_____
2nd	_____	_____	_____	_____	_____	_____	_____
3rd	_____	_____	_____	_____	_____	_____	_____

Employees per shift:

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
1st	_____	_____	_____	_____	_____	_____	_____
2nd	_____	_____	_____	_____	_____	_____	_____
3rd	_____	_____	_____	_____	_____	_____	_____

2. Indicate if the business activity is:

[ ] Continuous through the year, or

[ ] Seasonal – Circle the months of the year during which the business activity occurs:

Jan Feb Mar Apr May June July Aug Sept Oct Nov Dec

Comments: _____

_____

3. Indicate whether the facility discharge is:

[ ] Continuous through the year, or

[ ] Seasonal – Circle the months of the year during which the business activity occurs:

Jan Feb Mar Apr May June July Aug Sept Oct Nov Dec

Comments: _____

_____

4. Are facility operations shut down for vacation, holidays, maintenance or other reasons?

[ ] Yes, explain: _____

[ ] No

5. List types and amounts (mass, weight or volume per day) of raw materials used or planned for use (attach separate sheet if necessary): _____

_____

_____

_____

_____

6. List types and quantities of chemicals used or planned for use (attach additional list if necessary). Include copies of Material Safety Data Sheets for all chemicals identified. ***Chemicals include oils, solvents, refrigerants, fuels, cleaners and manufacturing raw materials, etc.:***

Chemical	Quantity on Hand

7. **Building Layout-** Draw to scale the location of each building on the premises. Show map orientation and the location of all water meters, storm drains, numbered unit processes (from schematic flow diagram), public sewers and each facility sewer line connected to the public sewers. **Number each sewer** and show existing and proposed sampling locations. ***This drawing must be certified by a State Registered Professional Engineer unless otherwise allowed by SVSD.***

A BLUEPRINT OR SCALED DRAWING OF THE FACILITY SHOWING THE ABOVE FEATURES SHALL BE ATTACHED TO THIS APPLICATION.

SECTION I – SPILL PREVENTION

1. Are there chemical storage containers, above or underground tanks, drums, bins, ponds and/or piping at this facility?

   [ ] Yes [ ] No

   If yes, please provide a description of their location, contents, size, type of container, the frequency of use and the methods of cleaning (attach extra sheets if necessary):

2. Indicate in a diagram or comment on the proximity of these containers to a sewer or storm drain. Indicate if buried metal containers have cathodic protection.

3. Are there floor drains in the manufacturing or chemical storage area(s)?

[ ] Yes [ ] No

If yes, where do these drains discharge to? _____

_____

4. If this facility has chemical storage containers, tanks, drums, bins, ponds, or chemical piping, an accidental spill would threaten the following (check all that apply):

[ ] an onsite wastewater disposal system (septic tank)
[ ] public sanitary sewer system (e.g. through a floor drain)
[ ] storm drain
[ ] to the ground
[ ] other, specify: _____
[ ] not applicable, no possible discharge to any of the above routes.

5. Does the facility have a spill prevention and response plan designed to prevent the spills of chemicals or slug discharges from entering the sanitary sewer collection system?

[ ] Yes (enclose a copy of the spill plan with this application)
[ ] No
[ ] Not applicable since there are no floor drains and/or this facility discharges(s) only domestic wastes.

6. Please describe below any previous spill events and remedial measures taken to prevent future recurrence:

_____

_____

_____

SECTION J –WASTE DISPOSAL

1. Does the facility generate any liquid wastes and/or sludges that are disposed of using a method other than discharge to the sanitary sewer system?

[ ] Yes, please describe below
[ ] No, skip the remainder of Section J

Waste Generated	**Quantity (per year)**	**Disposal Method**
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

2. Indicate which wastes identified above are disposed of at an off-site treatment facility and which wastes are disposed of on-site.

_____

_____

3. If any of the facilities wastes are sent to an off-site centralized waste treatment facility, identify the waste and the facility.

_____

_____

4. If an outside firm removes any of the above checked wastes, state the name(s) and address(es) of all waste haulers companies:

a. _____ b. _____

_____ _____

_____ _____

_____ _____

Permit No. (If applicable): _____ Permit No. (If applicable): _____

5. Do the disposal facilities have required Federal, State and Local environmental permits?

[ ] Yes [ ] No

If yes, please list the permit(s): _____

_____

_____

SECTION K – COMPLIANCE INFORMATION

Compliance certification:

1. Are all applicable Federal, State or Local pretreatment standards and requirements being met on a consistent basis?

[ ] Yes [ ] No [ ] Not yet discharging

2. If no:

a. What additional operations and maintenance procedures are being considered to bring the facility into compliance? List additional treatment technology or practice being considered in order to bring the facility into compliance (attach explanation if needed).

_____

_____

_____

_____

b. Provide a schedule for bringing the facility into compliance. Specify major events planned, along with reasonable completion dates. Note that if SVSD issues a permit to the applicant, it may establish a schedule for compliance, different from the one submitted by the facility.

Milestone Activity	Completion Date
_____	_____

SECTION H – AUTHORIZED SIGNATURES

AUTHORIZED REPRESENTATIVE STATEMENT:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Name (please print)	Title
Signature	Date
Email	Telephone No.

Please submit this form to:

Pretreatment Coordinator
South Valley Sewer District
PO Box 908
Draper, Utah 84020
Phone: (385) 202-2777 Fax: (385) 202-2776

3.2 USER CLASSIFICATION PROGRAM

3.2.1 Purpose

The purpose of the User Classification Program is to classify Industrial Users by user type based on of the Industrial Waste Survey and identification process as contained in Section 3.1 Proper classification of Users will assist in the permitting process.

3.2.2 Legal Authority

Pretreatment Rules and Regulations, Sections 2.6 and 2.7

3.2.3 Program

A. Preliminary Inspection Classification

During the preliminary inspection process, the SVSD will make a decision as to the need for an IU to complete an Industrial User Application Questionnaire/BMR. From this process the IUs will be classified into two groups. These groups are:

1. No Further Action Group

By far the largest group, these IUs have very little or no potential to impact the POTW. Included in this group are those which only discharge sanitary or domestic waste. Also included are IUs which discharge small amounts of process water from non-categorical processes, which are compatible in nature, or contain no toxic or hazardous substances. Once identified and classified, this group of users requires no further action by the SVSD. This group of Users will be listed on the Master IU Index with the frequency the SVSD will inspect the IU. Also these Users will be notified, in writing via certified mail, of their requirements to notify the SVSD of any process changes that could require the IU to be permitted or could impact the POTW.

2. Application Questionnaire/BMR Group

This group includes those IUs which require further investigation or evaluation and are required to complete the Industrial User Application Questionnaire/BMR form.

Once the preliminary inspection phase has been accomplished for each batch of IUs being evaluated, those requiring further investigation can be reviewed. The completion of the Industrial User Questionnaire/BMR form will lead into the further evaluation process.

Should a BMR be returned incomplete, the form should either be resubmitted to the IU for completion or completed at the time of any follow up inspection. Once a BMR is submitted a full inspection report should be completed at the User's facility. This will assist in determining if a permit is needed and to gather information for the development of the permit and fact sheet.

B. Questionnaire/BMR Classification

Following review of the Industrial User Application Questionnaire/BMR form, IUs may be classified into one of the following permitting groups:

1. Categorical Industrial Users (CIU)

CIUs are those industrial users which are controlled by Federal statute found in 40 CFR Parts 403 to 471. These IUs have specific discharge requirements that must be met. In addition, these IUs must be evaluated against the Local Limits developed and adopted by the SVSD. The more stringent of these limits shall apply.

2. Non-Categorical Significant Industrial Users (NCSIU)

NCSIUs include all those IUs which are not categorical but meet the definition of an SIU and must be permitted under the Pretreatment Rules and Regulations. The SIU definition includes:

a. Discharges an average of 25,000 gpd or more of Process Wastewater (excluding Sanitary Wastewater, Noncontact Cooling Water and boiler blowdown water), or

b. Contributes a process waste stream that makes 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW, or

c. Is designated as significant by SVSD on the basis that the IU has a reasonable potential for adversely affecting the POTW's operation.

After finding an IU meets one of the three criteria above and has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standards or requirement, the SVSD may at any time, on its own initiative or in response to a petition received from an Industrial User or POTW, elect to not permit it in accordance with 40 CFR 403.8(f)(6). If such a SIU is found, the determination by the SVSD will be submitted to the Division of Water Quality (DWQ) and the SIU will be

included on annual reports, submitted to the DWQ, with a notation that the SIU is not permitted.

Also included in this group would be IUs which could impact biosolids beneficial reuse, receiving water quality, JBWRF operations by causing Pass Through or Interference, or those which could cause the JBWRF to violate its UPDES permit. Permit limits for this group are based on the Local Limits established and adopted by the Board and on POTW treatment plant capacity.

The following Industrial Users will be permitted for a minimum of two years to ensure that the IU is meeting Pretreatment Standards: industrial laundries, transportation service facilities, barrel re-claimers, waste energy plants, photo developers, cardboard carton manufacturers, and food, dairy, and cheese processors.

The following Users will be evaluated for the need to be permitted based on chemical storage and potential to discharge chemicals and wastes that could impact the POTW: dry cleaners, hospitals, research labs, and auto body shops.

3. Significant Industrial Users Qualifying for General Permits

Groups of SIUs that engage in substantially similar types of operations, discharge the same types of waste, have the same effluent limitations, have the same or similar monitoring requirements, and, in the opinion of SVSD, are more appropriately controlled under a similarly worded general) control mechanism can apply for coverage under a general wastewater discharge permit. SIUs that are covered by concentration-based standards and Best Management Practices (BMPs) may qualify for general permits. SIUs described below are not eligible for coverage under general permits:

a. Facilities regulated by production-based categorical Pretreatment Standards or categorical Pretreatment Standards expressed as mass limits (unless the same mass-based local limit is imposed on a number of SIUs).

b. SIUs whose limits are based on the combined wastestream formula, net/gross calculations, or other calculated categorical Pretreatment Standard equivalents.

In order to be considered for a general permit, an SIU must submit a written request. The request must include any requests in accordance with Section 2.6.4 B for a monitoring waiver for a pollutant neither present nor expected to be present in the discharge.

SVSD will retain the following for three (3) years after the expiration of the general control mechanism:

a. A copy of the general control mechanism;

b. Documentation to support SVSD's determination that a specific SIU meets the criteria described above; and

c. A copy of the SIU's written request for coverage under a general control mechanism.

4. Commercial Users

Fats, Oil, Grease and Sand Interceptor Industrial Users (FOGS-IU) are those businesses that are required by SVSD Design Standards and Construction Specifications to install grease interceptors and sand/oil interceptors. Grease and sand/oil interceptors are required to prevent discharges that have the potential to cause collection system blockages and violate local discharge limits. All FOGS-IUs are inspected and discharges sampled by SVSD on a regular basis to verify that interceptors are being properly operated and maintained. FOGS-IUs are issued Commercial Wastewater Discharge Permits that include specific discharge limitations, as well as outline fees businesses are required to pay related to wastewater discharge strength, and inspection and sampling conducted by the SVSD.

5. Zero Discharge Permitted Industrial User

This classification is for IUs who need to be controlled to ensure that no discharge of process water occurs. Some examples of such IUs would be (1) Categorical Industrial Users who have no Wastewater discharge, (2) all dry cleaners when perchloroethylene is detected at the JBWRF headworks and needs to be controlled, or (3) IUs who store toxic or hazardous chemicals, who have no process discharge, but have a pathway such as a floor drain, to the SVSD Sewer System. The reason for issuing zero discharge permits is to provide an effective enforcement means should it be needed.

Completion of the classification process leads directly into the permitting process explained in the next Section.

3.3 PERMITTING PROCEDURES AND USER PERMITTING PROGRAM

3.3.1 Purpose

The purpose of the User Permitting Program is to establish a control mechanism that SVSD uses to regulate wastewater discharges of Industrial Users (IUs) by means of Wastewater Discharge Permits as required by Federal code. The permits require the IUs to comply with any applicable limits established by the Federal government, the State of Utah, established and adopted Local Limits (referred to in Section 4 of this document) or the Pretreatment Rules and Regulations (set forth in Section 2 of this document).

3.3.2 Legal Authority

U.S. Code of Federal Regulations, Title 40, Part 403.8(f)(1)(iii)

Pretreatment Rules and Regulations, Section 2.5

3.3.3 Program

The permitting system follows the User Classification system as described in Section 3.2. Specifically, the SVSD will use the class of each discharger to determine who to permit and how the permit should be developed. The flow chart in Figure 2 shows the decision process in evaluating each IU considered for a permit. The flow chart is easily followed by the evaluator.

Once an IU is found to need a permit, the permit is issued within sixty (60) days or justification is given as to why a permit is not required. If a Significant Industrial User (SIU) is not issued a permit, justification for that decision is documented and the SIU is added to the IU Master Index and included in the annual report with an explanation as to why they were not permitted.

The Permit Fact Sheet is developed to summarize the decisions made during the permitting process. The fact sheet describes the significant factual, legal, methodological, and policy questions considered in preparing the permit. The fact sheet includes the following information: brief description of the industrial user, type and quantity of the discharge, basis for the permit limits, information regarding the special conditions in the permit, rationale for the pollutants selected and limits developed, and information regarding how the limits were derived. The fact sheet will be kept in the permit file. Information regarding monitoring criteria can be found in Section 3.4. The determinations of the monitoring criteria should be summarized in the fact sheet. It is recommended that the fact sheet include information regarding a compliance schedule, such as a brief outline of the activities required.

3.3.4 Permit Development and Issuance Procedures

Any industry classified as a SIU shall be issued an individual or general wastewater discharge permit. If the industry is Categorical, the industry will be required to meet all categorical standards promulgated by the federal government. In addition, Local Limits, as appropriate, will be applied. The following procedures will be followed when issuing a pretreatment permit.

A. The draft permit and a Permit Fact Sheet will be developed by the Pretreatment Coordinator and submitted to the industry for review. In general, the permit will follow the draft permit. If it deviates from the draft permit it will be public noticed for 30 days. The industry will have 6 working days to review the draft permit and comment.

B. Should the industry submit any specific comments, the Pretreatment Coordinator will review such comments and respond to the industry within 10 days.

C. A revised final permit will be issued within 15 days of the date SVSD sent the IU its response to the IUs comments on the draft permit.

D. Should the industry wish to protest the permit, a written protest letter must be received by the Pretreatment Coordinator within 10 working days after the receipt of the final permit.

E. Protests will be handled in accordance with procedures outlined in the Pretreatment Rules and Regulations.

3.3.5 Permitting Notes

The following advisory notes are included as advisory only:

A. General wastewater discharge permits, Fats, Oil, and Grease and Sand Interceptor (FOGS) permits and Zero Discharge permits are optional for use by the SVSD. They should be applied if and when needed.

B. If used, general, FOGS, and Zero Discharge permits should be applied to all Users with similar discharge characteristics.

C. Permit discharge limits are developed by using the Code of Federal Regulations for categorical standards and Local Limits which include the POTW plant capacity. Arbitrary or undocumented limits should never be placed in permits.

D. Self- monitoring frequencies are found in the Pretreatment Program Section 3.4.

E. In all CIU/SIU permitting cases, it is desirable for permit limits, sampling, and reporting to be based on specific regulated process limits. In some cases when this cannot be accomplished, EPA regulations allow for the use of the following techniques.

1. Combined Waste Stream Formula - This formula allows for the establishment of permit limits from combined regulated processes. Should it be used, the Pretreatment Coordinator may refer to detailed available EPA guidance documents.

2. Flow Weighted Average - This allows for the use of a flow weighted average in establishment of permit limits.

3. Production Based Standards - Some categorical user limits are established based on production units and should be evaluated under such criteria.

F. For CIU's all applicable standards will be included in the permit for the specific category. If additional documentation is necessary the information will be included in the permit file to allow for optional conditions for the specific category.

G. Spill controls will be included in permits based on spill potential and chemicals stored and used at the facility. Within one year and every other year thereafter, each SIU will be evaluated for the need to implement a spill plan. If a spill plan is required the permit will be changed with the requirements to implement a spill plan. The required spill plan may include the following at a minimum. Description of discharge practices, including non-routine batch Discharges; Description of stored chemicals; Procedures for immediately notifying the POTW of Slug Discharges, including any Discharge that would violate a prohibition under Section 2.2.1 B with procedures for follow-up written notification within five days; If necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

H. SVSD may elect to use Best Management Practices (BMP) in individual and general wastewater discharge permits in addition to, or in place of, numeric limits, as appropriate, to meet the requirements of the Act. SVSD will use BMPs as Pretreatment Standards when the BMPs are categorical Pretreatment Standards established by EPA, and when the SVSD establishes and adopts BMPs as Local Limits. When compliance with BMP requirements is evaluated based on laboratory analysis of the discharge, categorical BMP standards are evaluated at the end of the regulated process, whereas compliance with BMPs adopted as Local Limits are evaluated at the end of pipe. SVSD will evaluate BMPs during technical development and implementation of Local Limits, structuring them to allow for compliance verification. BMPs will be developed based on their ability to protect against Pass Through and/or Interference. BMPs are appropriate for regulating releases when the types of Pollutants vary greatly over time, when chemical analyses are impracticable, where discharges are episodic in nature, or when other discharge control options are inappropriate (e.g., requirements for photo processors to use silver recovery systems or dental facilities to follow BMPs to control mercury).

SVSD may include, as appropriate, one or more of the following enforceable BMP elements in individual and general wastewater discharge permits:

1. Specific notice to IUs of requirements and enforceability;
2. Installation of treatment;
3. Requirements for, or prohibitions on, certain practices, activities, or discharges;
4. Requirements for operation and maintenance of treatment units;
5. Timeframes associated with key activities;
6. Compliance certification, reporting and records retention;
7. Provision for reopening or revoking BMP conditions; and
8. Other requirements as determined by SVSD.

SIUs with BMPs in their permits are required to report on compliance with BMP provisions in their periodic compliance reports. SIUs are required to maintain documentation on BMP compliance. SVSD will also maintain BMP compliance records in accordance with Section 2.6.13.

I. If the permittee is not in compliance a schedule should be included in the permit to address known or suspected problems. The IU should be required to undertake a specific activity in order to reduce the quantity of Pollutant discharged or to prevent the discharge of new or additional Pollutants. A compliance schedule is a means of establishing milestones and deadlines for carrying out specific actions required of any IU. A compliance schedule could include installation of wastewater technology/pretreatment of industrial wastewater, or the submission of a spill plan.

The Permit Fact Sheet should include information regarding the compliance schedule, such as a brief outline of activities required. The permit should include the requirements of the compliance schedule and specific target dates.

1. A compliance schedule cannot extend the federal compliance period for categorical Pretreatment Standards or allow an IU to violate prohibited standards.

2. A compliance schedule should be included in the permit requiring the permittee to come into compliance with pretreatment standards.

    a. When a compliance schedule is included in a permit the permittee should submit periodic compliance reports. The report should include milestones, progress made, delays and reasons for those delays and steps taken to return to the schedule established in the permit.

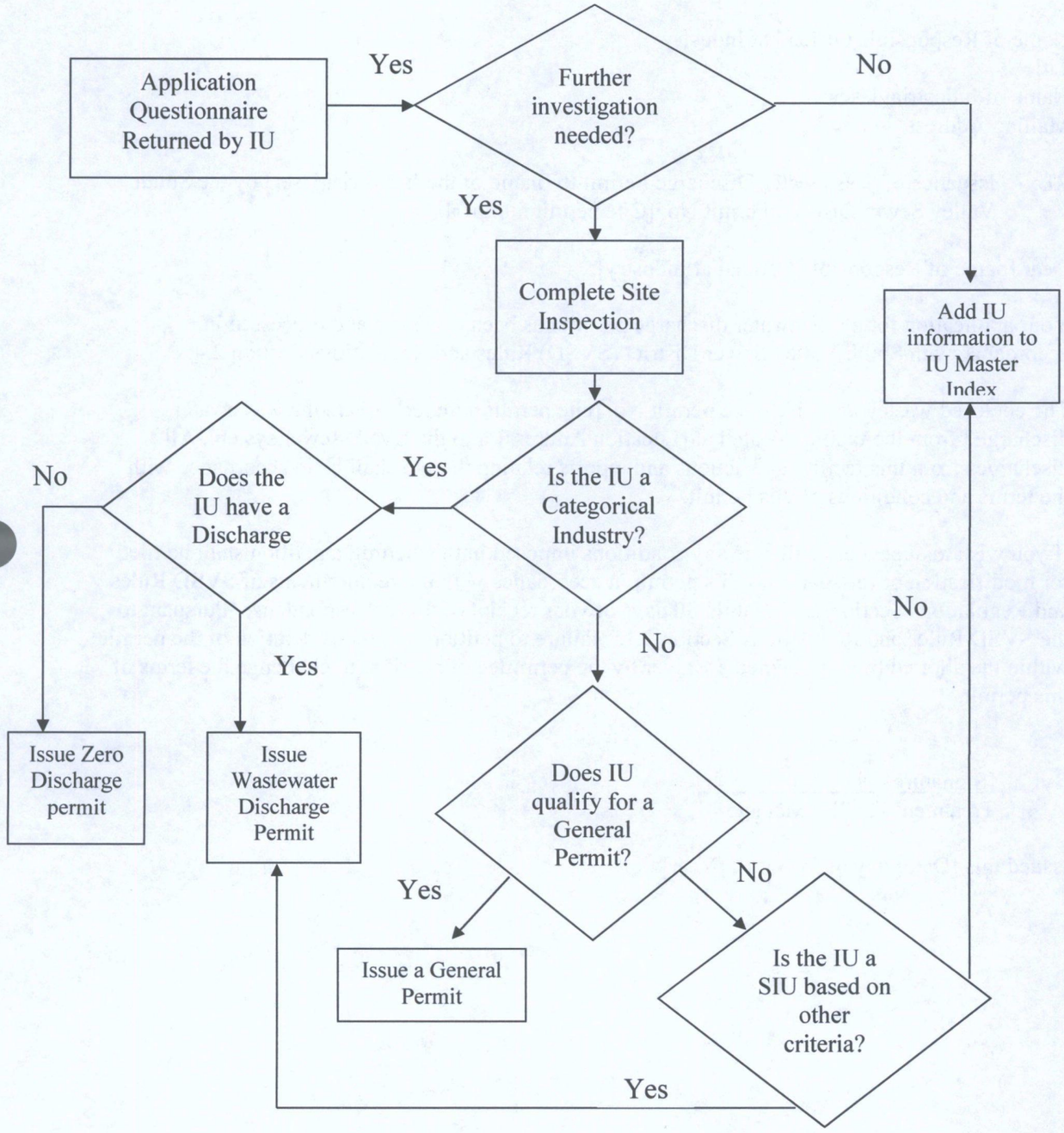
    b. Compliance reports must be signed by the permittee and include the certification statement.

3. Compliance schedules may require that the permit be public noticed as dictated by the permit and the Pretreatment Rules and Regulations.

4. The permit writer should work with the permittee to develop the compliance schedule timeline.

5. If the permittee does not meet a compliance milestone or if compliance is not met, the appropriate steps in the Enforcement Response Plan should be followed.

FIGURE 2
PERMITTING FLOWCHART



Type on SVSD letterhead

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Name of Responsible Official at Industry
Title
Name of Industrial User
Mailing Address

RE: Issuance of Wastewater Discharge Permit to [name of the Industrial User] by the South Valley Sewer District, Permit No. [Cite permit number].

Dear [name of Responsible Official at Industry]:

Your application for a wastewater discharge permit has been reviewed and processed in accordance with South Valley Sewer District (SVSD) Rules and Regulations Section 2.4.

The enclosed wastewater discharge permit No. [cite permit number] covers the wastewater discharged from the facility located at [Location Address] into the SVSD sewer system. All discharges from this facility and actions and reports relating thereto shall be in accordance with the terms and conditions of this permit.

If you wish to appeal or challenge any conditions imposed in this permit, a petition shall be filed for modification or reissuance of this permit in accordance with the requirements of SVSD Rules and Regulations Section 2.15, within 30 days of your receipt of this correspondence. Pursuant to the SVSD Rules and Regulations Section 2.15, failure to petition for reconsideration of the permit within the allotted time is deemed a waiver by the permittee of his right to challenge the terms of this permit.

By: [Signature]_____
Treatment Facility Manager

Issued this [Date] day of [Month], [Year]

WASTEWATER DISCHARGE PERMIT

Categorical or Significant Industrial User

Permit Number _____

Effective Date _____

Expiration Date _____

Contact Person _____

Contact Phone Number _____

Facility Name _____

Facility Address _____

Mailing Address _____

Billing Address _____

According to the authority given to the South Valley Sewer District (SVSD) by the SVSD Pretreatment Rules and Regulations Section 2.4.2, and subject to the conditions of the above named Pretreatment Rules and Regulations and this Permit, the above-named Permittee is hereby authorized to discharge industrial wastewater into the South Valley Sewer District (SVSD) sanitary sewer collection system and the Jordan Basin Water Reclamation Facility (JBWRF) wastewater treatment plant.

All wastewater discharges authorized herein shall comply with the terms and conditions of this Permit. The discharge of any pollutant not specifically named in this Permit, or the discharge of any pollutant more frequently or in excess of quantities and concentrations authorized herein, shall constitute a violation.

This Permit is effective on *Effective Date* and shall expire at midnight on *Expiration Date* (the Permit Term). Permittee shall not discharge to JBWRF after expiration or termination of this Permit. If the Permittee wishes to continue to discharge beyond the expiration date of this Permit, an application must be submitted to JBWRF in accordance with the requirements of applicable Pretreatment Rules and Regulations. To be eligible for permit reissuance and to continue to discharge industrial wastewater to JBWRF, applications must be received by JBWRF a minimum of 90 days prior to the expiration date of this Permit.

Facility Name has been classified as a *Categorical / Significant* industrial user because the facility *industry description.*

South Valley Sewer District

BY: _____

ITS: Treatment Facility Manager

Issued this _____ day of _____, 20xx.

PART I APPLICABLE EFFLUENT LIMITATIONS

SECTION A – EFFLUENT LIMITATIONS

1. Discharge Point(s)

During the Permit Term the Permittee is authorized to discharge industrial wastewater to the SVSD sewer system and into the JBWRF from the outfall(s) listed and described below.

Description of outfall(s):

Outfall(s)	Description(s)
List Outfalls	*Description of Outfalls*

2. Monitoring Point(s)

During the Permit Term the Permittee's industrial wastewater will be monitored and sampled at the location(s) listed and described below.

Description of monitoring point(s):

Monitoring Point(s)	Description(s)
List Monitoring points	*Description of Monitoring points*

<<Insert Photographs of monitoring points here>>

3. Specific Limitations

During the Permit Term the discharge from *Monitoring Point(s)*, shall not exceed the following effluent limitations. In addition, the discharge shall comply with all other applicable standards contained in the Pretreatment Rules and Regulations.

Parameter	Categorical Daily Max (mg/l)	Categorical Monthly Ave (mg/l)	JBWRF Local Limit(a) Daily Max (mg/l)	SVWRF Local Limit(a) Daily Max (mg/l)	Permit Daily Max Limit (mg/l)	Permit Monthly Ave Limit (mg/l)
BOD						
TSS						
Oil & Grease (animal or vegetable)						
Oil & Grease (Petroleum)						
Arsenic (As)						
Cadmium (Cd)						
Cyanide (Total)						
Chromium (Cr)						
Copper (Cu)						
Lead (Pb)						
Mercury (Hg)						
Nickel (Ni)						
Silver (Ag)						
Zinc (Zn)						
Total Toxic Organics (TTO)						

Parameter	Permit Limit
Temperature	Maximum of 140 degrees Fahrenheit/60 degrees Celsius
pH	Minimum 5.0 / Maximum 12.0
Average Daily Flow	Report

a. The permittee is subject to the most stringent of JBWRF and SVWRF local limits in accordance with SVSD Wastewater Pretreatment Program Section 4.3.

4. General Prohibitions: No User shall introduce or cause to be introduced into the SVSD any pollutant or wastewater which causes Pass Through or Interference. These General Prohibitions apply to all Users of the SVSD whether or not they are subject to categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or Requirements.

5. Specific Prohibitions: No User shall introduce or cause to be introduced into the SVSD the following pollutants, substances, or wastewater:

a) Pollutants which create a fire or explosive hazard in the SVSD, including but not limited to, wastestreams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21;

b) Pollutants which will cause corrosive structural damage to the SVSD, but in no case discharges with a pH lower than 5.0;

c) Pollutants which will cause corrosive structural damage to the SVSD, but in no case discharges with a pH of more than 12.0;

d) Solid or viscous pollutants in amounts which will cause obstruction of the flow in the SVSD resulting in Interference;

e) Any pollutant, including oxygen-demanding pollutants (BOD, TSS, etc.) released in a discharge at a flow rate and /or pollutant concentration which will cause Interference with the SVSD;

f) Wastewater having a temperature greater than 60° C (140° F) or which will inhibit biological activity in the JBWRF resulting in Interference, but in no case in such quantities that cause the temperature at the JBWRF headworks to exceed 40° C (104° F);

g) Petroleum oil, non-biodegradable cutting oil, or products of mineral origin in amounts that will cause Interference or Pass Through, but in no case exceed 100 mg/l;

h) Pollutants which result in the presence of toxic gases, vapors, or fumes within the SVSD in a quantity that may cause acute worker health and safety problems;

i) Storm water, surface water, groundwater, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, unpolluted wastewater, unless specifically authorized by SVSD.

6. Any user that discharges BOD (Biochemical Oxygen Demand) or TSS (Total Suspended Solids) in excess of 300 mg/l or discharges animal or vegetable oil and greases in excess of 200 mg/l will be surcharged under Section 16.1 of SVSD Wastewater Pretreatment Program.

PART II EFFLUENT MONITORING AND REPORTING REQUIREMENTS

SECTION A - MONITORING REQUIREMENTS

1. During the Permit Term the Permittee shall sample *Monitoring Point(s)* per the following schedule:

Parameter	Monitoring Point	Frequency (a)	Sample Types (b)
BOD			
TSS			
Oil & Grease (animal or vegetable)			
Oil & Grease (Petroleum)			
Arsenic (As)			
Cadmium (Cd)			
Cyanide (Total)			
Chromium (Cr)			
Copper (Cu)			
Lead (Pb)			
Mercury (Hg)			
Nickel (Ni)			
Silver (Ag)			
Zinc (Zn)			
Total Toxic Organics (TTO) (d)			
pH			
Temperature			
Average Daily Flow			

a) Quarterly samples are to be analyzed once every three (3) months.

b) Definitions of sample types can be found in Part IV, Section A.9 of this Permit.

c) Average daily flows are to be recorded from the Permittee's effluent meter. If the Permittee does not have an effluent meter, one must be installed.

d) Implementation of an optional toxic organic management plan and submission of quarterly certification statement(s) as specified by 40 CFR 413.03 may be used in lieu of monitoring for TTO upon request by the permittee and approval of the SVSD. SVSD reserves the right to require the Permittee to monitor for TTO to determine compliance with TTO requirements.

2. All handling and preservation of collected samples and laboratory analysis of samples shall be performed in accordance with the requirements of 40 CFR Part 136, as amended unless specified otherwise in the conditions of this Permit.

SECTION B – REPORTING REQUIREMENTS

1. Periodic Compliance Reports

Periodic Compliance Reports are due on the 28th day of the month following the end of each quarter (e.g. the end of the first quarter is March 31; the report is due the 28th of April). The first Periodic Compliance Report is due on *First Report Due Date.* The reports should indicate the nature and concentrations of all pollutants in the process

wastewater discharges which are regulated by the standards set forth in Part I of this Permit and include measured maximum and average daily flows. Periodic Compliance Report forms are available at SVSD.

2. If the Permittee monitors any pollutant more frequently than required by this Permit, the results of such monitoring shall be submitted to the SVSD.

3. Waiver of Sampling Requirements for 'Pollutants not Present'

   Requirements for sampling certain pollutants may be waived by the SVSD if the Permittee proves that the pollutant(s) is neither present, nor expected to be present in the Permittee's discharge. The Permittee must submit an application, and SVSD must approve the waiver. If approved a modified permit would be issued to the Permittee before waiver becomes effective.

4. Automatic Resampling

   If the results of the Permittee's wastewater analysis indicate a violation of the terms of this Permit, the Permittee must:

   a) Inform SVSD of the violation within 24 hours.

   b) Submit to SVSD within 5 days of the violation a written explanation of the suspected cause(s), and detailed plan of corrective actions to prevent reoccurrence.

   c) Within 30 days of the violation, repeat the sampling and analysis, and submit to JBWRF, in writing, the results of the second analysis.

5. New or Changed Wastewater Reporting

   a) The Permittee shall notify SVSD 90 days prior to the introduction of any new waste streams or pollutants, any substantial increase or decrease in the volume (i.e., 20% or greater change in average monthly flow) or characteristics of existing waste streams, or any change in the potential for Slug discharges to *Outfall(s)*, described above, or any other outfalls of the Permittee.

6. Prevention of Spills and Accidental Discharges

   a) In accordance with the requirements of 40 CFR 403.8 the Permittee will be evaluated for their potential to discharge Slug loads, and the need for the development and implementation of a Slug Discharge Control Plan. In order to make this evaluation the permittee shall provide to SVSD upon request plans showing the facilities and operating procedures designed to prevent spills or accidental

discharges of prohibited or regulated materials as covered in Section 2.2.1 of the Pretreatment Rules and Regulations. If required, the Slug control plans shall include, at a minimum, the following:

(1) Description of discharge practices, including non-routine batch Discharges;
(2) Description of stored chemicals;
(3) Procedures for immediately notifying the SVSD of Slug Discharges, including any Discharge that would violate a prohibition under SVSD Pretreatment Rules and Regulations Section 2.2.1 with procedures for follow- up written notification within five days;
(4) If necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

b) The Permittee shall submit a Best Management Practices (BMP) and spill prevention and accidental discharge control plans showing facilities and operating procedures to SVSD for review within 30 days of the effective date of the Permit.

c) Plans shall be reviewed and approved by SVSD prior to construction of any facilities.

7. Accidental Discharge Report

a) The Permittee shall notify the SVSD immediately upon the occurrence of an accidental discharge of substances prohibited by Section 2 of the Pretreatment Rules and Regulations. SVSD should be notified during normal business hours by telephone at (385) 202-2777. At all other times, SVSD should be notified by telephone at (385) 225-1831 or (801) 455-2919. The notification shall include location of discharge, date and time, type of waste, including concentration and volume, and corrective actions taken.

b) Within five days following an accidental discharge, the Permittee shall submit to the SVSD a detailed written report. The report shall specify:

(1) Description of the upset, slug, or accidental discharge, and the cause. The description should include location of discharge, type, concentration and volume of waste;

(2) Duration of noncompliance, including exact dates and times of noncompliance, and if the noncompliance continues, the time by which return to compliance is reasonably expected to occur; and

(3) All steps taken to reduce, eliminate, and prevent recurrence of similar upsets, slugs, accidental discharges, and other conditions of noncompliance.

c) The Permittee shall submit to SVSD a notice of at least 10 days in advance of any planned bypass that may result in violation of any applicable pretreatment standards.

8. RCRA (Resource Conservation Recovery Act) Hazardous Waste Reporting

All users shall notify SVSD, the State, and EPA of the nature and mass of RCRA hazardous wastes the user discharges into any public sewers, as required under Federal Regulations 40 CFR 403.12(p).

9. All reports required by this Permit shall be submitted to the SVSD at the following address:

Pretreatment Coordinator
South Valley Sewer District
PO Box 908
Draper, Utah 84020

10. All reports required by this Permit shall be signed by the Authorized Representative of the User as defined in Part IV 9 (b) of this permit.

PART III SPECIAL CONDITIONS

SECTION A - REPORTING REQUIREMENTS

1. Development of sludge disposal plan, spill prevention and control plan, and Best Management Practices (BMP) plan for submittal to SVSD is required within 30 days of the effective date of this Permit.

2. A TOMP (Toxic Organic Management Plan) must be submitted and approved by SVSD prior to the Permittee using the TTO statement in lieu of TTO analysis. This plan shall be submitted within 30 days of the effective date of this Permit.

3. SVSD must be notified of any and all additional monitoring and sampling of pollutants that are limited by this Permit.

4. The Permittee must submit with each Periodic Compliance Report a certification that there has been no increase in any pollutants for which sampling was waived as 'pollutants not present'.

(Note: Reporting Requirements described above will differ with each permittee. Requirements will be added and deleted to the final permit where applicable.

SECTION B - COMPLIANCE SCHEDULE

1. Compliance Schedule:

EVENT	By No Later Than
a) Submit plans showing installation and location of sampling manhole and lines connecting to sampling manhole.	Date:
b) Install a sampling manhole and have it inspected by SVSD prior to backfilling.	Date:

2. Compliance Schedule Reporting

No later than 14 days following each date in the above schedule, the Permittee shall submit to the SVSD a progress report including, at a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with the increment of progress, the reasons for delay, and the steps being taken to bring the project to the schedule established.

PART IV STANDARD CONDITIONS

SECTION A - GENERAL CONDITIONS, DEFINITIONS AND COMPLIANCE RESPONSIBILITIES

1. Pretreatment Program Enforceability

The terms and conditions of the Pretreatment Rules and Regulations shall be enforceable automatically through this Permit. Permittee acknowledges that it has received a copy of the Pretreatment Rules and Regulations and has read the same prior to the issuance of this Permit.

2. Severability

The provisions of this Permit are severable, and if any provision of this Permit or the application of any provision of this Permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this Permit shall not be affected thereby.

3. Duty to Comply

The Permittee must comply with all conditions of this Permit. Failure to comply with the requirements of this Permit or the Pretreatment Rules and Regulations may be grounds for administrative, judicial or enforcement proceedings including, but

not limited to, civil or criminal penalties, injunctive relief and termination of sewer service.

4. Duty to Mitigate

The Permittee shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this Permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

5. Permit Action

This Permit may be modified, revoked, re-opened and reissued, or terminated by SVSD for good cause, including but not limited to, the following:

a) To incorporate any new or revised Federal, State, or local pretreatment standards or requirements;

b) Material or substantial alterations or additions to the Permittee's operation which are not covered in this Permit;

c) A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge(s);

d) Information indicating that the permitted discharge poses a threat to the SVSD sanitary sewer system, the JBWRF wastewater treatment plant, utility personnel, or receiving waters;

e) Violation of any terms or conditions of this Permit;

f) Obtaining this Permit by misrepresentation or failure to disclose fully all relevant facts; or

g) Upon request of the Permittee, provided such request does not create a violation of any existing applicable requirements, standards, laws, or rules and regulations.

The filing of a request by the Permittee for a Permit modification, revocation, re-opener and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any Permit condition(s).

6. Property Rights

The issuance of this Permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any

invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

7. Prohibition on Permit Transfer

This Permit is issued to Permittee for Permittee's specific operation and is not assignable to another user or transferable to any other location. In the event of sale of Permittee's business or facilities, the purchaser shall be required to obtain a new Permit from the SVSD.

8. Dilution

The Permittee shall not increase the use of potable or process water, or in any way, attempt to dilute a wastewater discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this Permit.

9. Definitions

a) Annually – One time within 365 consecutive days.

b) Authorized or Duly Authorized Representative of the User -

(1) If the User is a corporation:

a. The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

b. The manager or one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(3) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(4) The individuals described in paragraphs 1 through 3. Above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originate or having overall responsibility for environmental matters for the company and the written authorization is submitted to the Treatment Facility Manager.

c) Biochemical Oxygen Demand (BOD) – the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/l).

d) Bypass – Means the intentional diversion of waste streams from any portion of a User's treatment facility.

e) Composite Samples – A combination of individual samples obtained at regular intervals over a specified time period. The volume of each individual sample may be either proportional to the flow rate during sample period (flow proportioned), o r collected at equal time intervals during composite period (time proportioned).

f) Cooling Water

(1) Contact: Wastewater used for cooling purposes which comes into direct contact with raw material, intermediate product, waste product and/or finished product.

(2) Non-Contact: Water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

g) Daily Maximum Limit – The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limitations are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant derived from all measurements taken that day.

h) Domestic Waste Stream – Wastewater originating from a household or personal residence.

i) Grab Sample – A sample that is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.

j) Instantaneous Maximum Concentration – The maximum concentration allowed in any single grab sample.

k) mg/l – milligrams per liter.

l) Monthly Average – The sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

m) pH – A measure of the acidity or basicity of a solution, expressed in standard units.

n) Pretreatment Rules and Regulations – The Pretreatment Rules and Regulations for the SVSD adopted by the Board as part of the SVSD Pretreatment Program for the JBWRF.

o) Process Waste Stream – Wastewater generated as a result of a manufacturing, production or processing operation, or from storage or dispensing operation, or from a repair, washing, rinsing or cleaning activity.

p) Quarterly – Four times each calendar year, one time during the first three months of the year, one time during the next three months, and so forth.

q) Semiannually – Two times each calendar year, one time during first six months of the year and one time during the last six months of the same calendar year.

r) Significant Industrial User – Is a wastewater source that:

(1) An Industrial User subject to categorical Pretreatment Standards; or

(2) An Industrial User that:

a. Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blow-down wastewater;

b. Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or

c. Is designated as such by the SVSD on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

s) Slug, Slug Load, or Slug Discharge - Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 2.2.1 of the Pretreatment Rules and Regulations. A Slug Discharge is any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or

Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions.

t) Total Suspended Solids (TSS) – The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.

u) Upset – Means an exceptional incident in which there is unintentional and temporary noncompliance with categorical Pretreatment Standards because of factors beyond the reasonable control of the User. An upset does not include noncompliance to the extent caused by operational error, improperly designed, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.

SECTION B – MONITORING AND RECORDS

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this Permit and, unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water or substance. Monitoring points shall not be changed without notification to and approval of the SVSD.

2. Approved Laboratory Required

All sampling analysis performed in support of this Permit must be conducted by a laboratory certified by the State of Utah or approved by the SVSD.

3. Analytical Methods to Demonstrate Continued Compliance

Sampling and analysis of all samples shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto.

4. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this Permit, using approved test procedures or as specified in this Permit, the results of this monitoring shall be attached to the Permittee's periodic compliance reports.

5. Inspection and Entry

The Permittee shall allow the SVSD's authorized representative(s), upon the presentation of credentials to immediately:

a) Enter upon the Permittee's premises where Permittee's facilities or activities are located or conducted, or where records must be kept under the conditions of this Permit;

b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;

c) Inspect at reasonable times any of Permittee's facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit;

d) Sample or monitor, for the purposes of assuring Permit compliance, any substances or parameters at any location;

e) Inspect any production, manufacturing, fabricating or storage area where pollutants, regulated under this Permit, could originate.

6. Retention of Records

a) The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Permit, and records of all data used to complete the application for this Permit, for a period of at least three years from the date of the sample, measurement, report or application. This period may be extended by request of the SVSD at any time.

b) All records that pertain to matters that are the subject of administrative orders or any other enforcement or related activities brought by the SVSD shall be retained and preserved by the Permittee until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

7. Record Contents

Records of sampling information and chain of custody shall include:

a) The date, exact place, time and methods of sampling or measurements, and sample preservation techniques or procedures;

b) Who performed the sampling or measurements;

c) The date(s) analyses were performed;

d) Who performed the analyses;

e) The analytical techniques or methods used; and

f) The results of such analyses.

7. Falsifying Information

Knowingly making any false statement on any report or other document required by this Permit or knowingly rendering any monitoring device or method inaccurate, may result in punishment under criminal proceedings as well as being subjected to civil penalties and injunctive relief.

SECTION C – ADDITIONAL REPORTING REQUIREMENTS

1. Duty to Provide Information

The Permittee shall furnish to the SVSD within a reasonable time, any information which the SVSD may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Permit, or to determine compliance with this Permit. The Permittee shall also furnish to the SVSD, upon request, copies of records required to be kept by this Permit. These records include but are not limited to water usage records or logs, manifests for wastes hauled offsite for disposal or recycling, and pretreatment device servicing bills or logs.

2. Discharge of Pollutants

In the event that a User discharges pollutants which causes the JBWRF to violate any conditions of its UPDES Permit and the SVSD is fined by any authority for such violation, the Permittee shall be fully liable to the SVSD for the total amount of the fine assessed against them, together with administrative costs to the fullest extent allowed and permitted by applicable law.

In any enforcement proceeding, the Permittee seeking to establish the occurrence of an upset constituting an affirmative defense to an action brought for noncompliance with categorical pretreatment standards shall have the burden of proof of 40 CFR Part 403.16(c).

3. Facilities Operation

The Permittee shall control production on all discharges to the extent necessary to maintain compliance with categorical pretreatment standards upon reduction, loss, or failure of Permittee's treatment facilities until such facilities are restored or an alternative method of treatment is provided.

The Permittee shall at all times maintain in good working order and operate as efficiently as possible, all treatment or control facilities or systems installed or used by Permittee to achieve compliance with the terms and conditions of this Permit.

4. Bypassing

Any diversion from or by-pass of facilities necessary to maintain compliance with the terms and conditions of this Permit is prohibited, except where unavoidable to prevent loss of life or severe property damage. The Permittee shall promptly take production control and reporting actions as outlined in PART II, Section B 6, "Accidental Discharge Report" of this Permit.

5. Annual Publication

A list of all industries which were subject to enforcement proceedings during the twelve (12) previous months shall be annually published by the SVSD in a daily newspaper having general circulation within its service area.

6. Civil and Criminal Liability

Nothing in this Permit shall be construed to relieve the Permittee from civil and/or criminal penalties for noncompliance; or from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal, State, or local laws, ordinances or regulations.

Any person who willfully or with gross negligence:

a) Discharges pollutants in violation of the "Utah Water Pollution Control Act" or the Pretreatment Rules and Regulations or in violation of any condition or limitation included in this Permit; or

b) Violates any pretreatment standard or toxic effluent standards of the SVSD shall be assessed a fine not exceeding $25,000 per day. Any person convicted a second time shall be punished by a fine not exceeding $50,000 per day and/or possible termination of sewer service; or

c) Violates this Permit or the Pretreatment Rules and Regulations is subject to a civil penalty not to exceed $10,000 per day.

7. Recovery of Costs Incurred

In addition to civil and criminal liability, the Permittee violating any of the provisions of this Permit or the Pretreatment Rules and Regulations or causing damage to or

otherwise inhibiting the JBWRF wastewater treatment plant or related facilities shall be liable to the SVSD for any expense, loss, or damage caused by such violation or discharge. The SVSD shall bill the Permittee for the costs incurred by the SVSD for any cleaning, repair, or replacement work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a separate violation of the Pretreatment Rules and Regulations.

8. Permit Fee & Term

If the Permit is approved, there will be a regular annual fee assessed to the Permittee based on a schedule established by the SVSD. Depending on the type of business or industry and other circumstances the term of the Permit will be for a period of time not to exceed 5 years.

9. Legal Action by Other Governmental Agencies

Nothing in this Permit shall be construed to preclude the institution of any legal action by other governmental agencies having jurisdiction or to relieve the Permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State or Federal law or regulation.

3.4 SELF-MONITORING AND REPORTING REQUIREMENTS

3.4.1 Purpose

Industrial self-monitoring requirements are provided in order to aid in monitoring and tracking compliance with applicable pretreatment standards. This attachment is prepared to provide guidance in the development of self-monitoring frequencies, in the preparation of self-monitoring reports and the requirements of notification by permittee. The information presented is intended to be in accordance with 40 CFR Part 403. Should any conflict arise, the federal code will govern.

3.4.2 Legal Authority

U.S. Code of Federal Regulations, Title 40, Part 136

U.S. Code of Federal Regulations, Title 40, Parts 400-699, (two volumes)

U.S. Code of Federal Regulations, Title 40, Part 403.8(f)(2)(vi)

3.4.3 Program

A. Self-Monitoring Program

Each Industrial User is required to have samples of their discharge analyzed according to the requirements of their permit. The permittees are required to submit information and data that is representative of conditions during the reporting period. Sampling results should be submitted to the SVSD on a Periodic Compliance Report form. As a monitoring history is established, the frequency of sampling can be either increased or decreased as discussed below under Monitoring Criteria. The sampling procedures used by the Industrial User should be reviewed by the SVSD during the inspection of the Industrial User. The factors discussed under Monitoring Criteria and Chain-of-Custody, in Section 3.5, applies to the Self-Monitoring Program.

All analysis must be completed in accordance with Section 2.6.10 and by a laboratory that is certified by the State of Utah, or a laboratory that is approved by SVSD.

Self-monitoring must be done in accordance with approved procedures. The following information is provided to assist in developing standards for such monitoring.

1. Self-Monitoring Location: Self-monitoring should take place at the end of process stream or at the discharge to the SVSD's collection system. Specific sampling location will be determined by the Pretreatment Coordinator working with the Industrial User.

2. Self-Monitoring Frequency: The frequency assigned for self-monitoring may be reduced or increased based on determinations and information regarding the following: the ability of the wastewater treatment plant to treat the pollutant, compliance history and other factors that may be a concern for the SVSD. (See *Frequency of User Monitoring Based on Flow* table at end of this Section.)

   The person who collects the sample should be trained in the methods of sample collection.

3. Chain-Of-Custody Requirements: A chain of custody form must be completed for each sample taken which includes the following: the signature of the person taking the sample, the date and time of the sample, type of sample taken (grab or composite), sample preservation methods used, and sample analysis requested. The chain of custody form and sample should remain in the possession of the person taking the sample until the sample is relinquished to the laboratory or other qualified person. If necessary, the chain of custody form and sample may be stored in a secure location by the sampler. If the sample must be transferred to another person other than the laboratory, the chain of custody form must be signed by the persons relinquishing and receiving the sample. At the time the sample is delivered to the laboratory, a copy of the chain of custody should be retained by the sampler and two copies left with the laboratory. A copy of the chain of custody should be returned to the sampler by the laboratory with analytical results. The sample results and chain of custody should be filed by the User with the original copy of the chain of custody.

4. Quality Control/Quality Assurance for Sampling: Quality Assurance – Quality assurance for sampling is to insure the quality of the sampling equipment and field measurements. The elements of Quality Assurance for sampling include the following:

   a. Required analytical methodology for each regulated Pollutant.
   b. Documentation or justification of selected analytical and sampling methods.
   c. Number of samples for analysis of Quality Control.
   d. Procedures to calibrate and maintain equipment.
   e. Performance evaluation of the following areas:
      (1) Qualification of sampling personnel
      (2) Determining the best sampling site
      (3) Sampling techniques
      (4) Flow measurement
      (5) Completeness of data, data records, processing, and reporting.

(6) Calibration of equipment
(7) Use of QC samples to evaluate validity of data
(8) Training of personnel involved with handling data.

5. Quality Control: Quality Control demonstrates and documents the Quality Assurance. Following are procedures to be used for Quality Control:

a. Calibration plan of all equipment
b. Documentation in a QC notebook including:
   (1) Equipment specification
   (2) Calibration dates
   (3) Calibration expiration date
   (4) Maintenance due date
c. Collection of the following types of QC samples:
   (1) Duplicate samples
   (2) Equipment blank
   (3) Field blank
   (4) Preservation blanks.

6. Quality Control/Quality Assurance for Laboratories: QA/QC procedures for laboratories are part of the specific laboratory's Standard Operating Procedures. The QA/AC procedures should be available from the laboratory and reviewed by the Pretreatment Coordinator to assure a high quality of reliability in the laboratory results. The following types of samples should be collected to determine the confidence in the validity of reported analytical data:

a. Duplicate Samples
b. Method Blanks
c. Split Samples
d. Spiked Samples.

Further discussion of Quality Assurance and Quality Control can be found in the document, *Industrial User Inspection And Sampling Manual for POTW's,* April, 1994, U.S. EPA, Washington, D.C. 20406.

All analysis required by the permit must be completed in accordance with Section 2.6.10 and by a laboratory that is certified by the State of Utah, or a laboratory approved by SVSD.

C. Reporting

Sampling data shall be recorded on the Periodic Compliance Report Form. Results shall be submitted to the SVSD within thirty (30) days of the end of the sampling period in accordance with Section 2.6.4 of the Pretreatment Rules and Regulations. The self-monitoring sampling data shall be evaluated by the SVSD

Pretreatment Coordinator for violations and constituents subject to sewer fees. The permittee is required to submit all monitoring results for the reporting period to the SVSD in accordance with permit requirements.

D. Monitoring Safety

The main safety concern involved in monitoring is confined space entry. Confined space is "a space which by design has limited openings for entry and exit, unfavorable natural ventilation which could contain or produce dangerous air contaminants, and which is not intended for continuous employee occupancy. " A manhole is a confined space and should not be entered unless there are no other alternatives in obtaining a sample. Prior to entering a manhole or other confined space applicable OSHA rules, regulations and guidance should be consulted.

Below are several other safety concerns that should be considered when monitoring:

1. Protective gloves should be used when taking a sample.

2. Proper personal protective equipment should be used to avoid falling.

3. Care should be taken when on the IU's premises.

4. Any safety equipment should be used as required by the IU or deemed appropriate by the sampler, e.g. hard hat, protective eyewear, etc.

E. Signature Requirements

Authorized or Duly Authorized Representative of the User.

1. If the User is a corporation:

   a. The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
   b. The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiation and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather completed an accurate information for

individual or general wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

2. If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

3. If the User is a Federal, State or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

4. The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the Pretreatment Coordinator.

F. Notice Requirements

The IU is required to notify the SVSD within 24 hours of a discharge violation and resample the parameter that was violated within 30 days of becoming aware of the violation.

G. Notification of Change Requirements

The IU is required to notify the SVSD no later than 45 days prior to a change at the facility that may impact the spill/slug load potential by the IU. The JBWRF will evaluate the change and determine if the permit and/or submitted spill/slug plan must be modified in order to protect the POTW from a potential slug load discharge. If the SVSD deems the revision warrants a change to the permit, the permit will be revised within 30 days to reflect the requirements necessary to protect the POTW from a slug load discharge.

A SIU that has limits that are determined by production rate must contact the SVSD not less than 45 days prior to a change at the facility regarding the production rate that may impact the permit limit. Such a change would include an increase or decrease of 20% the amount of the production rate that the permit limits were based upon to develop the permit limits. If the SVSD deems the increase or decrease significant and the production will continue at the changed rate, the SVSD will modify the permit limits within 30 days to reflect the new production rates.

Frequency of User Monitoring Based on Flow

CONVENTIONAL, METAL, INORGANIC, CYANIDE, AND PHENOL

Flow *(gpd)*	Frequency
0 to 10,000	2 per year
10, 001 to 50,000	Quarterly
50,001 to 100,000	Monthly
100,001 to 240,000	2 per month
240,001 to 1,000,000	Weekly
1,000,001 to 1,500,000	2 per week
1,500,001 to 2,500,000	3 per week
2,500,001 to 3,500,000	5 per week
Over 3,500,000	Daily

ORGANICS

Flow *(gpd)*	Frequency
0 to 25,000	2 per year
25, 001 to 75,000	Quarterly
75,001 to 250,000	Monthly
Over 250,000	2 per month

JORDAN BASIN WATER RECLAMATION FACILITY
PERIODIC COMPLIANCE REPORT

Facility Name			
Facility Address			
Permit Number			
Effective Date		**Expiration Date**	
Mailing Address			
Name of Person that Sampled			
Monitoring Point			
Sample Date			
Sample Time			

Write N/A in table if the box does not apply

Parameter	Permit Limit Monthly Ave (mg/l)	Permit Limit Daily Maximum (mg/l)	Sample Results (mg/l)	Compliance *(circle which applies)*
Biochemical Oxygen Demand (BOD)				YES NO N/A
Total Suspended Solids (TSS)				YES NO N/A
Oil and Grease (Animal or Vegetable)				YES NO N/A
Oil and Grease (Petroleum Based)				YES NO N/A
Aluminum, Total (Al)				YES NO N/A
Arsenic, Total (As)				YES NO N/A
Cadmium, Total (Cd)				YES NO N/A
Chromium, Total (Cr)				YES NO N/A
Copper, Total (Cu)				YES NO N/A
Lead, Total (Pb)				YES NO N/A
Mercury, Total (Hg)				YES NO N/A
Nickel, Total (Ni)				YES NO N/A
Selenium, Total (Se)				YES NO N/A
Silver, Total (Ag)				YES NO N/A
Zinc, Total (Zn)				YES NO N/A
Cyanide, Total (CN-T)				YES NO N/A
Total Toxic Organics (TTO)				YES NO N/A

Parameter	Equipment	Monthly Average (gals)
Flow Rate		

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Signature:_____ Title:_____

Print Name:_____ Date:_____

3.5 MONITORING, SAMPLING, TRACKING AND CHAIN-OF-CUSTODY PROCEDURES

3.5.1 Purpose

The following procedures have been established for sampling and monitoring Industrial Users. These procedures are intended to provide for uniform and representative sampling of Industrial Users and to allow for adequate documentation of sampling handling to ensure procedural adequacy should court action ever be required.

The following is the purpose of the Monitoring and Reporting Program:

A. Provide data from which compliance with the Pretreatment Rules and Regulations and conditions can be determined.

B. Verify information received by the Industrial Users independently.

C. Provide data for support of enforcement actions.

D. Verify correction of problems.

E. Maintain information on Industrial Users.

F. Provide for research and development of potential changes at Industrial Users facilities.

3.5.2 Legal Authority

U.S. Code of Federal Regulations, Title 40, Part 136

U.S. Code of Federal Regulations, Title 40, Parts 400-699

U.S. Code of Federal Regulations, Title 40, Parts 403.8(f)(1)(v); 40 CFR 403.8(f)(2)(iv); 40 CFR 403.8(f)(2)(v)

Pretreatment Rules and Regulations, Section 2.7.1

3.5.3 Monitoring Program

The SVSD should monitor an Industrial User's discharge at least once a year, sampling all pollutants regulated by the permit. Samples should be taken per the requirements of the permit; therefore the Pretreatment Coordinator and staff will have access to automatic composite samplers. Depending on the monitoring criteria discussed below, the frequency of sampling may be increased. Industrial Users should not be notified of some sampling events, with at least one sample per year being unscheduled and unannounced. The unscheduled sample should not be

taken during any inspection. The cost of the SVSD's monitoring should be assessed to the Industrial User.

The Pretreatment Coordinator and staff will collect the samples and will be trained in the proper methods of sample collection needed for all permitted Industrial Users.

3.5.4 **Monitoring Criteria**

The following are the factors to consider in both the permittees self-monitoring and the SVSD's monitoring:

A. Parameters to Sample

Generally, the sampling requirements for any specific parameter will be included in the IU's permit. The following is general guidance on sampling.

1. Categorical Industries – The parameters to be monitored depend on the type of industry. For Categorical Industries, the parameters to be monitored are found in 40 CFR 403 - 471.

2. Local Limits – The parameters for which Local Limits have been established and adopted and are listed in the JBWRF Industrial Pretreatment Local Limits Development document. These Pollutants are sampled depending on the expected concentrations of the Pollutants to be discharged.

3. Conventional Pollutants – The conventional Pollutants are those for which Industrial Users will be surcharged if their concentrations exceed a certain quantity. There are also concentrations over which conventional Pollutants cannot be discharged. These limits are set forth in the JBWRF Industrial Pretreatment Local Limits Development Document.

B. Location of Sample

The following should be considered in selecting the sampling location:

1. The site should be chosen such that a representative sample can be taken usually just prior to the point of where the discharge enters the public sewer.

2. When a discharger is subject to two or more categorical standards, each categorical process must be sampled prior to the point where they combine.

3. If possible, a sampling point should be chosen where flow measurements can be taken.

4. For all Categorical and Significant Industrial Users, the Pretreatment Coordinator shall determine the sampling point and prepare a specific sampling procedure.

5. Samples subject to Local Limits shall be grabbed from the User's combined wastewater stream at the point before discharge enters the SVSD collection system (end of pipe).

6. The SVSD can gain access to the sampling point without notification of the permittee, if possible. At no time may the permittee limit the SVSD's ability to take a sample per the requirements of the permit.

7. Once selected, the sampling point should be specified in the permit.

C. Type of Sample

The following are the types of samples which may be used:

1. Automatic Composite Samples (Time-proportioned or Flow-proportioned), or

2. Grab Samples – Grab sampling should be used for the following conditions:

a. For the following parameters:

pH	cyanide	total phenol
oil and grease	sulfide	volatile organics
temperature	toxicity	Chrome +6

b. For Batch Discharges;
c. For flows which have constant waste characteristics;
d. For characterizing extremes of flow and wastewater quality;
e. For samples which cannot be held for a long time;
f. For industries suspected of discharging slug loads.

Preference should be given to the use of flow proportioned composite samples where possible as per 40 CFR 403.12. Time proportioned composite samples may be used where the SVSD determines that the flow proportioned samples cannot be feasibly obtained.

Hints for composite sampling:

1. When using automatic samplers, intervals should be one hour or less.

2. When discrete samples are grabs, intervals should be two hours and a minimum of four grabs should be taken.

3. Discrete composite samples should be flow-proportioned.

4. Sample must be representative of operations.

D. Volume of Sample

The volume of the sample to be taken depends upon the type of tests required. Consideration should be given to the type of container, preservation and holding time. All sample volumes should be sufficient to meet the requirements of 40 CFR Part 136 and amendments thereto.

The laboratory which analyzes the samples should be consulted for specific information on sampling. The laboratory shall be certified by the State of Utah or approved by SVSD.

E. Frequency of Sample

The frequency of sampling by the SVSD depends on the parameter to be sampled, the flow of the Industry (see *Frequency of POTW Monitoring Based on Flow* table at the end of this Section), and the compliance history of the Industry.

When determining the frequency of samples the permit writer should also consider the quantity of discharge, quality of discharge, and enforcement history of the permittee. The permit writer shall use the same factors in determining the frequency of monitoring for all SIUs.

F. Chain-Of-Custody Requirements

Chain of Custody form shall be completed for each sample taken including the signature of the persons that took the sample, the date and time of the sample, type of sample taken, preservation method used, and analysis performed. The Chain of Custody form and sample should remain in the possession of the person who took the sample until relinquished to a laboratory or other qualified person. The Chain of Custody form and sample may be stored in a secure location by the sampler. If the sample must be transferred to another person, the Chain of Custody form must be signed by the persons relinquishing and receiving the sample. One copy of the Chain of Custody form shall be filed in the User's file under sampling and reporting and two copies should be given to the person receiving the sample. Upon receiving the results from the laboratory, a copy of the Chain of Custody form should be included. This copy should also be filed in the User's file under sampling and reporting.

G. Quality Assurance for Sampling

Quality Assurance – Quality assurance for sampling is to insure the quality of the sampling equipment and field measurements. The elements of Quality Assurance for sampling include the following:

1. Required analytical methodology for each regulated Pollutant.

2. Documentation or justification of selected analytical and sampling methods.

3. Number of samples for analysis of Quality Control.

4. Procedures to calibrate and maintain equipment.

5. Performance evaluation of the following areas:

   a. Qualification of sampling personnel
   b. Determining the best sampling site
   c. Sampling techniques
   d. Flow measurement
   e. Completeness of data, data records, processing, and reporting
   f. Calibration of equipment
   g. Use of QC samples to evaluate validity of data
   h. Training of personnel involved with handling data

H. Quality Control

Quality Control demonstrates and documents the Quality Assurance. Following are procedures to be used for Quality Control:

1. Calibration plan of all equipment

2. Documentation in a QC notebook including:

   a. Equipment specification
   b. Calibration dates
   c. Calibration expiration date
   d. Maintenance due date

3. Collection of the following types of QC samples:

   a. Duplicate samples
   b. Equipment blank
   c. Field blank
   d. Preservation blanks

I. Quality Control/Quality Assurance for Laboratories

QA/QC procedures for laboratories are part of the specific laboratory's Standard Operating Procedures. The QA/AC procedures should be available from the laboratory and reviewed by the Pretreatment Coordinator to assure a high quality of reliability in the laboratory results. The following types of samples should be collected to determine the confidence in the validity of reported analytical data:

1. Duplicate Samples

2. Method Blanks

3. Split Samples

4. Spiked Samples.

Further discussion of Quality Assurance and Quality Control can be found in the document, *Industrial User Inspection And Sampling Manual for POTW's,* April, 1994, U.S. EPA, Washington, D.C. 20406.

3.5.5 **Tracking System**

When information is received from a permittee it will be tracked in the Industrial User tracking software. When an inspection or compliance sample is completed the information will also be tracked in the Industrial User tracking software. It will be the Pretreatment Coordinator's responsibility to enter the information into the Industrial User tracking software. Each permittee will have its own spreadsheet. The Industrial User tracking software will be used to determine the following:

A. Date when compliance sample is performed

B. Dates when self-monitoring reports are due

C. Dates when inspections will be performed

D. Date when the Discharge Permit expires

E. Application due dates

F. Application received date

G. Permit effective date

H. Determining SNC

I. Sampling data provided from the IU to the POTW will be tracked and compared with permit limits.

SNC will be determined quarterly, by the Pretreatment Coordinator. If the permittee is in SNC the Pretreatment Coordinator will inform the Treatment Facility Manager and proceed per the requirements of the enforcement response plan.

3.5.6 Monitoring Safety

The main safety concern involved in monitoring is confined space entry. Confined space is "a space which by design has limited openings for entry and exit, unfavorable natural ventilation which could contain or produce dangerous air contaminants, and which is not intended for continuous employee occupancy." A manhole is a confined space and should not be entered unless there are no other alternatives in obtaining a sample. Prior to entering a manhole or other confined space the SVSD Safety Manual should be followed.

Any time a manhole or other confined space is to be entered, permission should be received from the entry supervisor. *The Confined Space Entry Form* should be completed and approved by the entry supervisor.

The following are other safety concerns that should be considered when monitoring:

A. Protective gloves should be used when taking a sample.

B. Proper personal protective equipment should be used to avoid falling.

C. Care should be taken when on the IU's premises.

D. Safety equipment should be used as required by the IU and/or SVSD and as deemed appropriate by the sampler, including but not limited to, hard hat, protective eyewear, gas detector, etc.

3.5.7 Field Procedures

The Pretreatment Program has developed standard operating procedures (SOP) for field operations for the Pretreatment Coordinator and/or samplers to follow. These and other Pretreatment Department SOPs are maintained in the Pretreatment Coordinator's office at JBWRF.

3.5.8 Emergency Sampling

The pretreatment program has developed emergency sampling procedures for the Pretreatment Coordinator and/or samplers to follow. These procedures should assist in directing sampling during noncompliance or spill/slug events at Industrial Users. They will also assist in tracking unreported spills/slugs by all POTW staff.

3.5.9 Exceedance in the SVSD's Sample Event of the User's Discharge

If an exceedance occurs in a sample taken by the SVSD, the Pretreatment Coordinator will contact the User and indicate if the User or the SVSD will be taking the resample. The resample must be taken either by the SVSD or the User within 30 days of the SVSD becoming aware of the exceedance. The Pretreatment Coordinator may at the time of notification of the exceedance require the User to submit a report indicating what was occurring at the facility at the time of the exceedance.

Frequency of POTW Monitoring Based on Flow

CONVENTIONAL, METAL, INORGANIC, CYANIDE, AND PHENOL

Flow (*gpd*)	Frequency
0 to 50,000	1 per year
50, 001 to 240,000	2 per year
240,001 to 1,000,000	3 per year
1,000,001 to 2,500,000	Quarterly
Over 2,500,000	Monthly

ORGANICS

Flow (*gpd*)	Frequency
0 to 25,000	2 per year
25, 001 to 75,000	Quarterly
75,001 to 250,000	Monthly
Over 250,000	2 per month

Chain of Custody Record

Sample Event #_____

South Valley Sewer District
Jordan Basin Water Reclamation Facility
Pretreatment Department
PO Box 908
Draper, Utah 84020
Phone: (385) 202-2777
Fax: (385) 202-2776
Email: stevenc@jordanbasin.com

										Analytical Tests Requested															
										1	1,2	1,3	1	1	4	1,5	4	1,2	1	1	1,3			Matrix Codes
										BOD TSS	Oil & Grease	Ammonia	Nitrate [NO_3], Nitrite [NO_2]	Phosphorus, Total	Metals: Ag, Al, As, Cd, Cr, Cu, Ni, Pb, Zn, Mo, Se, Sb, Be, Tl, Fe	Cyanide, CN	Mercury, Method: 1631	601, 602, 624	625	608	COD			WW = Wastewater W = Water SO = Solid SL = Sludge S = Soil O = Other
User																								Preservation Code
Address																								1 = 6°C 2 = HCl 3 = H_2SO_4 4 = HNO_3 5 = NaOH 6 = Other
Permit #		**Account #**																						
Lab Identification	Temp	Monitoring Point	Sample Date Start	Sample Date End	Sample Time Start	Sample Time End	# of Bottles	Matrix	Sample Type															Sample Type
																								G = Grab C = Composite
Sampled By: [print]					Sampled By: [signature]																			
Sampled By: [print]					Sampled By: [signature]																			

On Ice Not On Ice

Comments: _____

_____

_____

Automatic Sampler # ☐

Relinquished by: [signature]	Date/Time	# of bottles	Company:	Received by: [signature]	Date/Time
Relinquished by: [signature]	Date/Time	# of bottles	Company:	Received by: [signature]	Date/Time
Relinquished by: [signature]	Date/Time	# of bottles	Company:	Received by: [signature]	Date/Time

Please e-mail results to: stevenc@jordanbasin.com

*All analysis must be performed in accordance to NELAP protocols.

DISTRICT PERMIT REQUIRED CONFINED SPACE POLICY

INTRODUCTION

The purpose of this policy is to introduce employees of South Valley Sewer District (District) to hazards of confined space entry and help them know and understand the procedures that will help keep them safe.

A confined space is a space that:

1. Is large enough and so configured that an employee can bodily enter and perform assigned work; and

2. Has limited or restricted means to enter and exit; and

3. Is not designed for continuous employee occupancy.

A permit required confined space is a space that:

1. Contains or has the potential to contain a hazardous atmosphere;

2. Contains material that has the potential for engulfing an entrant;

3. Has a internal configuration that could trap or asphyxiate an entrant by inwardly converging walls or sloping floor; or

4. Contains any other recognized serious safety or health hazard.

Under this program, the District identifies permit required confined spaces, and provides training for our employees according to their responsibilities in the permit space. These employees receive instructions for safe entry into our specific type of confined spaces, including testing and monitoring, appropriate personal protective equipment, and rescue procedures.

This program is designed to ensure that safe work practices are utilized during all activities regarding the permit space to prevent personal injuries and illnesses that could occur. While working in confined spaces, employees could be exposed to the following:

1. Engulfment relating to water or sewage

2. Explosive/flammable gases equal to or greater than 10 percent of Lower Explosive Limit (LEL)

3. Toxic gases equal to or more than 10 ppm hydrogen sulfide, and/or equal to or greater than 50 ppm carbon monoxide. If the presence of other toxic contaminants is suspected, specific monitoring programs will be developed.

4. Oxygen deficiency meaning a concentration of oxygen in the atmosphere equal to or less than 19.5 percent by volume, or oxygen enriched atmosphere equal to or greater than 23.5 percent by volume.

IDENTIFYING PERMIT CONFINED SPACES

In order to protect employees from confined space hazards, the District identifies all confined spaces as permit spaces.

CONFINED SPACE ENTRY PERMIT

All confined spaces at SVSD require a permit for entry. Prior to any employee entering a confined space, the pre-entry checklist found on the Confined Space Permit shall be completed, including atmospheric testing. If the pre-entry process indicates hazardous conditions, no employee may enter the confined space. The space must be ventilated and the pre-entry process repeated until there are no hazardous conditions.

The completed permit must be kept at the job site for the duration of the job. After the work in the confined space is completed, the permit must be turned in to the Safety Technician to be kept on file.

PREVENTING UNAUTHORIZED ENTRY

To provide a safe work environment and to prevent employees from accidentally entering a permit space, the District has implemented the following procedures to inform all employees of the existence and danger of permit spaces. To inform employees of the existence of a permit space, the District notifies the employees what a permit required confined space is and training them on entering a permit required confined space.

SAFE PERMIT SPACE ENTRY PROCEDURES

The procedures followed for preparing, issuing, and cancelling entry permits include the following elements. Permits will be issued if the only way to do work is inside the confined space, if another solution is brought up that does not necessitate entry then the permit will be cancelled by the Entry Supervisor or the Attendant.

PRE ENTRY EVALUATION

To ensure the safety and health of District employees, before allowing authorized workers to enter a permit space, the conditions in the space are evaluated to determine if the conditions are safe for entry. Any employee, who enters the space, or that employee's authorized representative, has the opportunity to observe the pre-entry and any subsequent testing. The authorized entrant or employee's representative also has the option of requesting a reevaluation of the space if they feel that the evaluation was not adequate.

The District follows the procedures to evaluate each permit space before entry. This includes testing the internal atmosphere with a calibrated direct-reading instrument for oxygen content, flammable gases and vapors, and potential toxic air contaminants. District employee's also periodically test the atmosphere of the space to ensure that the continuous ventilation is preventing the accumulation of a hazardous atmosphere.

CERTIFICATION

The District verifies that the space is safe for entry and pre-entry measures have been taken, through a written certification that contains the date, location of the space, and signature of the person providing the certification.

The District documents the basis for determining that all hazards in a permit space have been eliminated, through a certification that contains the date, location of the space, and signature of the person making the determination.

EQUIPMENT

To ensure the safety and health of District employees, the District provides appropriate equipment to all employees who work in or near our permit spaces. Each authorized entrant will use a chest or full body harness, with a retrieval line attached at the center of the entrant's back near shoulder level, above the entrant's head, or at another point which will present a profile small enough for the successful removal of the entrant. Employees may use wristlets instead of the body harness in instances where a body harness is infeasible or creates a greater hazard.

The permit space must be assessed to determine if hazards are present which necessitate the use of personal protective equipment (PPE). Personal protective equipment includes head, eye, face, hearing, hand, foot and protective clothing. Employees need to understand that their lives may depend upon the proper use of the equipment.

The District maintains all equipment in good condition, trains the entrants in the correct usage of this equipment, and requires that the equipment be used properly.

The District has established these procedures to require that appropriate equipment be used by entrants. All employees will be trained on all equipment and procedures to perform an entry safely.

ENTRY PROCEDURES

Employees shall not enter any confined space with the presence of toxic gasses and/or any atmospheric condition that is immediately dangerous to life and health.

If there are no non-atmospheric hazards present and if the pre-entry tests show there is no dangerous air contamination and/or oxygen deficiently/enrichment within the space and there is no reason to believe that any is likely to develop, entry into and work within may proceed. Continuous gas monitoring shall be performed during all confined space operations. If conditions

change adversely and an alarm is sounded, entry personnel shall exit the confined space and a new confined space permit issued after that space is safe for entry.

If employees leave the confined space for more than 30 minutes, the pre-entry process must be repeated and a new Confined Space Permit issued before re-entry.

SURVEILLANCE

The surrounding area shall be visually surveyed to identify and avoid hazards such as drifting vapors from tanks, piping, vehicles, or other work related processes which may create toxic or hazardous gases, fumes, mists, etc.

TESTING

The confined space atmosphere shall be tested to determine whether dangerous air contamination and/or oxygen deficiency/enrichment exists. A direct reading gas monitor shall be used. The minimum parameters to be monitored are oxygen content, LEL, hydrogen sulfide concentration, and carbon monoxide. The results shall be recorded on the Confined Space Permit and kept at the work site for the duration of the job. Affected employees shall be able to review the testing results.

DUTIES OF AUTHORIZED ENTRANTS

The District shall require that all authorized entrants:

1. Know the hazards that may be faced during entry, including information on the mode, sign or symptoms, and consequences of exposure;

2. Properly use equipment required to fulfill job duties;

3. Communicate with the supervisor/attendant as necessary to enable the attendant to monitor entrant status and to enable the attendant to alert entrants of the need to evacuate the space;

4. Alert the supervisor/attendant whenever:

    a. He/she recognizes any warning sign or symptom of exposure to a dangerous situation, or

    b. The entrant detects a prohibited condition.

5. Exit from the permit space as quickly as possible whenever:

    a. An order to evacuate is given by the supervisor/attendant,

b. He/she recognizes any warning sign or symptom of exposure to a dangerous situation,

c. He/she detects a prohibited condition, or

d. An evacuation alarm is activated.

DUTIES OF ATTENDANT

The District shall require that each attendant:

1. Know the hazards that may be faced during entry, including information on mode, signs or symptoms, and consequences of exposure;

2. Be aware of possible behavioral effects of hazard exposure in entrants;

3. Maintain an accurate count of entrants and ensure that the entrants are accurately identified;

4. Remain outside the space during entry operations until relieved by another attendant;

5. Communicate with entrants to monitor their status and to alert them to evacuate the space, if necessary;

6. Monitor activities inside and outside the space to determine if it is safe for entrants to remain in the space;

7. Order entrants to evacuate the space immediately under any of the following conditions:

   a. Detecting a prohibited condition,

   b. Noticing the behavioral effects of hazard exposure in an entrant,

   c. Detecting a situation outside the space that could endanger the entrants, or

   d. Determines that the entrant cannot effectively and safely perform all the required duties;

8. Summon rescue and other emergency services as soon as it is determined that entrants may need escape assistance;

9. Warn unauthorized personnel to stay away from the permit space, or if they have already entered the space, tell them to exit it;

10. Warn entrants and the entry supervisor if unauthorized persons have entered the space;

11. Perform no duties that might interfere with the attendant's primary duty to monitor and protect entrants.

DUTIES OF ENTRY SUPERVISOR

The District shall require that each entry supervisor:

1. Know the hazards that may be faced during entry, including information on the mode, signs or symptoms, and consequences of exposure;

2. Verify, by checking the entry permit, that all tests specified by the permit have been conducted and that all procedures and equipment are in place before endorsing the permit and allowing entry to begin;

3. Terminate the entry and cancel the permit at the conclusion of work;

4. Verify that rescue services are available and that the means for summoning them are operable; and

5. Remove unauthorized individuals who enter or who attempt to enter the permit space during entry operations.

TRAINING

Any employee required to enter a confined space shall have successfully completed, as a minimum, training in the following:

1. Hazards involved in confined space entry.
2. Atmospheric testing and monitoring.
3. Proper personal protective equipment.
4. Rescue.

Confined Space training will be performed annually, unless new employees are hired. Refresher training will be reviewed semi-annually or more if needed.

RESCUE

Call the fire department (911) services for rescue. The District utilizes the fire department to perform rescue and emergency services in the event of a permit space incident.

3.6 INSPECTION PROGRAM

3.6.1 Purpose

The following is the purpose of the Inspection Program:

A. Determine whether Industrial Users are complying with Pretreatment Rules and Regulations.

B. Confirm suspected discharge violations.

C. Provide information to support enforcement action.

D. Verify correction of problems.

E. Maintain information on Industrial User.

3.6.2 Legal Authority

U.S. Code of Federal Regulations, Title 40, Parts 400-699

Pretreatment Rules and Regulations, Section 2.7.1

3.6.3 Program

There are three types of inspections:

A. Scheduled Inspections: These inspections are coordinated and planned with the Industrial User. A phone call should be made two weeks in advance to set up a time for the inspection. A reminder phone call should be made two days prior to the inspection. Initial inspections are usually scheduled.

B. Unannounced Inspections: This type of inspection is done with no warning to the Industrial User. The purpose is to verify compliance with the Pretreatment Rules and Regulations during normal operation periods. Every Significant Industrial User will have at least one such inspection a year.

C. Demand Inspections: Demand inspections are done for one or more of the following reasons:

1. In response to known or suspected compliance problems.
2. Identify sources of slug loads.
3. Verification of corrective procedures required by the SVSD.

D. Frequency of Inspection

An initial inspection will be conducted for each Industrial User that may be permitted. All Industrial Users that are permitted will be inspected at least annually. At the Pretreatment Coordinator's discretion, any of the following circumstances could result in an Industrial User being inspected more frequently:

1. Quantity, type or concentration of pollutants.

2. History of non-compliance.

3. Causing or suspicion of causing upsets, pass-through, sludge contamination or operational problems at the JBWRF.

4. Inability of the SVSD to verify compliance with pretreatment standards.

A non-permitted Industrial User should be inspected at any time when the Pretreatment Coordinator believes that it may need to be permitted.

Scheduled and unannounced inspections should be planned at the beginning of each year.

E. Industrial User Inspection Procedures

The pretreatment inspector has many responsibilities, both before and after inspections. An Inspection Preparation Checklist is completed prior to each inspection. A SIU/CIU Inspection form is used to conduct all inspections, except for preliminary inspections.

As the result of Streamlining Rule changes, SVSD will evaluate each SIU for the need for a plan or other action to control Slug Discharges within one year of being identified as significant, and every other year thereafter. If a spill plan or other action is required, the permit will be changed within 90 days to include requirements to implement the action(s). The permit writer may require all or a portion of the requirements apply to the User. Requirements for a spill plan or other action will be justified in the permit writer's SIU permit fact sheet.

SOUTH VALLEY SEWER DISTRICT
PO Box 908, Draper, Utah 84020
Phone: (385) 202-2777 Fax: (385) 202-2776

INSPECTION PREPARATION CHECKLIST

Industrial User (IU): _____ Permit Number: _____

Address: _____ Inspection Date: _____

Inspector: _____ Time: _____

Type of Inspection: *SCHEDULED* *UNSCHEDULED* *DEMAND*

PRE-INSPECTION ACTIVITIES **Initials**

1. If the inspection is *SCHEDULED*, make a phone call to the IU two (2) weeks prior to the inspection. _____

2. If the inspection is *SCHEDULED,* make a second phone call two (2) days prior to the inspection. _____

3. Does the permittee have a Slug Discharge Control Program? YES / NO

   If **NO,** when was the permittee last evaluated for the need to have a Slug Discharge Control Program? _____

   Will the permittee be evaluated during this inspection for the need to implement Slug Discharge Control Program? _____

4. Review the IU's Permit and Application. Make a list of questions for the IU pertaining to the permit and application: _____
   _____

5. Review self-monitoring data. Make a list of questions for the IU pertaining to the self-monitoring data: _____
   _____

6. Review District's monitoring data. Make a list of questions for the IU pertaining to the District's monitoring data: _____
   _____

7. Review previous *Inspection Reports.* Questions for the IU pertaining to the *Inspection Reports:* _____
   _____

8. Will any safety equipment (personal protective equipment) be needed for the inspection?
   _____

9. Will samples be taken during the inspection? _____
What parameters will be sampled for?

_____ _____ _____ _____
_____ _____ _____ _____
_____ _____ _____ _____
_____ _____ _____ _____

10. What equipment will be needed for sampling?

_____ _____
_____ _____

INSPECTION DAY ACTIVITES

11. Load safety equipment in vehicle. _____

12. Load all sampling equipment in vehicle. _____

13. Take personal identification and business cards. _____

14. Take necessary blanks inspection forms and checklists. _____

PRETREATMENT INSPECTOR SIGNATURE **DATE**

_____ _____

3.7 INDUSTRIAL USER NOTIFICATION PROCEDURE

3.7.1 Purpose

The purpose of the Industrial User Notification Procedure is to have a definite procedure of notifying Industrial Users of necessary information pertinent to the Industrial Pretreatment Program or other Federal Programs.

3.7.2 Legal Authority

U.S. Code of Federal Regulations, Title 40, Parts 403.8 (f) (2) (iii) and 403.12 (p) (1)

Pretreatment Rules and Regulations, Section 2.10

3.7.3 Program

A. RCRA Requirements

The SVSD is required to notify Industrial Users of requirements of the Resource Conservation and Recovery Act (RCRA). Therefore, the SVSD will notify all Industrial Users which may handle hazardous waste of the availability of the *RCRA Information Brochure.*

B. Hazardous Waste Notification

The Industrial User is required to notify the SVSD of the potential to discharge hazardous wastes into the wastewater system. During the preliminary inspection of the Industrial User, a copy of the *Industrial User Hazardous Waste Notification Requirements* will be given to the Industrial User to complete.

C. Notification Procedure

The following is the procedure to be taken in notifying Industrial Users:

1. The Pretreatment Coordinator will maintain a record of each Industrial User's address.

2. When the need to disseminate information arises, the Pretreatment Coordinator will prepare a general mailing.

3. The Pretreatment Coordinator will determine which Industrial Users are to receive the mailing.

4. Responses should be tracked and filed by the Pretreatment Coordinator.

JORDAN BASIN WATER RECLAMATION FACILITY

RCRA INFORMATION BROCHURE

This brochure is designed to give you an understanding of the Resource Conservation and Recovery Act (RCRA) and how the Act affects you as an industry that generates or transports "hazardous" wastes. The brochures intent is to provide you with basic guidance about applicable RCRA provisions. However, due to the Acts technical complexity, its staggered deadline for program implementation and compliance, and the potential for your State hazardous waste management program requirements to differ from Federal regulation, questions will undoubtedly arise that require assistance beyond the brochures scope. Questions or problems not completely addressed here should be referred to your State solid waste management office or the appropriate EPA Regional office.

Congress enacted RCRA in 1976 (and subsequently amended it in 1978, 1980, and 1984) to define a Federal role in solid waste and resource management and recovery. The Act's primary goals are: (1) to protect human health and the environment from hazardous and other solid wastes; and (2) to protect and preserve natural resources through programs of resource conservation and recovery. Its principal regulatory focus is to control hazardous waste. To this end, RCRA mandates a comprehensive system to identify hazardous wastes and to trace and control their movement from generation through transport, treatment, storage, and ultimate disposal.

Extensive hazardous waste regulations have been promulgated under RCRA's authority. These regulations are codified under 40 CFR Parts 260, 261, 262, 263, 264, 265, 266, and 270. Specifically, RCRA provisions are focused in the following way:

- Part 260: General
- Part 261: Hazardous waste identification and listing
- Part 262: Hazardous waste generators
- Part 263: Hazardous waste transporters
- Part 264-265: Owners and operators of hazardous waste facilities
- Part 266: Special requirements
- Part 270: Hazardous waste permits.

This brochure briefly outlines 40 CFR Parts 261, 262, and 263. 2

HOW TO DETERMINE IF YOUR WASTE IS HAZARDOUS

As part of a comprehensive program to regulate hazardous wastes from "cradle to grave," Section 3001 of RCRA directs EPA to establish ways to determine what waste materials are considered hazardous for regulatory purposes. The Section 3001 regulations are codified in 40 CFR Part 261. In addition, 40 CFR Part 262 requires solid waste generators to determine whether they are hazardous.

If your business generates any material which is discarded or disposed of, you must determine if that material is a "solid waste," according to the regulatory definition. In January 1985, EPA proposed its final definition of solid waste. According to this definition, "solid waste" is any material that is abandoned or being disposed of, burned, or incinerated -- or stored, treated, or accumulated before or in lieu of these activities. The term includes essentially all forms of waste (i.e., solids, liquids, semisolids, or contained gaseous substances).

In addition, most recycled material are now considered solid wastes by EPA, depending on both the recycling activity itself and the nature of the recycled material. The following four types of recycling activities are potentially subject to RCRA regulation:

- Uses which actually constitute ultimate disposal (for example, land spreading of wastewater treatment sludges for fertilizer)
- Burning waste or waste fuels for energy recovery or using wastes to produce a fuel
- Reclamation – regeneration of wastes or the recovery of material from wastes
- Speculative accumulation – either accumulating wastes that are potentially recyclable but for which no recycling (or no feasible recycling) market exists, or accumulating wastes before recycling unless 75 percent of the accumulated material is recycled during a one-year period.

Five categories of recycled (termed secondary) materials also fall under this solid waste definition:

- Spent material – materials that have been used and no longer serve the purpose for which they were originally produced without being regenerated, reclaimed, or otherwise reprocessed. Examples include spent solvents and spent acids.
- Sludges – residues from pollution control processes, such as wastewater treatment sludges and air emission control wastes.
- By-products – residual materials resulting from industrial, commercial, mining, and agricultural operations that are not primary products, are not produced separately, and are not fit for a desired end use without substantial further processing. Examples are process residues from manufacturing or mining processes, such as distillation, column residues or mining slags.
- Commercial chemical products – products listed in 40 CFR Part 261.33 when they are recycled in ways that differ from their normal use.
- Scrap metal – metal parts discarded after consumer use or that result from metal processing operations. Examples include scrap automobiles and scrap radiators.

Some materials, however, are NOT considered solid wastes under RCRA, including domestic sewage or any mixture of domestic sewage and other wastes that pass through a sewer system to

a POTW. Also excluded are wastes regulated under other Federal laws, such as industrial wastewater discharge directly to public waters (which must be properly permitted) and many nuclear or radioactive materials (regulated by the Department of Energy and/or the Nuclear Regulatory Commission).

There are two ways to know if your waste is regulated as a hazardous waste under Federal law:

- If it exhibits one or more of the following four characteristics – ignitability, corrosivity, reactivity, and toxicity (based on EPA extraction procedures) – it is considered a characteristic waste under RCRA.

- If it (or any part of it) is listed in 40 CFR 261.31-261.33, it is commonly called a listed waste in RCRA regulations. EPA developed these lists of hazardous wastes based on what was known about specific chemicals and wastestreams. Whether or not a waste is hazardous according to the characteristic wastes criteria, if your firm's waste appears on any of the lists, it is considered a listed hazardous waste. Thus, your firm must comply with the notification requirements of RCRA Section 3010 and with the requirements outlined in 40 CFR 262-266 and 270-271 (described below). Most listed substances are considered toxic; however, some wastes or substances appear on the list solely because they exhibit one or more of the characteristics of hazardous waste.

Whether a waste is regulated as a hazardous waste may also depend on two other factors. First, as 1984 RCRA amendments go into effect, some new wastes that previously were not regulated will come under hazardous waste regulations. Second, some States apply their own hazardous waste regulations to wastes in addition to those listed in Federal regulations. Thus, if you are in doubt about whether your waste is regulated under Federal or State hazardous waste regulations, you should contact the State hazardous waste agency or EPA Regional office.

RCRA REQUIREMENTS APPLICABLE IF YOUR INDUSTRY GENERATES HAZARDOUS WASTE

Section 3002 of RCRA gives EPA authority to regulate generators of hazardous waste in order to protect human health and the environment. These regulations, in 40 CFR 262, specify hazardous waste management procedures for generators, including recordkeeping, labeling, use of appropriate containers, information reporting, and use of shipping manifests. Basic requirements for generators of hazardous waste are explained below.

These requirements for hazardous waste generators are also affected by whether EPA considers your facility to be a "small quantity generator." As of August 5, 1985, EPA distinguishes three classes of small quantity generators for regulatory purposes:

- Those generating between 100 and 1,000 kilograms of non-acutely hazardous waste per calendar month

- Those generating up to 100 kilograms of non-acutely hazardous waste per calendar month

- Those generating less than one kilogram of acutely hazardous waste per calendar month. In general, the latter two classes of small quantity generators are subject to less stringent requirements than establishments producing large quantities of hazardous waste. The small quantity generator exclusion is discussed in more detail below. If you have questions about how these regulations apply, contact your State hazardous waste agency or EPA Regional office.

NOTIFY EPA

If your facility generates, transports, treats, stores, or disposes of hazardous wastes and is not exempt from regulation, you must notify EPA or an authorized State and obtain an identification number. Most small quantity generators are not required to notify EPA. It is important to note that many States have regulations that differ from Federal requirements. If your business is involved in hazardous waste activities, you should contact the appropriate State agency to determine which regulations are applicable to you.

The RCRA Amendments of 1984 extend notification requirements to industries covered by the Domestic Sewage Exemption, that is industries which discharge "solid and dissolved materials in domestic sewage" that would be defined as "hazardous waste" were they not mixed with domestic sewage and discharged to sewers. EPA has yet to formally implement this expanded notification requirement. If you fall under this exemption, you should periodically contact your State or EPA Region to keep abreast of these impending notification requirements.

OFF-SITE DISPOSAL OF HAZARDOUS WASTES

If you generate, transport, treat, store or dispose of any hazardous wastes (and your waste activities are not exempt from regulation), you must comply with applicable Federal, State, and local hazardous waste management requirements, both when the waste remains on your premise and when it is transported off-site. Basic requirements for the off-site disposal of hazardous wastes include:

- **Obtain EPA Identification Number** – Most Federally regulated generators and transporters of hazardous waste must have EPA identification numbers. An EPA identification number is required prior to any transportation, treatment, storage, or disposal of hazardous waste. A generator must not deliver hazardous waste to any transporter or TSDF without an EPA identification number.

- **Complete Manifests** – Generators of hazardous waste are required to prepare a manifest containing the following information for each load of hazardous waste transported:

  - Generator name, address, telephone number and EPA identification number

  - Transporter name and EPA identification number

- Name, address, and EPA identification number of permitted facilities receiving waste

- Description of hazardous wastes transported

- Waste quantities, types and number of containers

- Certification for proper packaging, marking, labeling and transportation

- Waste minimization certification

- Manifest document number.

  Upon delivery of waste to the transporter, the generator should sign and date the manifest, have the transporter sign the manifest, retain one copy, and provide the transporter with all remaining copies. A generator who does not receive, within 35 days, a manifest copy signed by the facility designated to receive the waste must contact the transporter or designated facility to determine what happened to the waste. A generator who has not received, within 45 days, a signed manifest copy must submit an exception report to the EPA Region.

  It is important to remember that, before transporting any hazardous waste off-site, a generator must comply with packaging, labeling, marking, and placarding requirements. RCRA pre-transport requirements generally incorporate U.S. Department of Transportation regulations, described in 49 CFR Part 171-172. In addition, all generators must keep records of any test results, waste analyses, or other determinations made in accordance with 40 CFR Part 262.11 for at least three years.

- **Prepare Biennial Report** – Generators that ship hazardous wastes off-site must prepare and submit a report to the appropriate EPA Region by March 1 of each even-numbered year. This report covers hazardous waste generator activities during the previous odd-numbered calendar year. Some States require annual reports.

EXCEPTIONS AND EXEMPTIONS TO RCRA REGULATIONS FOR GENERATORS

If the wastes your business generates would normally be subject to hazardous waste regulations, they may be exempt in three specific circumstances:

- Domestic Sewage Exemption. In order to regulate hazardous waste generators under 40 CFR 261.4(a), materials which would normally be subject to hazardous waste regulations are exempt because they are not defined as "solid waste." Thus, the domestic sewage exception covers:

  - "Untreated sanitary wastes that pass through a sewer system"

- Any mixture of domestic sewage and other wastes that passes through a sewer system to a POTW for treatment.

- On-site Treatment or Disposal Exemption. RCRA regulations contain a broad exemption for the on-site treatment and storage of wastewaters, including the following types of facilities:

  - ***Wastewater Treatment Units*** – Devices which: (1) are part of a wastewater treatment facility subject to regulation under Sections 307 or 402 of the Clean Water Act (i.e., direct dischargers of wastewaters); (2) receive and treat or store hazardous influent wastewater, or generate and accumulate a hazardous wastewater treatment sludge, or treat or store hazardous wastewater treatment sludge; and (3) meet the EPA definition of a tank.

  - ***Totally Enclosed Treatment Facilities*** – Facilities to treat hazardous waste which are directly connected to an industrial production process, and constructed and operated in a manner which prevents the release of any hazardous waste or any constituent thereof into the environment during treatment. EPA states that "a totally enclosed treatment facility" must: (1) be completely contained on all sides, (2) pose negligible potential for escape of constituents to the environment, (3) be connected directly by pipeline or similar totally enclosed device to an industrial production process. The Agency also indicated that effluent discharged to a POTW is exempt from RCRA regulation. However, it is subject to pretreatment regulations.

  - ***Elementary Neutralization Units*** – Devices used for neutralizing waste defined as hazardous solely because it is corrosive and which meets the definitions of tank, container, transport vehicle or vessel in 40 CFR 260.10.

    The treatment and storage exception cited above does not apply to any on-site facility which does not qualify as a wastewater treatment unit, a totally enclosed treatment facility, or an elementary neutralization unit. Consequently, open storage facilities (e.g., waste pile or surface impoundments) and on-site disposal operations (e.g., landfills, land application, or incineration) are governed by storage and disposal facility requirements and RCRA permitting requirements.

    RCRA is designed to provide stringent regulations for open facilities, such as surface impoundments, which are more likely to result in a release of hazardous wastes, while providing somewhat more flexible regulation of enclosed or semi-enclosed systems (e.g., treatment tanks, etc.) which tend to pose less risk to the environment. The RCRA Amendments of 1984 strengthen Federal regulatory authority over all of these systems. EPA is in the process of revision regulations for these systems and developing standards for corrective action for them. For more complete and current information, you should contact your State hazardous waste agency or EPA Region.

- Small Quantity Generator Exclusion. EPA does not currently regulate generators of small quantities of hazardous waste as stringently as it regulates generators of larger quantities. Small quantity generators are exempt from notification, generator, transporter, TSDF, and RCRA permitting requirements. The Agency now divides small quantity generators into three classes:

  - Generators of less than one kilogram per month of acutely hazardous waste

  - Generators of less than 100 kilograms per month of non-acutely hazardous waste

  - Generators of between 100 and 1,000 kilograms per month of non-acutely hazardous waste.

    The first two classes of hazardous waste generators are required only to perform a hazardous waste determination, store, treat, or dispose of hazardous waste on-site in accordance with regulations, or ensure its delivery to an authorized hazardous or nonhazardous treatment, storage, or disposal facility.

    The third class of generators, those who generate between 100 and 1,000 kilograms of hazardous waste per month, while still exempt from the bulk of RCRA requirements, are now required to accompany all off-site shipments of hazardous waste with a single copy of the Uniform Hazardous Waste Manifest (EPA Forms 8700-22 and 8700-22 A) or the State equivalent. This form must contain the following information:

  - Name and address of the waste generator

  - U.S. Department of Transportation description of the waste, including shipping name, hazard class, and identification number (UN/NA)

  - Number and type of containers

  - Quantity of waste in the shipment

  - Name and address of the facility designated to receive the waste.

    Although EPA does not regulate small quantity generators as stringently as large quantity generators, several States have small quantity generator requirements. Thus, if you have any questions about requirements for hazardous waste management, you should contact the State hazardous waste agency or EPA.

RCRA REQUIREMENTS APPLICABLE IF YOUR INDUSTRY TRANSPORTS HAZARDOUS WASTE

EPA, the U.S. Department of Transportation, and many States regulate transportation of hazardous waste in order to protect human health and the environment from hazardous waste releases. EPA's regulatory authority for transporters is based on Section 3003 of RCRA. EPA and the Department of Transportation have jointly set standards for hazardous waste transportation, which are described in 40 CFR Parts 262 and 263, and 49 CFR Parts 171 and 172. These standards include recordkeeping, labeling, and manifest requirements, as well as the requirement to transport hazardous wastes only to permitted facilities for treatment, as designated on hazardous waste shipping manifests. Hazardous waste transporters hauling wastes to POTW collection systems or treatment plants must ensure that these wastes meet all local, State, and Federal pretreatment standards, in addition to RCRA requirements.

NOTIFICATION TO EPA AND EPA IDENTIFICATION NUMBER

If your firm transports hazardous waste, you must notify EPA or an authorized State hazardous waste agency and obtain an EPA identification number. Transporters must not move hazardous wastes without an EPA identification number. EPA Regional Offices have special procedures to issue provisional identification numbers to generators and transporters of hazardous waste under emergency or other unusual circumstances when it becomes necessary to transport the waste to an authorized hazardous waste management facility. In emergency 10 situations, the transporters should telephone the EPA Regional Office and obtain a provisional identification number and additional instructions.

MANIFESTS AND REPORTS

Transporters may not accept hazardous waste from generators unless each load is accompanied by a completed manifest. The manifest must accompany the hazardous waste at all times. Upon delivery of the hazardous waste to another transporter or designated facility, transporters must:

- Have the transporter or owner/operator of the designated facility sign and date the manifest
- Retain one copy of the manifest and give the remaining copies to the transporter or facility accepting the waste.

TRANSPORTER OR GENERATOR AGREEMENTS WITH DESIGNATED FACILITIES

In many cases, treatment, storage, and disposal facilities (including POTWs) will accept deliveries of hazardous waste only if they have agreements with transporters and/or generators. These agreements may designate types, strengths, and quantities of hazardous waste which the facility will accept, limit conditions of waste to be accepted (for example, "no liquid hazardous wastes"), designate times and locations for accepting deliveries, and designate treatment, storage, or disposal fees. Hazardous waste transporters are legally responsible for delivery of the entire

quantity of hazardous waste accepted from a generator or another transporter to the facility designated by the manifest, or to designated alternate facilities. Before accepting any consignment of hazardous waste for transportation, you should make sure that the treatment, storage, or disposal facility designated on the manifest or an alternate designated facility will accept delivery of your waste.

South Valley Sewer District

INDUSTRIAL USER HAZARDOUS WASTE NOTIFICATION REQUIREMENTS

40 CFR 403.12(p)

The Industrial User shall notify SVSD, the EPA Regional Waste Management Division Director, and State hazardous waste authorities in writing of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the Industrial User discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification shall also contain the following information to the extent such information is known and readily available to the Industrial User:

An identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve months.

Industrial users shall provide the notification no later than 180 days after the discharge of the listed or characteristic hazardous waste. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed discharges must be submitted under 40 CFR 403.12(j). The notification requirement in this section does not apply to pollutants already reported under the self-monitoring requirements of 40 CFR 403.12(b), (d), and (e).

Dischargers are exempt from the requirements of paragraph 40 CFR 403.12(p)(1) of this section if during a calendar month they discharge no more than fifteen kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the Industrial User discharges more than such quantities of any hazardous waste do not require additional notification.

In the case of any new regulations under section 3001 of Resource Conservation and Recovery Act (RCRA) identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the Industrial User must notify SVSD, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within 90 days of the effective date of such regulations.

In the case of any notification made under paragraph 40 CFR 403.12(p), the Industrial User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

SOUTH VALLEY SEWER DISTRICT
Industrial User Notification Form
(Hazardous Wastes Discharged to SVSD)

Industrial Users may use this form to record hazardous waste discharged to the SVSD sewer system, and report those discharges to the SVSD.

Industrial User: _____

Address: _____

Discharges of less than 100 kilograms per calendar month:

Hazardous Waste	EPA Hazardous Waste Number	Type of Discharge*

**Continuous, batch or other.*

Discharges of more than 100 kilograms per calendar month:

Hazardous Waste	EPA Waste Number	Type of Discharge*	Hazardous Constituents	Discharges in Coming Year (mg/l)	(lbs)

*Continuous, batch or other

3.8 SLUG DISCHARGE CONTROL PROGRAM

3.8.1 Purpose

The SVSD has developed this Slug Discharge Control Program in order to provide:

A. An orderly means of identifying potential sources of Slug Discharges.

B. A control program at those industrial users (IU) which will reduce the exposure of the SVSD to any impact from a Slug Discharge.

C. An organized response should a Slug Load enter the POTW system.

3.8.2 Legal Authority

U.S. Code of Federal Regulations, Title 40, Part 403.8(f)(2)(vi)

Pretreatment Rules and Regulations, Section 2.3.3

3.8.3 Program

The Slug Discharge Control Program is provided to identify and control potential sources of slug discharges. It will also outline the response the POTW will implement in order to avoid or reduce the impact of the Slug Load on the POTW, the receiving water, and maintain the beneficial reuse of sludge produced at the facility.

A. Slug Discharger Identification Procedure

IUs which exhibit a reasonable potential for Slug Discharges will be required to complete a "Slug/Spill Potential Survey" provided by the SVSD. Based on the review of the IUs completed surveys, all IUs will be classified into one of the following categories:

1. Low-Risk Facilities do not require controls.

2. Medium-Risk Facilities should be required to undertake some preventative measures.

3. High-Risk Facilities will be required to develop and implement a facility-specific Slug Discharge Control Plan.

The IU will be notified of its high-risk classification and required to notify the SVSD if plant conditions and/or risk factors change.

B. IU Slug Control Program

The eight general elements of IU Slug Control Plans will be briefly explained below.

1. General Information: General information should include a brief description of the IU, discharge practices, applicable pretreatment standards, and description of previous Slugs and corrective actions.

2. Facility Layout and Flow Diagrams: Each Plan should include detailed drawings of the facility showing the following:

   a. General layout of the facility
   b. Areas occupied by manufacturing or commercial activities; property boundaries, drainage of rainwater, and connections to the SVSD sanitary sewer, and the respective city's storm water system
   c. Hazardous materials process and storage areas; waste handling, storage, and treatment facilities
   d. Loading and unloading areas
   e. Floor drains, pipes and channels which lead away from potential leak or spill areas (identify by coding footnotes, or narratives describing drainage patterns)
   f. Flow diagram(s) showing chemical and wastewater flow including piping and instrumentation, flow rates, tanks and tank capacities, treatment systems, and final destinations of flows.

3. Material Inventory: The facility should provide sufficient data on all materials of concern used and stored at the facility. Descriptions of the material handled, the location of these materials, descriptions of containment, transfer and transport, as well as any additional comments should be provided.

4. Spill and Leak Prevention Equipment: This section of the IU's Slug Control Plan should identify all existing equipment and/or systems that the IU has in place or will shortly obtain to both prevent and contain spills. If equipment needs to be purchased, the expected purchase dates should be provided.

5. Operations and Maintenance Procedures: The operation and maintenance procedures designed to minimize spills at a facility are as important as the selection and installation of the equipment. Many operation and maintenance procedures are considered common-sense, but should still be adequately explained in the Plan.

6. Emergency Response Equipment and Procedures: Information that should appear in this section of the IU Plan includes an inventory of available IU emergency response equipment and a detailed description of emergency response procedures. Each IU Plan should contain a detailed description

of procedures to be followed in responding to a hazardous spill at the facility. These procedures should be consistent with the ones established in the facility's OSHA Emergency Action Plan, as required by 29 CFR 1910.38.

7. Slug Reporting: Procedures for reporting and documenting spills and Slug Discharges should be described in the Plan. At a minimum, the IU follow-up report should include:

   a. The time, date, and cause of the incident;
   b. The impact of the spill on the SVSD and the environment;
   c. Extent of injury and/or damage;
   d. A description of clean-up, treatment, and disposal; and
   e. How other incidents of this type can be avoided in the future.

8. Training Program: The IU's Plan should contain an outline of the employee's training program. Specialized training should also be provided to each employee or group of employees that handle potentially hazardous chemicals.

   A "Slug/Spill Control Plan Review Checklist" is provided by the SVSD to assist in the review of the IUs control plan.

C. SVSD Slug Response Program

Slugs may occur despite the implementation of a well-designed Industrial User Slug Control Plan. Identification of a Slug Discharge event may come from any of several sources such as remote early warning system, notification from the IU source, an individual or agency, or by visual or other observations of influent wastewaters. The following procedure shall be followed after identification of a Slug Discharge that has or will enter the JBWRF.

1. System Priorities:

   a. The protection of employee health and safety.
   b. The protection of JBWRF operations.
   c. The protection of the receiving stream and the beneficial reuse of sludge.

2. Notification:

   The person receiving notification of the spill should make sure the following agencies are notified:

   SVSD Pretreatment Department
   Phone Number (385) 202-2777

Local Fire Department – Emergency Response Coordinator
Phone Numbers (435) 468-3862

Utah County Health Department
Phone Number (801) 851-7525

Salt Lake Valley Health Department
Phone Number (385) 468-3862

Utah Division of Water Quality
Day: (801) 536-4300, Night: (801) 231-1769

Department of Environmental Quality
24 Hour emergency number (801) 536-4123

U.S. EPA Region 8
24 Hour Hot Line (303) 293-1788

These phone numbers should be prominently posted in the workplace.

3. Record Keeping: Good record keeping is an important element of the response program since records may provide useful information for future slug situations.

4. Response Measures:

   a. Take necessary steps to protect worker safety including full use of protective equipment and clothing. DO NOT COMPROMISE WORKER SAFETY IF NATURE OR CONTENT OF SLUG LOAD IS UNKNOWN - ASSUME IT IS HAZARDOUS AND TAKE APPROPRIATE PRECAUTIONS!
   b. Take steps necessary to protect POTW microbiology, including, if necessary, bypass of treatment units.
   c. Perform clean-up activities as directed by the Fire Department's Emergency Response Coordinator. Note that the Emergency Response Coordinator is in charge of any cleanup activities within the local area.

D. Tracking

Upon detection, and while the response measures are underway, the slug loading source should be tracked by checking pump stations and manholes upstream from the first detection point up to the discharge point.

E. Sampling and Analysis

The investigation of a slug should include sampling and analysis of the discharged material in the collection system or at the plant site. Identifying the slug material is essential to identify the slug source and determining the method of clean-up.

F. Penalties

The SVSD has the authority to enforce civil penalties against any IU that violates the prohibited discharge standards or requirements as established under the Pretreatment Rules and Regulations.

G. Program Review

After the slug incident is concluded, the SVSD will review its Slug Control Program. Any problems encountered by the SVSD during response or follow-up activities will be analyzed to indicate deficiencies in the SVSD's program. Corrective measures can then be devised to improve the program.

SLUG/SPILL POTENTIAL SURVEY
DATE ___/___/___

Industrial User (if known):_____

Address:_____

Industry Contact:_____ Title:_____

Work Phone:_____ Emergency Phone: _____

1. Does your company have a Spill Control or Slug Control Plan? If so, attach a copy and only fill out the information not found in the attached plan.

2. Workdays:

   MONDAY TUESDAY WEDNESDAY THURSDAY FRIDAY SATURDAY SUNDAY

3. Shifts, number per workday 1. _____ 2. _____ 3. _____
   Employees per shift _____ _____ _____
   Starting time _____ _____ _____
   Ending time _____ _____ _____

   If information varies between workdays, please explain:_____
   _____
   _____
   _____

4. Give a brief description of all operations at this facility:_____
   _____
   _____
   _____

5. Identify all categorical pretreatment standards applicable to this facility:_____
   _____
   _____
   _____

6. Describe the processes which discharge wastewater: _____
   _____
   _____
   _____

7. Is the wastewater discharge:

CONTINUOUS? _____ BATCH?_____

Frequency of Batch per Period, (e.g. 1/week): _____
Volume per Batch: _____

List Constituents of Discharge and Discharge Volumes of Each:

CONSTITUENTS	VOLUMES

8. Describe any previous spill events for this facility and corrective actions taken to prevent future spills: _____

9. Describe procedures to be followed in response to a spill at the facility:_____

10. Describe any Spill Prevention and Response Training given to employees:_____

11. Materials stored on site:

MATERIAL	QUANTITY	CONSTITUENTS

12. Do drains exist in proximity to the storage area? Yes _____ No _____

13. Describe the containment structures around storage and transportation areas:_____

_____

_____

14. Attach drawing showing the facility and process flow diagrams.

*{**For JBWRF use only:** Does this industry need a slug/spill plan?_____}*

SLUG / SPILL CONTROL PLAN REVIEW CHECKLIST
DATE ___/___/___

NAME OF I.U._____

		ACCEPTABLE YES	NO
1.	**GENERAL INFORMATION**		
	IU Name and Address	_____	_____
	IU Contact	_____	_____
	Discharge Practices	_____	_____
	Security Provisions	_____	_____
2.	**FACILITY LAYOUT FLOW DIAGRAMS**		
	General Layout	_____	_____
	Manufacturing	_____	_____
	Storage	_____	_____
	Transportation	_____	_____
	Disposal areas	_____	_____
3.	**MATERIAL INVENTORY**		
	Types	_____	_____
	Volumes	_____	_____
4.	**SPILL AND LEAK PREVENTION EQUIPMENT**		
	Inventory	_____	_____
	Location	_____	_____
5.	**OPERATIONS AND MAINTENANCE PROCEDURES**		
	Operations and Maintenance Procedures	_____	_____
6.	**EMERGENCY RESPONSE EQUIPMENT AND PROCEDURES**		
	Inventory	_____	_____
	Procedures	_____	_____
7.	**SLUG REPORTING**		
	Procedures for notifying the JBWRF	_____	_____
8.	**TRAINING PROGRAM**		
	Proper training provided for employee	_____	_____

Refer to *Control of Slug Loadings to POTWs, Guidance Manual*, pages 2-28 to 2-41 for specifics on each of the elements in the Slug Control Plan.

SLUG DISCHARGE REPORT

Industrial User (if known):_____

Date of Slug Load:_____

Telephone Number:_____

Time:_____

SLUG RESPONSE EVALUATION

Who made the notification of the Slug Load?_____

Briefly summarize the response effort.

Control_____

_____

Containment_____

_____

Disposal_____

_____

Remedial Actions_____

_____

Describe the investigation (if any) into the incident._____

_____

_____

What was the effect of the incident on the Treatment Facility? *(Documentation of pass-through, interference, damages to the plant and any other problems)* _____

_____

_____

What actions are to be taken toward the Industrial User? *(Change in risk factor, modification to slug control plan, enforcement action, and compliance schedules)*_____

_____

_____

3.9 ENFORCEMENT RESPONSE PLAN

3.9.1 Purpose

The purpose of the Enforcement Response Plan is to ensure that Users of the wastewater treatment facilities comply with pretreatment standards and requirements set forth in the SVSD Wastewater Pretreatment Program.

3.9.2 Legal Authority

U.S. Code of Federal Regulations, Title 40, Parts 401, 403, 403.8(f)(5)

Utah Code Annotated, 1953, Title 19, Chapter 5

Pretreatment Rules and Regulations, Sections 2.11, 2.12, 2.13, 2.14, and 2.15

3.9.3 Program

The Enforcement Response Plan sets forth a Plan of Action for the SVSD to follow in the event that the Pretreatment Rules, Regulations, Laws or permits which apply to the Industrial Pretreatment Program are violated. The types of violations which are likely to occur are listed below under Enforcement Violations along with suggested responses. Figure 3, *Flow Diagram for Evaluating Enforcement* gives the subsequent types of action available should the initial Enforcement Action fail to resolve the violation. Time constraints for Enforcement Actions are found in Figure 4, *Timeframe for Responses*. The Enforcement Guide is set forth in Figure 5.

It is important that the SVSD is consistent in its application of its Enforcement Actions so that the JBWRF avoids criticism.

There are three elements to consider in the Enforcement Response Plan:

* Enforcement Violation – A violation by the Industrial User which triggers the ENFORCEMENT RESPONSE PLAN.

* Enforcement Action – An action taken by the SVSD in response to an Enforcement Violation.

* Responsible Party – The person in the SVSD who is responsible for a particular Enforcement Action.

A. Enforcement Violations

Violations can be divided into five main groups as listed below. Each of the groups has several types within it. Following is an outline of the Violations:

1. Unauthorized Discharge

a. Unpermitted Discharges - An Industrial User fails to obtain a discharge permit (harm or no harm).
b. Non-permitted Discharges - An Industrial User fails to renew a discharge permit.

2. Discharge Limit Violation

a. Isolated exceedance of permit limit (no harm)
b. Isolated exceedance of permit limit (harm)
c. Recurring exceedance of permit limit (no harm)
d. Recurring exceedance of permit limit (harm)
e. Reported slug load (no harm)
f. Reported slug load (harm)

3. Non-discharge Violations

a. Report is over 30 days late
b. Report is not signed or certified correctly
c. Falsification of data
d. Failure to monitor for all regulated pollutants
e. Improper sampling procedures
f. Failure to install monitoring equipment
g. Failure to complete or submit progress reports in a compliance schedule.

4. Other Permit Violations

a. Dilution of waste streams.
b. Failure to mitigate noncompliance.
c. Failure to properly operate and maintain pretreatment facility.

5. Violations discovered during a visit

a. Entry denial
b. Unpermitted discharge point
c. Inadequate record keeping
d. Failure to report additional monitoring.

B. Enforcement Actions

The SVSD has a wide variety of actions to take in responding to the Enforcement Violations. The Enforcement Actions vary in severity and depend on the severity of the Violation. Depending on the response of the Industrial User to the initial Enforcement Action a more severe action could follow. Following are the types of Enforcement Actions:

1. Telephone Call/Personal Conversation

   Telephone calls are intended to provide an immediate form of notification for relatively minor violations. Calls to an industrial user shall be directed at the violation observed and corrective action planned by the Industrial User. Notes of the telephone call shall be written and the time, date, and person contacted shall be recorded and filed in the IU's file. A sample telephone log is set forth in Figure 6.

2. Notice-of-Violation Letter

   The Notice of Violation (NOV) letter is sent to inform the industry of relative minor or infrequent violations of pretreatment standards and requirements. The letter is either hand-delivered or sent by certified mail. The NOV explains the violation and provides the Industrial User with a chance to respond and rectify the problem. The NOV also provides a means of documenting previous verbal communications concerning the issue.

3. Publish in Newspaper

   Any Industrial User which is in Significant Non-Compliance (see Summary of Significant Non-Compliance, Monitoring Chapter) will have its name along with the relevant violation published in a newspaper of general circulation within the SVSD. All such notices should be published by February 28th each year for Industrial Users in Significant Non-Compliance for the previous year.

4. Show Cause Hearing

   Should either a call or letter fail to bring about timely rectification of a violation, the SVSD will order a show cause hearing to allow the industrial user to show why the SVSD should not proceed with more stringent enforcement action. The hearing is to be conducted in accordance with guidance given in the Pretreatment Rules and Regulations. The results of a show cause hearing could result in no additional action or one of four possible increasing enforcement actions.

5. Consent Agreement

   The consent agreement is the least stringent outcome of a show cause hearing. Essentially the agreement will be a negotiated plan for the industry to return to pretreatment permit compliance. The agreement may include compliance schedules, pass-through of additional costs from the SVSD to the industry and the imposition of fines for violations. Generally consent agreements work with cooperative industries.

If the consent agreement includes a compliance schedule the compliance schedule must include compliance date of any schedule that exceeds 3 months. The compliance reports must be submitted with information regarding how a schedule is moving forward to achieve compliance with the agreement. Compliance schedules will not be allowed for more than two years and reports will be due every 3 months with any schedule.

6. Compliance Order

The Compliance Order allows the Treatment Facility Manager to direct the user to come into compliance within a specified time and explains the adverse legal effects of continued violations. Compliance Orders may contain other requirements such as additional self-monitoring and management practices designed to minimize flows.

7. Cease and Desist Orders

Cease and Desist Order – This order requires the Industrial User to cease activities which are causing or contributing to a permit violation. Generally a specific time frame for action is specified. The Cease and Desist Order may include the recovery from the Industrial User of additional costs being incurred by the SVSD.

8. Civil Litigation

Civil Litigation is the formal process whereby the SVSD files a lawsuit against the Industrial User to secure court ordered action to correct violations and to secure penalties for the violations including recovery of the costs to the SVSD for the noncompliance. Civil litigation also includes enforcement measures which require involvement or approval by the courts, such as injunctive relief.

9. Referral to State

For violations of such a nature where criminal prosecution may become necessary, the SVSD will refer these to the State of Utah for further action.

10. Termination of Service

When violations are of such a severe nature that they pose a human health threat, threaten the environment, cause the JBWRF to violate its UPDES permit or where no other actions have succeeded, the SVSD will terminate the sewer service to the Industrial User.

11. Penalty Calculations

An important part of the Enforcement Response Program is the assessment of Financial Penalties. The penalty for any pretreatment violation should be based on the economic benefit gained by the violator. P-Ben is a computer model used to calculate penalties for Industrial Users and should be used in the event of a financial penalty.

An appropriate penalty may be based on the magnitude of the violation, the duration of the violation, effects on the POTW or receiving water, compliance history of the user and good faith of the user.

The SVSD has the option of using one of several Enforcement Actions. The Enforcement Action chosen depends on several factors:

a. Severity of Violation
b. History of Violations
c. Cooperation of the Industrial User.

The Enforcement Incidence Form may be used to summarize types of enforcement utilized and is set forth in Figure 7. Figure 8 contains an Enforcement Response Annual Review form that may be used by SVSD.

C. Responsible Party

The type of Enforcement Action dictates which of the SVSD personnel will address the violation. Following is an outline of those responsibilities:

1. The Pretreatment Coordinator is responsible for administrative action of violations when they first occur and are of a less severe nature. He/she needs to monitor the particular Enforcement Action regardless of the Responsible Party.

   a. Telephone calls.
   b. Informal meetings
   c. Issuance of Notices of Violation

2. The Treatment Facility Manager has the responsibility to monitor the Pretreatment Coordinator's actions and to initiate the following enforcement actions:

   a. Show Cause Hearing
   b. Consent Agreements
   c. Administrative Orders
   d. Referrals to the Attorney for Civil Litigation
   e. Referral to the State for Criminal Action.

3. The Attorney for the SVSD will provide legal consultation as requested by the Treatment Facility Manager (after consultation with the General Manager) on consent agreements and administrative orders and will take the lead on all civil litigation referred to him/her.

Figure 3
Flow Diagram for Evaluating
Show Cause Enforcement Action

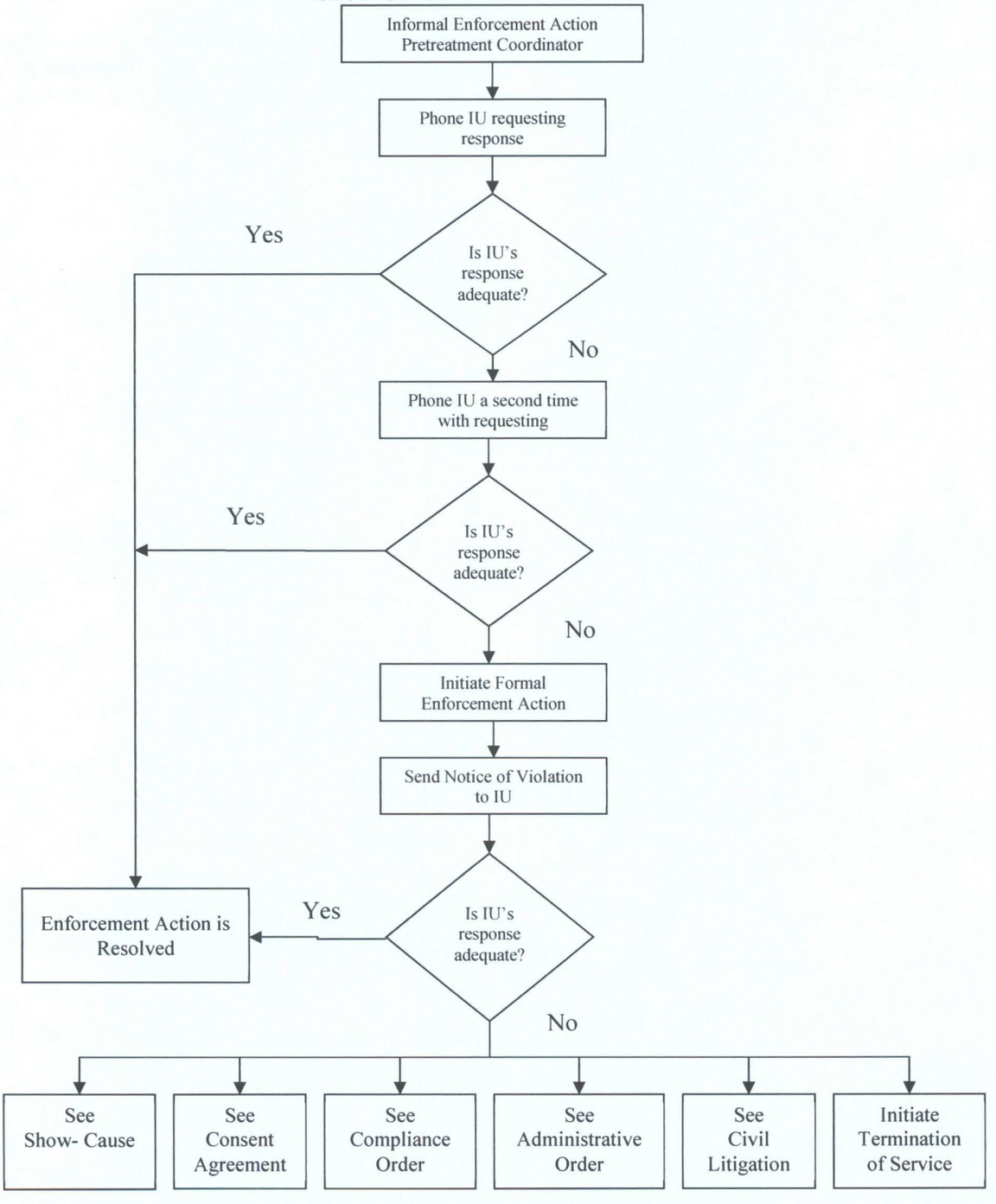


Figure 3
Flow Diagram for Evaluating
Show Cause Enforcement Action

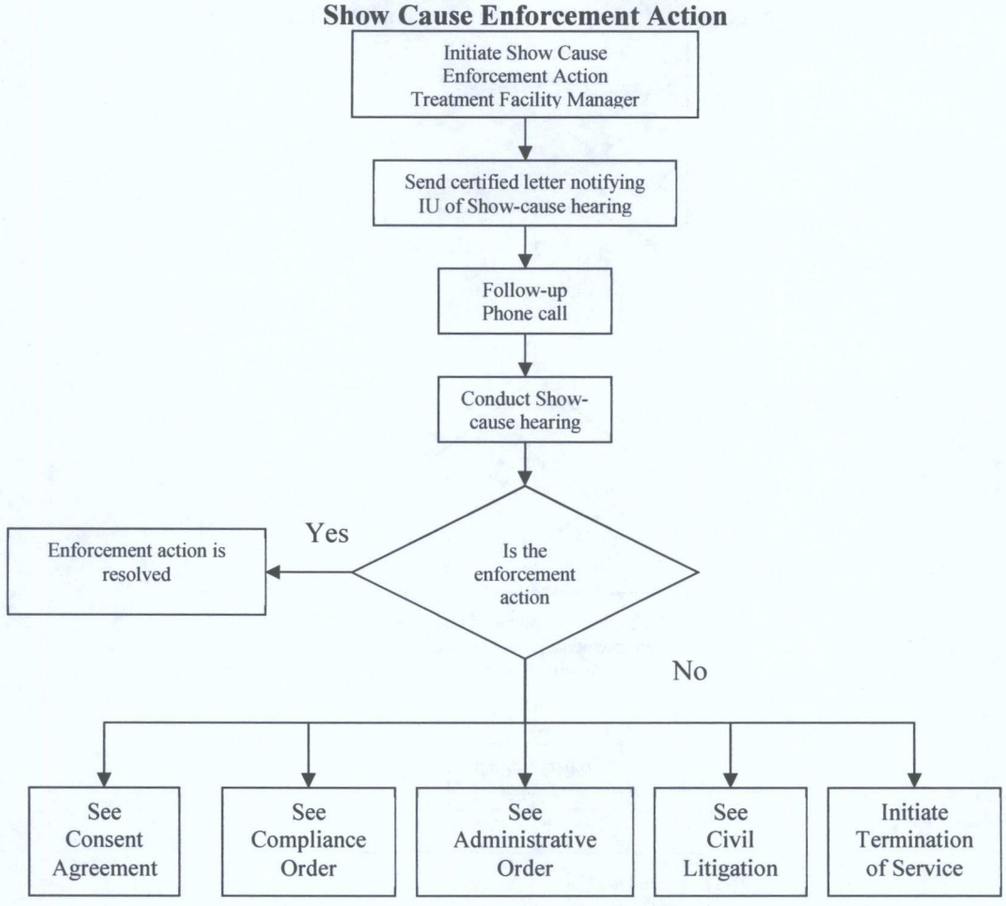


Figure 3
Flow Diagram for Evaluating Enforcement
Consent Agreement/Compliance Order Enforcement Action

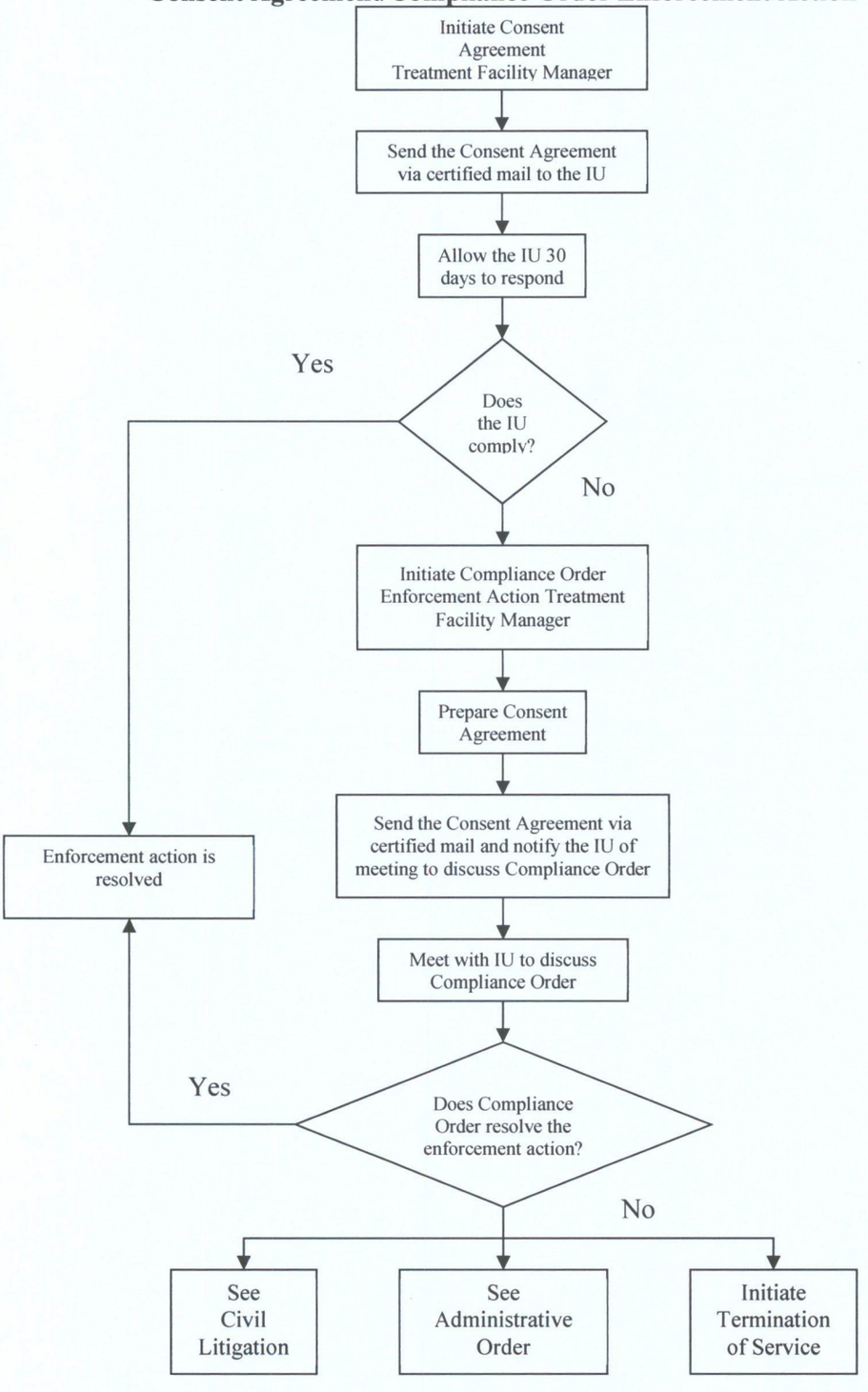


Figure 3
Flow Diagram for Evaluating Enforcement
Administrative Order/Civil Litigation Enforcement Action

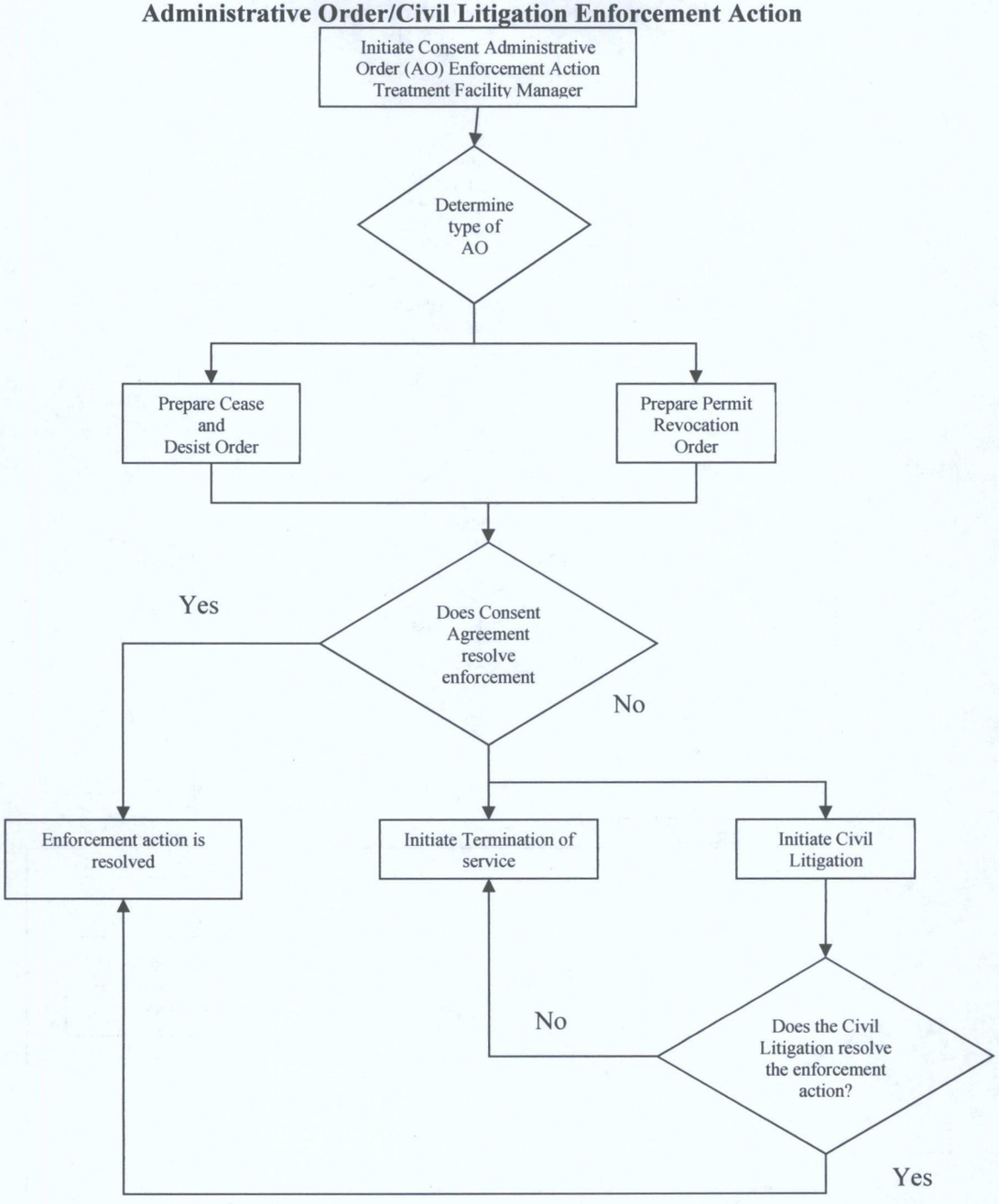


Figure 4
Flow Diagram for Evaluating Enforcement
Time Frame for Responses to Enforcement Actions

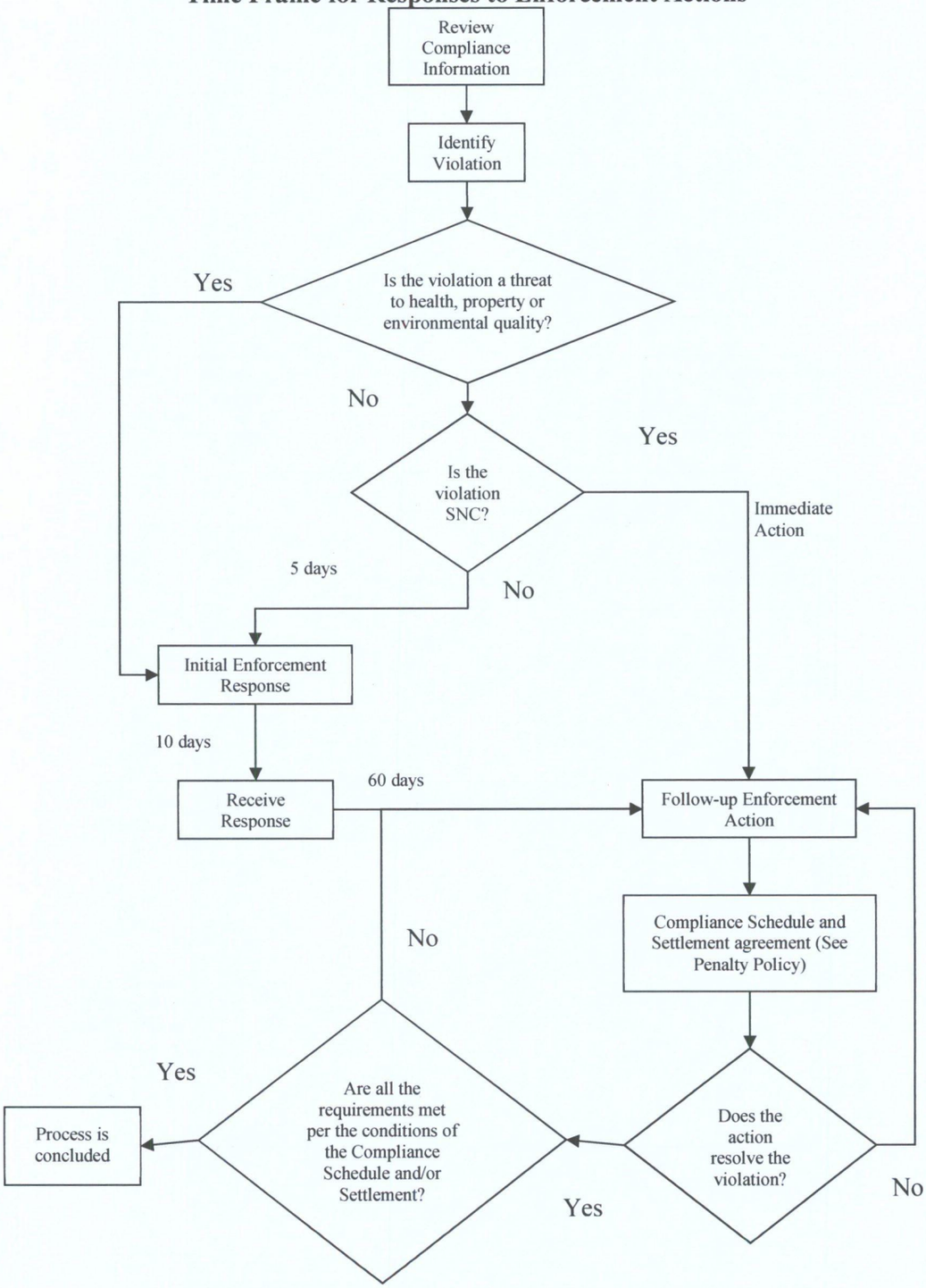


Figure 5
Enforcement Response Guide
Discharge Limit Violations

Exceedance of Local or Federal Standard

Violation	Enforcement Action	Responsible Personnel	Time Goal (Days)
Isolated, not significant	Phone call	Pretreatment Coordinator	7
	Notice of Violation		7-14
Isolated, significant	Compliance Order w/ penalty	Treatment Facility Manager	14
Isolated, harm to Treatment Plant or Environment	Show Cause Hearing	Treatment Facility Manager	14
	Civil Action w/ penalty	Attorney*	30
Recurring, no harm to Treatment Plant or Environment, not SNC	Show Cause Hearing Compliance Schedule	Treatment Facility Manager	30
	Administrative Order w/ penalty and Compliance Schedule		
Recurring, SNC	Show Cause Hearing Compliance Schedule	Treatment Facility Manager	14-30
	Compliance Order w/ penalty and Compliance Schedule	Attorney*	30
	Civil Action w/ statutory penalty	Treatment Facility Manager and attorney*	30
	Termination of Service	Treatment Facility Manager*	0-30

* In consultation with General Manager

Figure 5
Enforcement Response Guide
Discharge Limit Violations

Unpermitted Discharge

Violation	Enforcement Action	Responsible Personnel	Time Goal (Days)
IU unaware of requirements – No harm to treatment plant or environment	Phone call	Pretreatment Coordinator	7
	Notice of Violation		7-30
IU unaware of requirements – Harm to treatment plant or environment	Administrative Order	Treatment Facility Manager	30
	Civil Action	Attorney*	
Failure to apply continues after notice by the CA	Show Cause Hearing w/ penalty	Treatment Facility Manager	14-30
	Civil Action w/ penalty	Attorney*	30
	Criminal Investigation	Attorney or Refer to DEQ/EPA*	30
	Termination of Service	Treatment Facility Manager*	0-30
IU has not submitted application w/in 30/45 days of due date	Notice of Violation	Pretreatment Coordinator	7
	Termination of Service	Treatment Facility Manager*	0-30

* In consultation with General Manager

Figure 5
Enforcement Response Guide
Discharge Limit Violations

Reporting Violations

Violation	Enforcement Action	Responsible Personnel	Time Goal (Days)
Report is improperly signed or certified	Phone call	Pretreatment Coordinator	7
	Notice of Violation		7-14
Report is improperly signed or certified after notice by CA	Notice of Violation	Pretreatment Coordinator	7-14
	Show Cause Hearing	Treatment Facility Manager	30
Isolated, not significant, (for example five days late)	Phone Call	Pretreatment Coordinator	7
	Notice of Violation	Treatment Facility Manager	7-14
Significant, (for example 30/45 days or more late)	Show Cause Hearing	Treatment Facility Manager	30
	Compliance Order w/ penalty	Treatment Facility Manager	30
Reports are always late or no reports at all Enforcement Response	Show Cause Hearing	Treatment Facility Manager	7-14
	Administrative Order w/ penalty	Treatment Facility Manager	30
	Civil Action	Attorney*	30
Failure to report spill or changed discharged, (no harm)	Notice of Violation	Pretreatment Coordinator	7-14
Failure to report spill or change in discharge, (results in harm)	Show Cause Hearing	Treatment Facility Manager	7-14
	Compliance Order w/ penalty	Treatment Facility Manager	30
	Civil Action	Attorney*	30
Repeated failure to report spills	Show Cause Hearing w/ penalty	Treatment Facility Manager	30
	Administrative Order Cease and Desist	Treatment Facility Manager	14
	Termination of Service	Treatment Facility Manager*	0-30
Falsification of data, reports, application, etc.	Criminal Investigation	Refer to DEQ/EPA	30
	Termination of Service	Treatment Facility Manager*	0-30

* In consultation with General Manager

Figure 5
Enforcement Response Guide
Discharge Limit Violations

Failure to Monitor Correctly

Violation	Enforcement Action	Responsible Personnel	Time Goal (Days)
Failure to monitor all pollutants as required by permit	Notice of Violation	Pretreatment Coordinator	7-14
Recurring failure to monitor	Show Cause Hearing	Treatment Facility Manager	30
	Compliance Order w/ penalty	Treatment Facility Manager	30
	Civil Action	Attorney*	30

Improper Sampling

Violation	Enforcement Action	Responsible Personnel	Time Goal (Days)
Evidence of Intent	Criminal Investigation	Refer to DEQ/EPA	7-30
	Termination of Service	Treatment Facility Manager	0-30

Failure To Install Monitoring Equipment

Violation	Enforcement Action	Responsible Personnel	Time Goal (Days)
Delay of less than 30 days	Notice of Violation	Pretreatment Coordinator	7-14
Delay of more than 30 days without cause	Compliance Order w/ penalty	Treatment Facility Manager	30
	Civil Action	Attorney*	30
Recurring violation of Administrative Order	Civil Action	Attorney*	30
	Criminal Investigation	Refer to DEQ/EPA	7-30
	Termination of Service	Treatment Facility Manager*	0-30

* In consultation with General Manager

Figure 5
Enforcement Response Guide
Discharge Limit Violations

Compliance Schedules

Violation	Enforcement Action	Responsible Personnel	Time Goal (Days)
Missed milestone by less than 30 days, or will not affect final milestone	Notice of Violation	Pretreatment Coordinator	7
Missed milestone by more than 30/45 days, or will affect final milestone (good cause for delay)	Notice of Violation	Pretreatment Coordinator	7
	Compliance Order	Treatment Facility Manager	7-14
Missed milestone by more than 30/45 days, or will affect final milestone (no good cause for delay)	Show Cause Hearing	Treatment Facility Manager	30
	Compliance Order w/ penalty	Treatment Facility Manager	30
	Civil Action	Attorney*	30
Recurring violation or violations of schedule in Administrative Order	Civil Action	Attorney*	30
	Criminal Investigation	Refer to DEQ/EPA	7-30
	Termination of Service	Treatment Facility Manager*	0-30

Waste Streams Are Diluted In Lieu Of Treatment

Violation	Enforcement Action	Responsible Personnel	Time Goal (Days)
Initial Violation	Notice of Violation	Pretreatment Coordinator	7-14
Recurring Violations	Show Cause Hearing	Treatment Facility Manager	30
	Administrative Order w/ penalty Cease and Desist	Treatment Facility Manager	30
	Termination of Service	Treatment Facility Manager*	0-30

Failure To Mitigate Noncompliance Or Halt Production

Violation	Enforcement Action	Responsible Personnel	Time Goal (Days)
Does not result in harm	Notice of Violation	Pretreatment Coordinator	7-14
Does result in harm	Compliance Order w/ penalty	Treatment Facility Manager	30
	Civil Action w/ penalty	Attorney*	30
	Termination of Service	Treatment Facility Manager*	0-30

* In consultation with General Manager

Figure 5
Enforcement Response Guide
Discharge Limit Violations

Failure to Properly Operate and Maintain Pretreatment Facility

Violation	Enforcement Action	Responsible Personnel	Time Goal (Days)
Does not result in harm	Notice of Violation	Pretreatment Coordinator	7-14
Does result in harm	Compliance Order w/ penalty	Treatment Facility Manager	30
	Civil Action w/ penalty	Attorney*	30
	Termination of Service	Treatment Facility Manager*	0-30

Failure to Notify POTW of Changes at the IU Facility

Violation	Enforcement Action	Responsible Personnel	Time Goal (Days)
Does not result in harm	Notice of Violation	Pretreatment Coordinator	7-14
Does result in harm	Compliance Order w/ penalty	Treatment Facility Manager	30
	Civil Action w/ penalty	Attorney*	30
	Termination of Service	Treatment Facility Manager*	0-30

* In consultation with General Manager

Figure 5
Enforcement Response Guide

Entry Denial

Violation	Enforcement Action	Responsible Personnel	Time Goal (Days)
Entry denied or consent withdrawn	Obtain warrant and return to IU	Pretreatment Coordinator	0-3
Access to or copies of records denied	Obtain warrant and return to IU	Pretreatment Coordinator	0-3

Illegal Discharge

Violation	Enforcement Action	Responsible Personnel	Time Goal (Days)
No harm to Treatment Plant or environment	Notice of Violation	Pretreatment Coordinator	7-14
	Compliance Order w/ Compliance Schedule	Treatment Facility Manager	30
Discharge causes harm to Treatment Plant or environment	Show Cause Hearing w/ penalty	Treatment Facility Manager	30
	Civil Action w/ penalty	Attorney*	30
	Termination of Service	Treatment Facility Manager*	0-30
Evidence of Intent/Negligence	Criminal Investigation	Refer to DEQ/EPA	7-30
	Termination of Service	Treatment Facility Manager*	0-30
Recurring violation of Administrative Order	Termination of Service	Treatment Facility Manager*	0-30

Improper Sampling

Violation	Enforcement Action	Responsible Personnel	Time Goal (Days)
Unintentionally sampling at incorrect location, using incorrect sample type and/or using incorrect sample collection techniques	Notice of Violation	Pretreatment Coordinator	7-14
Intentionally and/or recurring; sampling at incorrect location, using incorrect sample type and/or using incorrect sample collection techniques	Show Cause Hearing w/ penalty	Treatment Facility Manager	30
	Criminal Investigation	Refer to DEQ/EPA	7-30
	Termination of Service	Treatment Facility Manager*	0-30

*In consultation with the General Manager

Figure 5
Enforcement Response Guide

Inadequate Recordkeeping

Violation	Enforcement Action	Responsible Personnel	Time Goal (Days)
Inspector finds files incomplete or missing (no evidence of intent)	Notice of Violation	Pretreatment Coordinator	7-14
Recurring; Inspector finds files incomplete or missing	Show Cause Hearing	Treatment Facility Manager	30
	Compliance Order w/ penalty	Treatment Facility Manager	30
	Termination of Service	Treatment Facility Manager*	0-30
Inspector finds files incomplete or missing (with evidence of intent to conceal information from CA)	Criminal Investigation	Refer to DEQ/EPA	7-30
	Termination of Service	Treatment Facility Manager*	0-30

Failure to Report Additional Monitoring

Violation	Enforcement Action	Responsible Personnel	Time Goal (Days)
Inspector finds additional files	Notice of Violation	Pretreatment Coordinator	7-14
Recurring failure to report all monitoring	Show Cause Hearing	Treatment Facility Manager	30
	Compliance Order w/ penalty	Treatment Facility Manager	30
	Termination of Service	Treatment Facility Manager*	0-30
Inspector finds additional files and/or monitoring with evidence of intent to conceal information from CA	Criminal Investigation	Refer to DEQ/EPA	7-30
	Termination of Service	Treatment Facility Manager*	0-30

*In consultation with the General Manager.

Figure 5
Enforcement Response Guide

Failure to Notify POTW of change at the IU facility

Violation	Enforcement Action	Responsible Personnel	Time Goal (Days)
Does not result in harm	Notice of Violation	Pretreatment Coordinator	7-14
Does result in harm	Compliance Order w/ penalty	Treatment Facility Manager	30
	Civil Action w/ penalty	Attorney*	30
	Termination of Service	Treatment Facility Manager *	0-30

*In consultation with the General Manager.

Figure 6
Jordan Basin Water Reclamation Facility
Telephone Log

Phone Call From: _____ Phone number: _____

Date of Call: _____Time of Call: _____Time Call ended: _____

Industry Contacted: _____Person that took call: _____

Conversation Summary: _____

_____

_____

_____

_____

_____

_____

Resolution: _____

_____

_____

_____

_____

_____

_____

Required Action: _____

_____

_____

_____

_____

_____

_____

Left Message (Summary of message left): _____

_____

_____

_____

_____

_____

Figure 7
Jordan Basin Water Reclamation Facility
Enforcement Incidence Form

Name of IU: _____

Address: _____

Description of Violation: _____

_____

_____

_____

_____

Type of Enforcement	Date	User Response	Date	Adequate Response (Yes/No)

Figure 8
Jordan Basin Water Reclamation Facility
Enforcement Response Annual Review

Name of Industry	Violation	Enforcement Action	Date of Resolution	SNC, if yes publication date

3.10 PENALTY CALCULATION GUIDANCE

3.10.1 Purpose

The purpose of this penalty calculation guidance is to provide the SVSD with a uniform and equitable approach to enforcement and development of penalties.

3.10.2 Legal Authority

U.S. Code of Federal Regulations, Title 40, Part 403

Pretreatment Rule and Regulations, Sections 2.11 and 2.12

3.10.3 Program

In accordance with Section 2.12 of the Pretreatment Rules and Regulations, the Treatment Facility Manager in consultation with the General Manager, may assess any Industrial User up to $10,000 per day per violation as an administrative fine for noncompliance with pretreatment limits, standards, reporting requirements and any other requirement stipulated in an IU's discharge permit. In order to meet the purposes and goals established by EPA for the imposition of penalties, the SVSD used the Region VIII "Penalty Calculation Guidance for Publicly Owned Treatment Works Implementing the Industrial Pretreatment Program" as guidance for its penalty policy.

3.10.4 Penalty Policy

A. Introduction

This policy is intended to assist the SVSD in determining an appropriate minimum acceptable penalty for violations of the Pretreatment Program requirements. The range for the actual penalty to be paid by a violating Industrial User will range from the statutory maximum penalty to the calculated minimum acceptable amount. The methods described by this guidance are applicable for both administratively and judicially imposed penalties.

The information regarding the penalty is not available to the public until both parties have finalized the negotiations. The negotiation process and documents discussed during negotiations are not public information. Only finalized compliance orders and/or penalty documents are available to the public. All other documents must be kept per the confidential documents requirements of the pretreatment program. If negotiations regarding a compliance order and/or penalty cannot be completed the matter should be taken before a court of competent jurisdiction.

B. Purpose of Penalties

The purpose of penalty assessments are: deterrence, fair and equitable treatment of the regulated community, and swift resolution of environmental problems.

C. Maximum Penalty Calculation

The initial calculation of a penalty assessable for the Pretreatment Program violations should be an estimate of the maximum statutory amount that could be sought through a court action against the Industrial User. The maximum amount of the Industrial User's liability is normally calculated by identifying the number of days that a limitation was violated and multiplying that number by the statutory maximum penalty per day per violation. Each limitation which was violated should be counted separately with monthly average violations being for the number of days in the month that the violation occurred. Therefore a violation of a monthly average or thirty day average is considered thirty days of violations.

D. Establishing the Minimum Penalty

Generally, both the POTW and the Industrial User will wish to avoid extended arguments and the possibility of litigation over an appropriate penalty. Consequently, the POTW needs to establish a minimum penalty amount which represents a reasonable and defensible penalty that fulfills the purpose of penalties as stated above. Calculation of the minimum penalty figure consists of a summation of two basic components, the economic benefit component (where applicable) and the gravity component. In some cases, this calculated figure might then be adjusted for a variety of factors that will be discussed in this policy.

1. The Economic Benefit Component

A violator may realize an economic benefit from the cost savings of delaying some expenditures necessary for timely compliance. In addition, a violator may have improperly avoided other expenditures which would have been made if the Industrial User responsibly met its requirements per the Pretreatment Program.

2. Benefit from delayed costs

An Industrial User may improperly derive economic gain by delaying the expenditures necessary to achieve compliance with a pretreatment standard. By deferring the one-time cost of the system until an enforcement action is taken, a facility has been able to use the money for other purposes during the period of noncompliance. Violations which can result in savings by deferring required expenditures include:

a. Failure to install equipment needed to meet discharge standards
b. Failure to implement process changes needed to eliminate pollutants from products or waste streams.
c. Improper storage of waste where proper storage is still required to achieve compliance.
d. Failure to obtain necessary permits for discharge, where such permits, would probably be granted.

3. Benefit from avoided costs

For some kinds of violations, an Industrial User might have never spent the money required to achieve compliance. Violations where costs have been improperly avoided might include:

a. Operation and maintenance (O&M) costs for equipment that the violator failed to install.
b. Costs associated with the proper O&M of existing control equipment where improper O&M practices are identified.
c. Failing to employ sufficient number of adequately trained staff.
d. Failing to establish or follow precautionary methods required by regulations or permits
e. Failing to conduct necessary testing and reporting

4. Benefit from competitive advantage

For most violations, removing the economic savings realized from delaying compliance will usually be sufficient to negate any competitive advantage the violator gained from noncompliance. However, in some cases, the violator may have gained an additional advantage during the period of noncompliance if the violator was able to improve its market share of goods and services as a result of costs savings. It is difficult to estimate the profits made from transactions which may not have occurred if the party had complied. Often, these estimates will be based on expertise in the industry rather than quantifiable data.

5. Calculating Economic Benefit

Calculation of the economic savings from delayed compliance can be accurately determined through a series of present value calculations and a comparison of the cash flows that should have been incurred if the expenditures were properly made and the cash flows that actually will be made once the required pollution control systems are installed and operating. The economic benefits of noncompliance (BEN) computer model can be downloaded and used to complete the calculations.

E. The Gravity Component

1. Purpose of the Gravity Component

As noted above, the penalty to achieve deterrence should not only remove any economic benefit of noncompliance, but also include an amount reflecting the seriousness of the violation. This latter amount is referred to as the "gravity component." In many cases the gravity component substantially exceeds the economic savings component.

Assigning a dollar figure to represent the gravity of a violation may be seen as a subjective process. Nevertheless, a determination of the relative seriousness of different violations can be fairly determined in most cases. Linking the dollar amount of the gravity component to objective factors can be a useful way of insuring that violations of approximately equal seriousness are treated the same and encourages swift resolution of environmental problems.

2. Gravity Factors

The following gravity weighting factors should be considered for each month during which there were one or more violations:

a. Significance of the Violation – This factor is to reflect the degree of the exceedance of the most significant effluent violation each month and should be weighted more heavily for toxic pollutants.
b. Health and Environmental Harm – The penalty should be increased if the violations present actual or potential harm to human health, the POTW or to the environment.
c. Number of Violations – This factor allows consideration of the total number of violations each month including all violations of the permit effluent limitations, monitoring and reporting requirements, and standard and special conditions.
d. Duration of Noncompliance – This factor allows consideration of continuing, long-term violations of effluent limitations or other permit conditions. Generally, violations which continue for three or more months are considered long-term violations.

3. Administrative Cost

SVSD may recover from Users any administrative costs incurred by the District that are associated with enforcement actions, including reasonable attorney's fees, court costs, sampling and monitoring, and other expenses.

4. Cost of Damages

SVSD may recover from Users any costs incurred by the District arising from damages to infrastructure and equipment related to enforcement actions.

F. Adjusting the Penalty Figure

The gravity penalty figure for settlement purposes should then be calculated based on the following formula: GRAVITY PENALTY = PENALTY + ADJUSTMENTS - ECONOMIC AND LEGAL CONSIDERATIONS.

PENALTY: Violations are grouped into four main penalty categories based upon the nature and severity of the violation. A penalty range is associated with each category. The following factors will be taken into account to determine where the penalty amount will fall within each range:

1. History of compliance or noncompliance. History of noncompliance includes consideration of previous violations and degree of recidivism.

2. Degree of willfulness and/or negligence. Factors to be considered include how much control the violator had over and the foreseeability of the events constituting the violation, whether the violator made or could have made reasonable efforts to prevent the violation, whether the violator knew of the legal requirements which were violated, and degree of recalcitrance.

3. Good faith efforts to comply. Good faith takes into account the openness in dealing with the violations, promptness in correction of problems, and the degree of cooperation with the State.

Category A – $5,000 to $10,000 per day. Violations of the SVSD Pretreatment Rules and Regulations to include:

1. Discharges which result in documented public health effects and/or significant environmental damage.

2. Any type of violation not mentioned above severe enough to warrant a penalty assessment under category A.

3. Violations which caused, either alone or in conjunction with a discharge or discharges from other sources, an exceedance of the MAHL

4. Violations which caused, either alone or in conjunction with a discharge or discharges from other sources, an exceedance of the JBWRF's discharge permit.

5. pH violations considered less than or equal to 2 SU.

6. pH violations considered greater than or equal to 12.5 SU.

Category B –- $2,000 to $7,000 per day. Major violations of the SVSD Pretreatment Rules and Regulations to include:

1. Discharges which likely caused or potentially would cause (undocumented) public health effects or significant environmental damage.

2. Creation of a serious hazard to public health or the environment.

3. Illegal discharges containing significant quantities or concentrations of toxic or hazardous materials.

4. Any type of violation not mentioned previously which warrants a penalty assessment under Category B.

5. Violations which likely caused or could have caused, either alone or in conjunction with a discharge or discharges from other sources, an exceedance of the MAHL

6. Violations which likely caused or could have caused, either alone or in conjunction with a discharge or discharges from other sources, an exceedance of the JBWRF's discharge permit.

7. Effluent violations greater than 2.5 the permit limit other than those meeting another criteria.

8. pH violations considered greater than 2, but less than or equal to 5 SU.

9. pH violations considered greater than 12, but less than or equal to 12.5 SU.

Category C – $500 to $3,000 per day. Violations of the SVSD Pretreatment Rules and Regulations to include:

1. Significant excursion of permit effluent limits. (over 1.4 to 2.5 times the limit for conventional pollutants and over 1.2 to 2.5 times the limit for other pollutants. Unless the POTW believes or has proof that the MAHL was violated due to this discharge or the POTW also violates its permit during the violation of the IU permit.)

2. Substantial non-compliance with the requirements of a compliance schedule.

3. Substantial non-compliance with monitoring and reporting requirements.

4. Illegal discharge containing significant quantities or concentrations of non-toxic or non-hazardous materials.

5. Any type of violation not mentioned previously which warrants a penalty assessment under Category C.

Category D – up to $1,000 per day. Minor violations of the SVSD Pretreatment Rules and Regulations to include:

1. Minor excursion of permit effluent limits (less than1.4 times the limit for conventional pollutants and less than 1.2 times the limit for other pollutants. Unless the POTW believes or has proof that the MAHL was violated due to the violation or the POTW also violates its permit during the violation of the IU permit.)

2. Minor violations of compliance schedule requirements.

3. Minor violations of reporting requirements.

4. Illegal discharges not covered in Categories A, B and C.

5. Any type of violations not mentioned previously which warrants a penalty assessment under category D.

G. Alternative Payments

SVSD may accept various environmentally beneficial expenditures in settlement of a case by crediting the violator for investing in the environmental project. In general, the regulated community has been receptive to this "alternative payment" practice and several useful projects have been accomplished with such funds. Below are listed some of the conditions of doing a project:

1. No credits can be given for activities that currently are or will be required under current law or are likely to be required in the foreseeable future.

2. The project's environmental benefit should be to the general public rather than to the source or any governmental unit.

3. The project cannot be something the violator is reasonable expected to do as part of sound business practices.

4. Completion of the project should require minimal POTW oversight.

5. The violator cannot gain positive press, tax advantages and cannot benefit from the violation.

6. The BEN cannot be used for a project and must be collected within 30 day of finalizing the compliance schedule.

H. Conclusion

The assessment of penalties is an essential element of a regulatory program necessary to preserve the credibility of the Pretreatment Program. Through an examination of the factors outlines by this guidance, a POTW can determine a penalty which provides:

1. A deterrent against future noncompliance by the Industrial User,

2. Fair and equitable treatment of the regulated community, and

3. Swift resolution of environmental problems.

The calculation of penalties will include the maximum amount allowed for by the Pretreatment Rules and Regulations and the economic benefit analysis provided in the guidance. Should the economic benefit analysis exceed the maximum allowed by the Pretreatment Rules and Regulations, the SVSD will consider referral of the violation to the State for enforcement so that an appropriate penalty can be obtained.

The Penalty for reporting and sampling violations where no significant economic component is determined and where no harm to workers or the environment has taken place shall be as follows:

Reporting Violation:	$500 per 30 days or fraction thereof that the report is late past the initial 45 day grace period.
Sampling Violation by Omission:	The cost of the missed test based on the average of three commercial laboratories plus $250 for each sampling violation where samples were required but not taken for each permit defined sampling period. If harm to the environment is suspected based on SVSD sampling or other indicators, the penalty shall be significantly greater.

3.11 NEWSPAPER NOTIFICATION PROCEDURE

3.11.1 Purpose

The purpose of the newspaper notification procedure is to provide guidance for the SVSD in publishing the required notice annually of industrial users who are in significant non-compliance with applicable limits.

3.11.2 Legal Authority

U.S. Code of Federal Regulations, Title 40, Part 403.12

Pretreatment Rules and Regulations, Section 2.10

3.11.3 Program

A. Who to Publish

The SVSD is required to publish an annual notice of all Industrial Users who are in significant non-compliance (SNC) during any year. Section 2.10 of the Pretreatment Rules and Regulations covers the requirements for evaluating significant non-compliance. The criteria for such a determination are given below:

1. Chronic Violations: Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all wastewater measurements taken during a 6-month period exceed the daily maximum limit or average limit for the same pollutant parameter by any amount;

2. TRC Violations: Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for the same pollutant parameter during a 6-month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, multiplied by the applicable TRC criteria (TRC=1.4 for BOD, TSS, fats, oils and grease, and TRC=1.2 for all other pollutants except pH);

3. Discharge Violations: Any other violation of a Pretreatment Standard or Requirement (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the SVSD determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;

4. Endangerment: Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the SVSD's exercise of its emergency authority to halt or prevent such a discharge;

5. Failure to Comply: Failure to meet, within 90 days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

6. Failure to Report: Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

7. Failure to accurately report noncompliance; or

8. Other Violations: Any other violation(s), which may include a violation of Best Management Practices, which the SVSD determines will adversely affect the operation or implementation of the local pretreatment program.

For items one and two above, EPA has provided specific guidance as to how to evaluate the six month period for SNC. A copy of this January 17, 1992 guidance is included at the end of this section.

B. Publication Information

The SVSD must present specific information in the publication. For this purpose, a model Public Notice has been included at the end of this section. The model contains blanks at the end of the form to fill in with those industrial users which have been in SNC. The blanks should include the following information:

1. Name of industry in SNC.

2. Type of criteria which caused the SNC classification.

3. Duration of SNC.

4. Current Status of the industrial user

The notice should be sufficient for the general public to identify significant violators and the type of violations experienced.

C. Publication Requirement

The notice publication will be done by February 28th of the year following the year being noticed. The notice should be published in a newspaper having general circulation in the area served by the SVSD.

PUBLIC NOTICE
Noncompliance with Industrial Pretreatment Standards

The Federal Clean Water Act established the National Pretreatment Program to control the discharge of toxic and hazardous waste into the sanitary sewer system operated by the Publicly Owned Treatment Works (POTWs). Under a delegation from EPA and the State, the South Valley Sewer District (SVSD) has been given the responsibility for applying and enforcing the pretreatment standards for industrial users served by the SVSD.

Pursuant to the requirements of the National Pretreatment Program, SVSD must annually publish a list of industrial users within its service area that have either demonstrated a pattern of noncompliance with applicable pretreatment standards or had a significant noncompliance incident over the previous 12 months. Reasons for significant noncompliance include:

1. Chronic Violations: Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of wastewater measurements taken during a 6-month period exceed the daily maximum limit or average limit for the same pollutant parameter by any amount;

2. TRC Violations: Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of all wastewater measurements taken for the same pollutant parameter during a 6-month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, multiplied by the applicable TRC criteria (TRC=1.4 for BOD, TSS, fats, oils and grease, and TRC=1.2 for all other pollutants except pH);

3. Discharge Violations: Any other violation of a Pretreatment Standard or Requirement (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the SVSD determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;

4. Endangerment: Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the SVSD's exercise of its emergency authority to halt or prevent such a discharge;

5. Failure to Comply: Failure to meet, within 90 days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

6. Failure to Report: Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

7. Failure to accurately report noncompliance; or

8. Other Violations: Any other violation(s), which may include a violation of Best Management Practices, which the SVSD determines will adversely affect the operation or implementation of the local pretreatment program.

This notice has been issued to meet the requirement to inform the public.

Period covered by this notice: January 1, ____ to December 31, ____.

During this period the following Industries were found to be in significant non-compliance with applicable standards:

1. IU's Name, Address, list of applicable SNC standards violated, duration of violation, current status.
2. IU's Name, Address, list of applicable SNC standards violated, duration of violation, current status.
3. IU's Name, Address, list of applicable SNC standards violated, duration of violation, current status.

More information can be obtained by contacting:

Name:
Pretreatment Coordinator
South Valley Sewer District
Address:
P.O. Box 908
Draper, Utah 84020

Telephone:
(385) 202-2777

3.12 EDUCATION AND INDEX OF REFERENCE MANUALS

3.12.1 Purpose

The purpose of this section is to ensure that pretreatment personnel are able to meet the responsibilities of the Pretreatment Program.

3.12.2 Legal Authority

The SVSD is required to have sufficient resources and qualified personnel to carry out the authorities and procedures described in 40 CFR Part 403.8(f)(1) and (2) based on the following:

U.S. Code of Federal Regulations, Title 40, Part 403.8(f)(3).

3.12.3 Program

The Pretreatment Coordinator or his or her designee will attend the Region 8 Pretreatment Workshop and other technical trainings and workshops to assist in being educated and keeping abreast of existing and newly promulgated standards and requirements. The Pretreatment Coordinator will review the Federal Register for changes to Pretreatment Standards. This review will include reading and making comments to EPA and the State regarding the changes to Pretreatment Standards, as needed. If there is an indirect discharging IU in the SVSD'S service area, which could be impacted by the change in the Federal Register, the Pretreatment Coordinator will make the IU aware of the change and the potential impacts to the IU. The Pretreatment Coordinator will send a letter to impacted IU and if needed meet with the IU to explain the changes. The letter will be sent to the IU within 7 days of the Pretreatment Coordinator knowing of the change in the Federal Register.

The Pretreatment Coordinator will review information sent by the State and EPA Pretreatment Coordinators and make comments as needed.

The Pretreatment Coordinator will research information regarding new local regulatory programs for non-domestic users, where problems are identified or control is needed to comply with Pretreatment regulations and the POTW's UPDES permit requirements.

The Pretreatment Coordinator will review influent and effluent of the POTW to ensure that all pollutants of concern have been identified and research ways to ensure the POTW stays in compliance with its UPDES permit.

The following is an index of useful educational resources, guidance documents and reference materials that may assist the SVSD in carrying out its duties and responsibilities as pretreatment Control Authority:

U.S. EPA. Development Document for Effluent Limitations Guidelines and Standards for the Aluminum Forming Point Source Category. EPA Report No. 440/1-84/073-VOL-1. June 1984.

U.S. EPA. Development Document for Effluent Limitations Guidelines and Standards for the Aluminum Forming Point Source Category. EPA Report No. 440/1-84/073-VOL-2. June 1984.

U. S. EPA Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Textile, Friction Materials and Sealing Devices Segment of the Asbestos Manufacturing Point Source Category. EPA Report No. 440/1-74/035-A. December 1974.

U.S. EPA Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Building, Construction. and Paper Segment of the Asbestos

U.S. EPA. Development Document for Effluent Limitations Guidelines and Standards for the Battery Manufacturing Point Source Category. EPA Report No. 440/1-84/067-VOL-1. September 1984.

U.S. EPA. Development Document for Effluent Limitations Guidelines and Standards for the Battery Manufacturing Point Source Category. EPA Report No. 440/1-84/067-VOL-2. September 1984.

U.S. EPA. Development Document for Effluent Limitations Guidelines and Standards for the Battery Manufacturing Point Source Category EPA Report No. 440/182/067-B. October 1982.

U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Builders Paper and Roofing Felt Segment of the Builders Paper and Board Mills Point Source Category. EPA Report No. 440/1-74/026-A. May 1974.

U. S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Apple. Citrus and Potato Processing Segment of the Canned and Preserved Fruits and Vegetables Point Source Category. EPA Report No. 440/1-74/027-A. March 1974.

U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Fish Meal, Salmon, Bottom Fish, Clam, Oyster, Sardine, Scallop, Herring and Abalone Segment of the Canned and Preserved Fish and Seafood Processing Industry Point Source Category. EPA report No. 440/1-75/041-A. September 1975.

U.S. EPA. Development Document for Effluent Limitations Guidelines and Standards for Performance for the Catfish, Crab, Shrimp, and Tuna Segments of the Canned and Preserved Seafood Processing Industry Point Source Category. EPA Report No. 440/1-74/020-A. June 1974.

U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Cement Manufacturing Point Source EPA Report No. 440/1-74/005-A. January 1974.

U.S. EPA. Development Document for Final Effluent Limitations Guidelines, New Source Performance Standards and Pretreatment Standards for the Coal Mining Point Source Category. EPA Report No. 440/1-82/057. October 1982.

U.S. EPA. Development Document for Proposed Effluent Limitations Guidelines, New Source Performance Standards and Pretreatment Standards for the Coal Mining Point Source Category. EPA Report No. 440/1-81/057-B. January 1981.

U.S. EPA. Development Document for Effluent Limitations Guidelines and Standards for the Canmaking Subcategory of the Coil Coating Point Source Category. EPA Report No. 440/1-83/071. April 1984.

U.S. EPA. Development Document for Effluent Limitations Guidelines and Standards for the Coil Coating Point Source Category. EPA Report No. 440/1-82/071. November 1982.

U.S. EPA. Development for Effluent Limitations Guidelines and Standards for the Coil Coating Point Source Category. EPA Report No. 440/1-83/071-B. March 1983.

U. S. EPA. Development Document for Effluent Limitations Guidelines and Standards for the Copper Forming Point Source Category. EPA Report No. 440/1-84/074. March 1984.

U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Dairy Product Processing Point Source Category. EPA Report No. 440/1-74/021-A. May 1974.

U.S. EPA. Development Document for Effluent Limitations Guidelines and Standards for the Electrical and Electronic Components Point Source Category. EPA Report No. 440/1-83/075-B. February 1983.

U.S. EPA. Development Document for Effluents and Standards for the Electrical and Electronic Components Point Source Category. EPA Report No. 440/l-82/075B. July 1982.

U.S. EPA. Development Document for Existing Source Pretreatment Standards for the Electroplating Point Source Category. EPA Report No. 440/l-79/003. August 1979.

U.S. EPA. Development Document for Effluent limitations Guidelines and New Source Performance Standards for the Copper, Nickel, Chromium, and Zinc Segment of the Electroplating Point Source Category. EPA Report No. 440/l-74/003-A. March 1974.

U.S. EPA. Development Document for Effluent limitations Guidelines and New Source Performance Standards Feedlots Point Source Category EPA Report No. 440/1-74/004-A. January 1974.

U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Smelting and Slag Processing Segments of the Ferroalloy Manufacturing Point Source Category. EPA Report No. 440/l-74/008-A. February 1974.

U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Basic Fertilizer Chemicals Segment of the Fertilizer Manufacturing Point Source Category. EPA Report N0. 440/1-75/042-A. January 1975.

U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Basic Fertilizer Chemicals Segment of the Fertilizer Point Source Category. EPA Report No. 440/l-74/011-A. March 1974.

U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Pressed and Blown Glass Segment of the Glass Manufacturing Point Source Category. EPA Report No. 440/l-75/034-A. January 1975.

U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Insulation Fiberglass Manufacturing Segment of the Glass Manufacturing Point Source Category. EPA Report No. 440/1-74/001-B. January 1974.

U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Flat Glass Segment of the Glass Manufacturing Point Source Category. EPA Report No. 440/1-74/001-C. January 1974.

U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the of the Animal Feed, Breakfast Cereal, and Wheat Starch Segments of the Grain Mills Point Source Category. EPA Report No. 440/1-74/039-A. December 1974.

U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Grain Processing Segment of the Grain Mills Point Source Category. EPA Report No. 440/1-74/028-A. March 1974.

U.S. EPA. Development Document for Interim Final Effluent Limitations Guidelines and Proposed New Source Performance Standards for the Hospital Point Source Category. EPA Report No. 440/l-76/060N. April 1976.

U.S. EPA. Development Document for Proposed Effluent Limitations Guidelines, New Source Performance Standards and Pretreatment Standards for the Ink Formulating Point Source Category. EPA Report No. 440/l-79/090B. December 1979.

U.S. EPA. Development Document for Effluent Limitations Guidelines, New Source Performance Standards and Pretreatment Standards for the Inorganic Chemicals Manufacturing Point Source Category, Phase 2 EPA Report No. 440/l-84/007. August 1984.

U.S. EPA. Development Document for Effluent Limitations Guidelines, New Source Performance Standards and Pretreatment Standards for the Inorganic Chemicals Manufacturing Point Source Category. EPA Report: No. 440/l-82/007. June 1982.

U.S. EPA. Development Document for Proposed Effluent Limitations Guidelines, New Source Performance Standards and Pretreatment Standards for the Inorganic Chemicals Manufacturing Point Source Category EPA Report No. 440/l-80/007B. June 1980.

U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Major Inorganic Products Segment of the Inorganic Chemicals Manufacturing Point Source. EPA Report No. 440/1-74/007-A. March 1974.

U.S. EPA. Development Document for Effluent Limitations Guidelines, New Source Performance Standards and Pretreatment Standards for the Iron and Steel Manufacturing Point Source Category. EPA Report No. 440/l-82/024. May 1982.

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U.S. EPA. Development Document for Effluent Limitations Guidelines, New Source Performance Standards and Pretreatment Standards for the Iron and Steel Manufacturing Point Source Category. EPA Report No. 440/l-82/024-VOL-II. May 1982.

U.S. EPA. Development Document for Effluent Limitations Guidelines, New Source Performance Standards and Pretreatment Standards for the Iron and Steel Manufacturing Point Source Category. EPA Report No. 440/l-82/024-VOL-III. May 1982.

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U.S. EPA. Development Document for Proposed Effluent Limitations Guidelines, New Source Performance Standards and Pretreatment Standards for the Iron and Steel Manufacturing Point Source Category. EPA Report No. 440/l-80/024-B-V6. December 1980.

U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Steel Making Segment of the Iron and Steel Manufacturing Point Source Category. EPA Report No. 440/l-74/024-A. June 1974.

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U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Red Meat Processing Segment of the Meat Product and

Rendering Processing Point Source Category. EPA Report No. 440/1-74/012-A. February 1974.

U. S. EPA. Development Document for Effluent Limitations Guidelines and Standards for the Metal Finishing Point Source Category. EPA Report No. 440/l-83/091. June 1983.

U.S. EPA Development Document for Proposed Effluent Limitations Guidelines and New Source Performance Standards for the Metal Finishing Point Source Category. EPA Report No. 440/l-82/091B. August 1982.

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U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Mineral Mining and Processing Point Source Category. EPA Report No. 440/l-76/059B. July 1979.

U.S. EPA. Development Document for Effluent Limitations Guidelines and Standards for the Nonferrous Metals Forming and Metal Powders Point Source Category. Report No. 440/l-86/019. September 1986.

U.S. EPA. Development Document for Effluent Limitations Guidelines and Standards for the Nonferrous Metals Forming and Metal Powders Point Source Category. Report No. 440/l-86/019-1. September 1986.

U.S. EPA. Development Document for Effluent Limitations Guidelines and Standards for the Nonferrous Metals Forming and Metal Powders Point Source Category. Report No. 440/l-86/019-2. September 1986.

U.S. EPA. Development Document for Effluent Limitations Guidelines and Standards for the Nonferrous Metals Forming and Metal Powders Point Source Category. Report No. 440/l-86/019-3. September 1986.

U.S. EPA. Development Document for Effluent Limitations Guidelines and Standards for the Nonferrous Metals Point Source Category. Report No. 440/l-83/019-B-VOL-1. March 1983.

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U.S. EPA. Development Document for Effluent Limitations Guidelines and Standards for the Nonferrous Metals Point Source Category. Report No. 440/l-83/019-B-VOL-3. March 1983.

U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Primary Aluminum Smelting Subcategory of the Aluminum Segment of the Nonferrous Metals Manufacturing Point Source Category. EPA Report No. 440/1-74/019-D. March 1974.

U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Secondary Aluminum Smelting Subcategory of the Aluminum Segment of the Nonferrous Metals Manufacturing Point Source Category. EPA Report No. 440/1-74/019-A. March 1974.

U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Bauxite Refining Subcategory of the Aluminum Segment of the Nonferrous Metals Manufacturing Point Source Category. EPA Report No. 440/1-74/019-A. March 1974.

U.S. EPA. Development Document for Proposed Effluent Limitations Guidelines and New Source Performance Standards for the Offshore Subcategory of the Oil and Gas Extraction Point Source Category. EPA Report No. 440/l-85/055. July 1985.

U.S. EPA. Development Document for Proposed Effluent Limitations Guidelines and New Source Performance Standards for Ore Mining and Dressings Point Source Category. EPA Report No. 440/l-82/061B. May 1982.

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U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Major Organic Products Segment of the Organic Chemicals Manufacturing Point Source Category. EPA Report No. 440/1-74/009-A. April 1974.

U.S. EPA. Development Document for Effluent Limitations Guidelines and Standards for the Pesticide Point Source Category. EPA Report No. 440/l-85/079. October 1985.

U.S. EPA. Development Document for Expanded Best Practicable Control Technology, Best Conventional Pollutant Control Technology, Best Available Technology, New Source Performance Technology, and Pretreatment Technology in the Pesticide Chemicals Industry. EPA Report No. 440/1-82/079B. November 7 1982.

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U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Petroleum Refining Point Source Category. EPA Report No. 440/l-74/014-A. April 1974.

U.S. EPA. Development Document for the Final Best Conventional Technology Effluent Limitations Guidelines for the Pharmaceutical Manufacturing Point Source Category. EPA Report No. 440/l-86/084. December 1986.

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U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Synthetic Polymer Segment of the Plastics and Synthetic Materials Manufacturing Point Source Category. EPA Report No. 440/1-75/036-B. January 1975.

U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Synthetic Resins Segment of the Plastics and Synthetics Material Manufacturing Point Source Category. EPA Report No. 440/1-74/010-A. March 1974.

U.S. EPA. Development Document for Proposed Effluent Limitations Guidelines and Standards for the Porcelain Enameling Point Source Category. EPA Report No. 440/l-81/072B. January 1981.

U.S. EPA. Development Document for Best Conventional Pollutant Control Technology Effluent Limitations Guidelines for Pulp, Paper, and Paperboard and the Builders' and Board Mills Point Source Category. EPA Report No. 440/l-86/025. December 1986.

U.S. EPA. Development Document for Effluent Limitations Guidelines, New Source Performance Standards, and Pretreatment Standards for the Pulp, Paper, and Paperboard and the Builders' Paper and Board Mills Point Source Category. EPA Report No. 440/l-82/025. October 1982.

U.S. EPA. Development Document for Proposed Effluent Limitations Guidelines and Standards for the Pulp, Paper, and Paperboard and the Builders' Paper and Board Mills Point Source Category. EPA Report No. 440/l-82/025B. December 1980.

U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Unbleached Kraft and Semichemical Pulp Segment of the Pulp, Paper, and Paperboard Mills Point Source Category. EPA Report No. 440/l-74/025-A. May 1974.

U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Fabricated and Reclaimed Rubber Segment of the Rubber Processing Point Source Category. EPA Report No. 440/l-74/030-A. December 1974.

U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Tire and Synthetic Segment of the Rubber Processing Point Source Category. EPA Report No. 440/l-74/013-A. February 1974.

U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards Soap and Detergent Manufacturing Point Source Category. EPA Report No. 440/l-74/018-A. April 1974.

U.S. EPA. Development Document for Proposed Effluent Limitations Guidelines, New Source Performance Standards, and Pretreatment Standards for the Steam Electric Point Source Category. EPA Report No. 440/l-80/029B. September 1980.

U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Steam Electric Power Generating Point Source Category. EPA Report No. 440/l-74/029-A. October 1974.

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U.S. EPA. Development Document for Effluent Limitations Guidelines, New Source Performance Standards, and Pretreatment Standards for the Timber Products Processing Point Source Category. EPA Report No. 440/l-81/023. January 1981.

U.S. EPA. Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Plywood. Hardboard and Wood Preserving Segment of the Timber Products Processing Point Source Category. EPA Report No. 440/l-74/023-A. April 1974.

U.S. EPA. Development of Case by Case Discharge Permits Under the NPDES and Pretreatment Programs U.S. EPA Region 8. October 1986.

U.S. EPA. Development Document of Industrial User Permits Under the Pretreatment Program (Draft). U.S. EPA, Region 8. August 1985.

U.S. EPA. FY 1990 Guidance for Reporting and Evaluating POTW Noncompliance With Pretreatment Requirements. September 1989.

U.S. EPA. Guidance for Implementing Permit-by-Rule Requirements at POTWs Draft. November 1987.

U.S. EPA. Guidance Manual for Battery Manufacturing Pretreatment Standards. August 1987.

U.S. EPA. Guidance Control for Control of Slug Loadings to POTW's. September 1988.

U.S. EPA. Guidance Manual for Electroplating Metal Finishing Pretreatment Standards. February 1984.

U.S. EPA. Guidance Manual for Implementing Total Toxic Organics (TTO) Pretreatment Standards. Permits Division, September 1985.

U.S. EPA. Guidance Manual for Iron and Steel Manufacturing Pretreatment Standards. September 1985.

U.S. EPA. Guidance Manual for Leather Tanning and Finishing Pretreatment Standards. September 1986.

U.S. EPA. Guidance Manual for POTW Pretreatment Program Development. October 1983.

U.S. EPA. Guidance Manual for Preventing Interference at POTWs. Prepared for U.S. EPA by James H. Montgomery, Consulting Engineers, Inc. under Contract No. 68-03-1821. September 1987.

U.S. EPA. Guidance Manual for Pulp Paper, and Paperboard and Builder's Paper and Board Mills Pretreatment Standards. July 1984.

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U.S. EPA. Guidance Manual for the Use of Production-Based Pretreatment Standards and the Combined Wastestream Formula. September 1985.

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U.S. EPA. Handbook for Sampling and Sample Preservation of Water and wastewater. EPA Report No. 600/4-82-029. September 1982. (NTIS No. PB83-124503).

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U.S. EPA. NPDES Best Management Practices Guidance Document. June 1981.

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U.S. EPA. Training Manual for NPDES Permit Writers. September 1986.

U.S. EPA. Treatability Manual. Volumes I. II. III. IV. and V. EPA Report No. 600/2-82-001.

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3.13 NOTIFICATION OF CHANGES AND PUBLIC NOTIFICATION

3.13.1 **Purpose**

The purpose of this section is to ensure that pretreatment personnel inform the public and interested groups regarding changes and/or modifications to the pretreatment program.

3.13.2 **Legal Authority**

Pretreatment Rules and Regulations, Section 2.10

3.13.3 **Program**

The Pretreatment Coordinator will submit information regarding changes to the program to all SIUs permitted by the program via certified mail. The Pretreatment Coordinator will also follow procedures per the SVSD procedure and State procedures for public noticing and approval of changes and/or modifications to the SVSD Pretreatment Program which would include Local Limits.

Changes to the Pretreatment Rules and Regulations and/or Local Limits will be reviewed by SVSD and approved by the State, public noticed for 30 days prior to receiving final approval for adoption by the Board. During the public notice period the public will be given the opportunity to comment regarding the changes to the Pretreatment Rules and Regulations and/or Local Limits. When comments are received during the public notice period the Pretreatment Coordinator will respond to the comments and notify the Division of Water Quality regarding the comments and responses.

The SVSD shall make an effort to involve the public in all areas of the industrial pretreatment program. Public participation shall be required for approval of the program and for any subsequent changes in the Pretreatment Rules and Regulations or program. All public notices and meetings dealing with the SVSD Pretreatment Program or Pretreatment Rules and Regulations shall be done in accordance with the Open and Public Meetings Requirements found in Title 52-4 of the Utah Code. The public shall be allowed to comment and respond on any proposed changes. Comments received shall be included in the minutes as stipulated in the State Code, and an official response given. Any major changes in the Local Limits will also be available for public review and comment.

3.14 CONFIDENTIAL INFORMATION AND DATA REQUESTS

3.14.1 **Purpose**

The purpose of this section is to ensure that information that is provided to the SVSD that indicates it is confidential is correctly classified confidential and then kept confidential.

3.14.2 Legal Authority

Pretreatment Rules and Regulations, Section 2.9

3.14.3 **Program**

The Industrial User will be required to stamp all pages that are considered confidential and provide verification from the attorney general's office that the pages stamped "confidential" are considered confidential business information. Information regarding discharge and the development of permit limitations are not considered confidential; this information will be made available, if requested, within 5 working days of the request. Confidential information will be kept in file folders or computer directories labeled as confidential information to ensure the information is not released to the public. Only the portions of the report which disclose trade secrets or secret processes shall not be made available for inspection by the public. These portions of reports will be labeled as confidential information with instructions to discuss any use or request for the information with the Pretreatment Coordinator.

The public may request any information regarding an Industrial User that is not considered confidential. When a request is made for information regarding an Industrial User the Pretreatment Coordinator will ensure that the information is not confidential and then the request for information will either be sent or will be denied. The time goal to complete this process will be within 15 working days of receiving a request for information.

All information regarding users shall be made available immediately upon request to governmental agencies for uses related to the UPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report.

3.15 SAMPLING WAIVER PROCEDURES FOR POLLUTANTS NOT PRESENT

3.15.1 Purpose

The purpose of the Pollutant not Present is to allow the SVSD to have procedures in place to allow users to not sample for a pollutant that is not present at the user's facility and will not be in the effluent of the user. The user must not have, use or generate the pollutant in order for the pollutant to be considered a Pollutant not Present.

3.15.2 Legal Authority

U.S. Code of Federal Regulations, Title 40, Parts 403.8 (f)(2)(v) and 403.12 (e)

Pretreatment Rules and Regulations, Section 2.6.4 B

3.15.3 Program

It is at the discretion of the SVSD to allow a waiver to be used instead of sampling for a pollutant that the Categorical Industrial User (CIU) has demonstrated to the SVSD's satisfaction is neither present nor expected to be present in the discharge, or is present only at background levels from intake water without any increase in the pollutant due to the CIU's activities. For this section the phrase "pollutant neither present nor expected to be present" will be abbreviated by using "Pollutant not Present".

The sampling waiver may be implemented at CIUs facility's that comply with the requirements and demonstrate that a particular pollutant is not present. The SVSD may suggest that the waiver be applied or the CIU may request that the waiver conditions be applied to the permit. The CIU must demonstrate that a particular pollutant is not present above the intake water from the categorical process. The waiver will not be allowed for pollutants that are added only in negligible amounts, nor will it be granted for pollutants that are added but not reasonably expected to violate the applicable Pretreatment Standard.

A. Implementing the Waiver User Requirements

The CIU must sample for at least two years prior to being eligible for a waiver. The analysis must be the most sensitive for the pollutant that the waiver will be used for. If the pollutant is present but is assumed to be in the intake water then a water sample must be taken and analyzed at least once. For the waiver the process wastewater must be sampled prior to treatment, the samples will be for the pollutants that the CIU would like the Pollutant not Present waiver to be applied. The pollutants will be sampled at least twice a year for two years at the same time the effluent samples are taken for the permit requirements. The samples of the process wastewater prior to treatment must be representative of all wastewater from all processes, including any seasonal or other variability in the discharge. The CIU must request the waiver in writing and supply all information to verify that the waiver is justified to be implemented by the CIU the

information must be sent with the certification statement and signature as required for all permit reports. Note that where the data prior to treatment shows that the pollutant is present at levels above concentrations in the background intake water, the CIU's sampling waiver request will be denied.

B. Implementing the Waiver SVSD Requirement

The SVSD must determine if the information supplied by the CIU meets the requirements to apply the Pollutant not Present option to the permit. The SVSD will notify the CIU within 45 days of SVSD's determination. If the determination is that additional information is needed to allow the Pollutant not Present option the SVSD will indicate the additional information that is required of the CIU to allow the Pollutant not Present option which may be additional sampling of the intake water, effluent, or the wastewater before pretreatment or other information that the SVSD deems necessary to allow or not allow the Pollutant not Present option before modifying the permit. If the SVSD finds the information warrants the permit to be changed and the waiver added the SVSD will indicate to the CIU in writing the steps that will be taken to change the permit and forms that will be required to be completed once the permit is changed.

Assuming that the CIU has followed the requirements for requesting the sampling waiver, the SVSD must determine whether to grant the sampling waiver. The regulations do not in any way require the SVSD to grant the sampling waiver at any time. If the SVSD does not believe that the CIU has demonstrated to its satisfaction that a pollutant is not present, the SVSD cannot grant the waiver. Even where the CIU has demonstrated that a specific pollutant is not present, the SVSD has the discretion to require monitoring.

The SVSD will base its decision on the materials submitted by the CIU as well as its own historical familiarity with the facility's participation in the pretreatment program. The SVSD may review information contained in the CIU's control mechanism applications, baseline and periodic monitoring reports, and data obtained through facility inspections.

C. Technical Evaluation by SVSD

The CIU's technical evaluation should include a facility-wide accounting of raw materials, products, by-products, and other chemicals with the potential to be discharged. The CIU should either conduct its own analysis of each raw material or chemical used on-site, or obtain a certificate of analysis from the manufacturer of the material demonstrating the absence of the pollutant. The evaluation must include materials not necessarily used in the manufacturing operation, such as chemicals used in equipment cleaning, cooling towers, boilers, and wastewater treatment. Although wastewater treatment chemicals are used to reduce the levels of pollutants in the CIU's discharge, analysis of the chemicals can show significant levels of contaminants that can be added to the wastewater stream.

Additional information, such as intermediate products, final products, and by-products generated in the process must be considered as well; therefore, the CIU must have a detailed knowledge of chemicals used or generated in its facility and performed a detailed evaluation of its operations.

The CIU may submit material safety data sheets (MSDSs) as evidence that a particular pollutant is not present in the raw materials or other chemicals it uses at its facility. However, while MSDSs are a valuable tool in this demonstration, they do not identify all the pollutants present in a given material. Therefore, the MSDS cannot be relied on exclusively to determine whether a pollutant is present or not.

Note that determining whether a pollutant is present should be on the basis of not only whether the pollutant is in the process wastestream, but also whether a pollutant has the potential to enter the wastestream. Therefore, the CIU must evaluate the potential for the pollutant to enter the wastestream through spills and other potentially infrequent events in addition to whether the pollutant would be routinely expected to enter the wastestream or could be a by-product of pollutants in the wastestream.

D. Permit and Reporting Requirement

Once the waiver is allowed the SVSD must change the permit conditions to allow the pollutant is not present option to be allowed until such change is made the CIU must continue to sample all parameters per the requirements of the permit. Once the permit is changed the CIU will be required to submit a report in accordance with 40 CFR 403.12 (g)(6) which requires all sampling of required pollutants to be submitted which would include parameters that have been waived. If the permittee would like to continue to be allowed the waiver the CIU must reapply each permit cycle for the pollutant is not present waiver. If permit conditions change the permittee must notify the SVSD 60 days prior to the change and the permit must be changed to require the pollutant to be sampled. If the CIU fails to notify the SVSD that a pollutant waiver is no longer valid then the ERP must be followed to resolve the issue.

The control mechanism must be specific as to the sampling requirements being waived, the applicable categorical Pretreatment Standard(s), and the pollutants for which the monitoring waiver has been granted. The control mechanism must also include the following specific requirements to make the sampling waiver effective:

1. The requirement for the CIU to submit a certification, on each report where the CIU would have ordinarily submitted sampling data for the pollutant(s) not present if not for the waiver, that there has been no increase in the pollutant(s) in its wastestream due to the activities of the User; and

2. The requirement to immediately resume monitoring, at least semiannually, and notify the Control Authority (CA) if the pollutant waived from sampling is subsequently found *to be present* or is *expected to be* present.

In addition, the control mechanism still must include all applicable categorical Pretreatment Standards, even those Standards for which monitoring has been waived.

The SVSD may require that sampling requirements will be required at a frequency of less than twice a year this information will be incorporated into the permit with any reduced sampling of less than twice a year requiring a waiver be submitted to that period of time. In addition, if the CIU elects to monitor the pollutant is not present then that information must be submitted to the SVSD with the waiver requirements that are required in the permit.

In addition the waiver for pollutant is not present cannot be used in place of any certification process established in a categorical Pretreatment Standard, such as the certification process for total toxic organic pollutants under the metal finishing regulations. Nor does the waiver supersede requirements that are specific to the categorical pretreatment standards – for example, monitoring requirements for the pharmaceutical industry can be reduced only by the waiver procedures to a frequency of once per year and cannot be waived entirely.

E. Documentation by SVSD

The SVSD will document the reasons for authorizing the waiver and maintain any information submitted by the CIU in support of the waiver. This information will be maintained for at least 3 years after the expiration of the control mechanism in which the waiver is granted [40 CFR 403.12(e)(2)(iv)].

F. Sampling by SVSD

The SVSD will sample the effluent at least once after the waiver has been approved during the term of the CIU's permit to confirm that no changes have occurred and that the sampling waiver is still appropriate.

G. Waivers from New Users

The waiver will not be accepted from new users until two years of compliance data can be gathered by the CIU and the SVSD. The waiver cannot be applied to baseline monitoring reports or 90-day compliance report requirements.

SOUTH VALLEY SEWER DISTRICT
PO Box 908, Draper, Utah 84020
Phone: (385) 202-2777 Fax: (385) 202-2776

APPLICATION FOR SAMPLING WAIVER OF CATEGORICAL POLLUTANTS

In accordance with 40 CFR 403.8(f)(2)(v) & 403.12(e), and South Valley Sewer District (SVSD) Rules and Regulations Section 2.6.4 B, SVSD may waive sampling requirements if an Industrial User demonstrates that a pollutant(s) is neither present nor expected to be present in the Discharge. In order to apply for a sampling waiver, please complete the following information and return it to SVSD Industrial Pretreatment Department.

1. Permit Number: _____
2. Industrial User: _____
3. Name of Authorized Representative: _____
4. Facility Address: _____

   City: _____ State: _____ Zip Code: _____

5. Mailing Address: _____

   City: _____ State: _____ Zip Code: _____

6. Please list the pollutants for which the User is currently seeking to suspend sampling:

   _____

   _____

7. Has the User conducted a facility-wide accounting of raw materials, products, by-products, and other chemicals demonstrating the absence of the pollutants for which it is seeking a sampling waiver? YES / NO

8. Has the User conducted one (1) sampling event of wastewater representative of all industrial processes, prior to any treatment, to verify that there are no detectable levels of the above named pollutant(s)? YES / NO

9. Has the User provided analytical data from no less than two (2) historical sampling events (post treatment), showing non-detect levels of the above named pollutants? YES / NO

10. Are copies of laboratory results from the sampling events described in #8 and #9 above attached to this application? YES / NO

AUTHORIZED REPRESENTATIVE STATEMENT:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Name of Authorized Representative (print)	Title
Signature	Date
Email	Telephone No.

For SVSD Use Only

1. Has the User submitted sufficient sampling and other technical data demonstrating that the pollutant(s) is not present in the discharge? YES / NO
2. Was the waiver been granted? YES / NO
3. If the waiver has been granted, has the permit been modified and reissued to include the waiver? YES / NO
4. The waiver is effective _____ , through _____ (term not to exceed five (5) years).

Pretreatment Coordinator Date

_____ _____

SECTION 4
LOCAL LIMITS

4.1 PURPOSE

The purpose of this section is to provide the information necessary to evaluate the need to develop and/or revise technically based Local Limits.

4.2 LEGAL AUTHORITY

U.S. Code of Federal Regulations, Title 40, Part 403

Pretreatment Rules and Regulations, Section 2.2.4

4.3 PROGRAM

Local Limits for JBWRF have been developed in accordance with the EPA Local Limits Development Guidance 2004, and the Utah State Local Limit Development Standard. The Local Limits for JBWRF and supporting documentation, including a list of pollutants evaluated, are set forth in a separate document entitled *Jordan Basin Water Reclamation Facility Industrial Pretreatment Local Limits Development Document.* Technically based Local Limits will be developed for JBWRF in accordance with the schedule and requirements of the JBWRF UPDES Permit.

Because of the configuration of the SVSD Collection System and the interconnectivity of JBWRF and South Valley Water Reclamation Facility (SVWRF), it is expected that some portions of wastewater flows destined for JBWRF will enter SVWRF. As a result, in order to protect SVWRF from Pass Through and Interference, SVSD will include SVWRF Local Limits in individual and general wastewater discharge permits for every SVWRF parameter that is more stringent than JBWRF's.

The following are procedures SVSD will follow to include SVWRF Local Limits in the SVSD Pretreatment Program:

A. Prior to the issuance of every SVSD individual and general wastewater discharge permit, existing SVWRF Local Limits will be reviewed to determine if, for each permit parameter, the SVWRF limit is more stringent than that of JBWRF's;
B. SVWRF Local Limits that are more stringent than JBWRFs at the time of permit issuance will be included as specific limitations in the SVSD permit;
C. All SVSD individual and general wastewater discharge permits containing SVWRF Local Limits will be public noticed prior to issuance, in accordance with procedures set forth in Section 3.13.3;
D. In the future when JBWRF or SVWRF revises and adopts new Local Limits, SVSD will evaluate each individual and general wastewater discharge permit, and revise, public notice, and reissue permits, as necessary, to contain the most stringent limits;

E. SVSD will exercise full legal authority to enforce SVWRF Local Limits that are included in SVSD individual and general wastewater discharge permits;

SVSD will annually evaluate the effectiveness of the pretreatment program by completing the appropriate Local Limits Evaluation and the Trend Graphs. If the results of the annual evaluation indicate a need to revise or update technically based Local Limits, the U.S. EPA Region VIII guidance strategy, located in the Model Local Limits Guidance Binder, will be followed.

LOCAL LIMITS EVALUATION

The following evaluation will determine if there is a need for the POTW to develop technically based local limits. If there is a need, you should proceed by following the U.S. EPA Region VIII Technically Based Local Limits Development Strategy located in the Model Local Limits Development Guidance binder.

Please answer each question for the preceding calendar year (Jan 1 to Dec 31).

(Year)

1. WORKER HEALTH AND SAFETY

Were there any fires or explosions in your publicly owned treatment works (POTW)? (Yes/No)
Briefly describe each incident. If one or more, was anyone injured?

Did any workers pass out or otherwise become affected by fume toxicity while working in or around the sewer system? (Yes/No)

Were any sewer lines <u>not</u> entered due to fume toxicity? (Yes/No)
Briefly explain any episodes involving worker health and safety caused by toxic fumes from industrial discharges.

Based on your responses to the questions asked, is there a need to technically develop local limits based on worker health and safety? (Yes/No)

If so, which parameters do you intend to study?

If so, when will the local limit development be completed?

2. BIOSOLIDS

Do your biosolids usually meet 40 CFR 503, Table 3 (Clean Sludge) limits? (Yes/No)

What is your preferred biosolids disposal method?

What percentage of the biosolids could not meet your preferred disposal method?

What alternative method was used?

Which parameters caused the use of alternative disposal methods?
(Optional – Graph concentrations)

Based on your responses to the questions asked, is there a need to technically develop local limits based on biosolids quality? (Yes/No)

If so, which parameters do you intend to study?

If so, when will the local limit development be completed?

Would you like to reduce biosolids disposal costs by improving quality? (Yes/No)

If so, will consistently meeting 40 CFR 503, Table 3 numbers facilitate this goal?

(Yes/No)

3. **BIOMONITORING**

Ceriodaphnia sp.

Using 100% effluent, what was the lowest percent pass observed?

What was the average percent pass observed from all *Ceriodaphnia* sp. tests?
(Optional - Graph % pass)

Fathead Minnow

Using 100% effluent, what was the lowest percent pass observed?

What was the average percent pass observed from all *fathead minnow* tests?
(Optional – Graph % pass)

Was accelerated biomonitoring necessary because of failures?

(Yes/No)

Please briefly explain any toxicity observed and corrective actions taken.

Based on your responses to the questions asked, is there a need to technically develop local limits based on biomonitoring? (Yes/No)

Has a Toxicity Identification Evaluation and/or a Toxicity Reduction Evaluation been completed? (Yes/No)

If so, which parameters caused the toxicity.

If so, when will the local limits development be completed?

4. UTAH POLLUTION DISCHARGE ELIMINATION SYSTEM (UPDES)

Did the POTW violate any of its UPDES permit effluent limits? (Yes/No)

If so, which limits?

Briefly explain any effluent violations experienced and corrective actions taken.

Based on your responses to the questions asked, is there a need to technically develop local limits based on UPDES permit limits? (Yes/No)

If so, which parameters do you intend to study?

If so, when will the local limit development be completed?

5. PUBLICLY-OWNED TREATMENT WORKS (POTW)

Were any sewer lines replaced due to corrosive discharges from industrial or commercial users? (Note: this does not include normal replacement of old lines, repairs for other reasons, or lines corroded from hydrogen sulfide gas.) (Yes/No)

If so, how many feet were replaced? (feet)

Were any public sewer lines obstructed by solid or viscous, non-domestic pollutant discharges? (Yes/No)

Has the average monthly flow exceeded the design flow of the POTW? (Yes/No)

If yes, how many times this year?

Did the average monthly BOD_5 loading or TSS loading exceed the design loading of the POTW? (Yes/No)

How many exceedances this year? BOD_5 _____
TSS _____

Has the POTW experienced a decrease in efficiency in any unit process or other operational problem which may be caused by process inhibition due to non-domestic discharges? (Yes/No)

If so, which unit process?

What is the suspected inhibitor?

Has any pollutant passed through the POTW into the receiving water

without receiving adequate treatment? This may include conventional pollutants, metals, organics, pathogens, visible oil or foam, or something else. (Yes/No)

If so, what was it, and describe the situation briefly.

Based on your responses to the questions asked, is there a need to technically develop local limits based on the POTW's design limitations? (Yes/No)

If so, which parameters do you intend to study?

If so, when will the local limit development be completed?

6. **OVERALL**

Are there any additional factors which might cause you to reevaluate or develop local discharge limits?

If so, please explain.

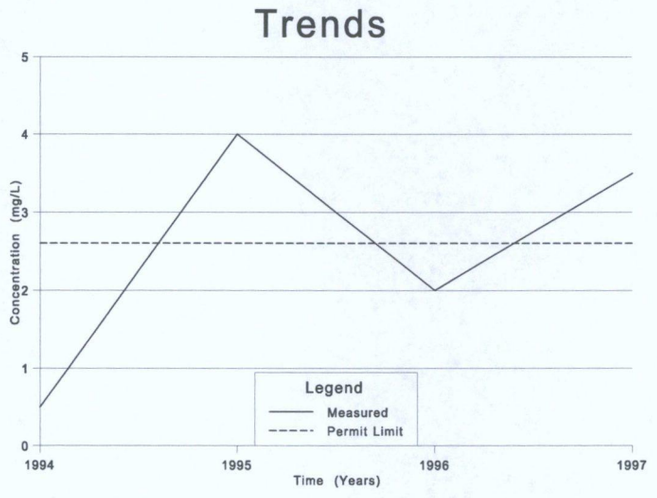
TREND GRAPHS

A compilation of historical data is possible by making copies of the evaluation form and filling out a form for each year. This previously collected information can be plotted on the accompanying graph to aid in measuring the pretreatment programs effectiveness, maximum allowable headworks loading rates, compliance trends, etc.

Accurate yearly evaluations will allow a proactive approach to local limits development. Rather than waiting for a serious problem to arise, find trends in the data and try to avoid noncompliance. The observed trends will also lend credence to a decision not to revise local limits at the time of permit renewal.

Over time the slope of the line on the graph could indicate an overall improved quality (decreasing line), constant quality (straight line) or degrading quality (increasing line). A separate graph could be developed for each pollutant.

A trend graph is created by placing the concentration, percent pass, number of violations, etc. on the y axis and time on the x axis. Also plot the goal or limit. The time period could be the last five years, all data since the last permit renewal, all data available, or any other appropriate time interval. An example trend graph is shown below.



Trend graphs for biosolids could track the amount of a metal detected in the biosolids. They could also be developed for bio-monitoring results, UPDES permit limited parameters, concentrations of pollutants at the POTW, or a number of other sets of data.

The trend graph will be completed and submitted along with the annual report if the allowable headworks loading (AHL) and/or allowable industrial loading (AIL) are violated, or as required by the Approval Authority.

SECTION 5
FINANCIAL MANAGEMENT

5.1 PURPOSE

The purpose of the **Financial Management Program** is to ensure that adequate financial resources are available to support the Industrial Pretreatment Program.

5.2 PROGRAM

5.2.1 Personnel

The size of staff needed to manage the Industrial Pretreatment Program varies with several factors including size of the system, number of Industrial Users, number of permitted Industrial Users, number of industries sampled and whether they are sampled by POTW personnel or they do their own sampling, and the number of Significant Industrial Users.

SVSD anticipates one FTE (Full Time Equivalent) per 5 to 15 SIU permits issued. Additional FTEs will be needed to assist with assessing user fees, unpermitted programs (such as FOG and mercury control programs) and non-residential customers. The SVSD Pretreatment Department staffing levels are delineated in the SVSD budget and will be financed as such.

5.2.2 Budget

At such time when the budget for the SVSD is being prepared, the Pretreatment Coordinator should propose the pretreatment budget and submit it to the Treatment Facility Manager. See a copy of the approved 2013 Pretreatment Department budget at the end of this Section.

5.2.3 Fees and Charges for Cost Recovery

It is the policy of SVSD to assess all costs of the collection and treatment of wastewater to the Users in an equitable way. This includes costs incurred by the Industrial Pretreatment Program. The Pretreatment Coordinator, in consultation with the District Engineer, will propose allocation of the treatment costs among residential, commercial and Industrial Users. The SVSD will assess and collect those fees and charges set forth below in accordance with SVSD's Consolidated Fee Schedule as amended from time to time.

A. Service Charges

Service Charges are assessed to all Users which discharge wastewater to the SVSD's wastewater collection system. The fees are designed to cover the actual costs of maintaining and replacing both the collection and treatment systems. The SVSD service charge is based on a minimum fixed charge for each residential user with a variable charge for each commercial and Industrial User based on the quantity and strength of individual wastewater discharged.

Residential users are single family dwellings, or multiple family dwellings, where water is metered to each unit separately. An equivalent residential unit (ERU) is equal to the number of gallons of wastewater discharged monthly from one residential user. The flow of the wastewater is calculated using the winter water usage as defined by the average monthly water usage from the period of November through February of each year. The average use for these four months is used as the monthly average for the next twelve month. The quantity of water discharged from one residential user will average approximately 9,000 gallons/month.

Any User not classified as a residential user shall be classified as a commercial or Industrial User and shall pay for their wastewater service based on usage of the system. The fees are calculated based upon estimated flows or metered flows.

Any discharge of high strength wastes as defined in the Pretreatment Rules and Regulations shall be assessed a service charges on a case-by-case basis.

B. Additional Service Charges (ASC)

Additional Service Charges (ASC) will be assessed for any wastewater discharge which needs to be pumped in order to reach the treatment system or requires a flow meter be maintained. The ASC imposed will cover actual maintenance, replacement, and electrical costs incurred by the SVSD to accommodate the discharge.

C. Pretreatment Fees and Charges

Service charges for the Industrial Pretreatment Program will be assessed to individual Industrial Users based on the actual costs of the following functions, based on the provisions of Section 2.16:

1. Processing wastewater discharge applications and issuing permits
2. Conducting wastewater sampling and laboratory analysis
3. Reviewing construction plans and specifications
4. Inspecting new construction
5. Conducting enforcement actions

D. Surcharge Fees

Surcharge Fees will be assessed based upon the volume and/or strength of sewage discharged into the POTW. Surcharge fees will be assessed when permitted levels of

BOD, TSS, animal/vegetable-based oil and grease are exceeded. Industrial Users who are subject to surcharge fees, but - for whatever reason - cannot be sampled, will be charged a flat fee based on the average volume and/or wastewater strength of all surchargable IUs that discharge to the SVSD.

SOUTH VALLEY SEWER DISTRICT
Pretreatment Program Budget 2013

EXPENSES:

LABOR:	
Salaries - Pretreatment Coordinator, Inspector (2), and Administrative Assistant	196,578.00
Overtime	1,500.00
Employee Benefits	104,383.00
TOTAL:	$ 302,461.00
EQUIPEMENT/SUPPLIES:	
Sampling Equipment	7,200.00
Safety Equipment	1,000.00
Office Supplies	4,000.00
TOTAL:	$ 12,200.00
VEHICLES:	
Fuel	7,812.00
Oil/maintenance	250.00
TOTAL:	$ 8,062.00
OUTSIDE SERVICES:	
Professional – Legal	10,000.00
Technical – Computer Support	4,900.00
Outside Laboratory Services	55,700.00
Printing – Forms, Envelopes	1,000.00
TOTAL:	$ 71,600.00
EDUCATION/TRAINING:	
Books, Subscriptions, and Memberships	533.00
Travel – R8PA Annual Conference and WEAU Conferences	7,878.00
Training – R8PA Annual Conference and WEAU Conferences	1,500.00
TOTAL:	$ 9,911.00
OTHER:	
Postage – Certified Letters and User Correspondence	1,500.00

Phone Service	2,400.00
Public Notices	5,000.00
Other Services and Supplies	4,300.00
TOTAL:	$ 13,200.00
TOTAL EXPENSES:	**$ 417,434.00**

SECTION 6
IU MASTER INDEX

The Industrial User Master Index has been prepared by SVSD and will be continuously updated. Initial inspections are made to determine the significance of each business license for additional development.

IU MASTER INDEX

Business Name	Address	SIC Code or NAICS	Number of Employees	Wastewater Flow Rate (gpd)	Discharge Type
Merit Medical	9884 S Redwood Road, South Jordan, 84095	339912	250+	46,538	indirect
Edwards Life Sciences	12050 S Lone Peak Parkway, Draper, 84020	339912	250+	7,380	indirect
Ultradent	10075 S Jordan Gateway, South Jordan, 84095	339114	150+	18,362	indirect
Dale T. Smith and Sons	12450 S Pony Express Rd, Draper, 84020	311611	50+	53,667	indirect
Utah State Prison	400 W 13800 S, Draper, 84020	922140	200+	468,581	indirect
Camp Williams	17800 S Camp Williams Rd, Riverton, 84065	928110	200+	45,203	indirect
National Guard	12953 S Minuteman Dr, Draper, 84020	928110	275+	12,197	indirect
Swire/Coco Cola	12634 S 265 W, Draper, 84020	333993	100+	4,167	indirect
eBay	6614 W Crimson View Dr, South Jordan, 84095	454111	150+	28,656	indirect

JANUARY 11, 2013

SECTION 7
OTHER CONSIDERATIONS

7.1 PURPOSE

The purpose of this section is to provide the Treatment Facility Manager with a specific source of needed information in order to aid in the management of the SVSD Pretreatment Program.

7.2 LEGAL AUTHORITY

U.S. Code of Federal Regulations, Title 40, Parts 403 and 503

Pretreatment Rules and Regulations, Various Sections

7.3 PROGRAM

7.3.1 POTW Design Information

The SVSD will develop and maintain specific information on the design/rated capacity of the JBWRF. The following will be considered:

A. Design Report Summary Information

B. POTW Design Basis

C. POTW Organic, Hydraulic and TSS Capacity

D. Unit Process Capacities

E. POTW Stress Test Results

F. POTW Flow Diagrams.

7.3.2 Biosolids Management

SVSD will evaluate the need to develop Local Limits for protection of many treatment operations including the future beneficial reuse of JBWRF biosolids.

Biosolids produced at JBWRF are stabilized via the membrane bioreactor (MBR) treatment process. After stabilization the solids are dewatered using centrifuges to about 18% solids. Biosolids are currently disposed in a landfill.

Biosolids management practices are in accordance with the requirements of 40 CFR Part 503 and the JBWRF UPDES permit. For future beneficial reuse of biosolids, all efforts will be employed to comply with Table III values for Pollutant concentrations. The Region VIII biosolids manual should be used in conjunction with this section.

7.3.3 Multijurisdictional Situations

SVSD provides sanitary sewer collection and wastewater treatment services to a number of municipalities in southern Salt Lake Valley and a small portion of northern Utah County. Each of the city's business development and inspection departments is requested to regularly provide SVSD with information about commercial development and business licensing within their city limits. The information provided is used to maintain the SVSD business inventory and billing records, Industrial Waste Survey, and IU Master Index.

SVSD annually gathers consumption data from culinary water providers for commercial customers within SVSD boundaries. The water consumption data is used for sewer billing purposes as well as to evaluate each entity under the Industrial Waste Survey process.

7.3.4 SVSD Organization

The SVSD will maintain an organization chart with specific reference as to how pretreatment fits into the organization. The organization chart should specify the responsibilities for each position associated with pretreatment and reference a job description. Pretreatment tasks which should be assigned to specific positions and included in the position descriptions are as follows:

A.	Development and Maintenance of Industrial Waste Survey	Pretreatment Coordinator
B.	Technical Review of IU Applications	Pretreatment Coordinator
C.	Site Inspection of IU Facilities	Pretreatment Coordinator
D.	Permit Preparation	Pretreatment Coordinator
E.	Permit Review	Treatment Facility Manager
F.	Issuance of Permit and Signature Authority	Pretreatment Coordinator
G.	Inspections	Pretreatment Coordinator
H.	Sampling/Chain of Custody	Pretreatment Coordinator
I.	Laboratory Analysis	Laboratory Technician
J.	Legal Assistance and Advice	SVSD Attorney
K.	Clerical Duties	Pretreatment Coordinator Admin. Assistant/Clerical
L.	Enforcement Responsibilities	Treatment Facility Manager
M.	Overall Program Management/Administration	Pretreatment Coordinator.

In general SVSD anticipates one FTE per 5 to 15 SIU permits issued. Additional FTEs will be needed to assist with assessing user fees, unpermitted programs (such as FOG programs and mercury control programs) and non-residential customers. This section should be used in conjunction with Section 5 hereof.

7.3.5 Pretreatment Program Equipment

All of the following equipment is available for implementation by the pretreatment program.

A. Pretreatment Vehicles
   1. 4-wheel drive club cab pickup truck w/exterior safety lighting
   2. Panel van w/exterior safety lighting

B. Sampling Equipment
   1. Six (6) HACH Sigma automatic samplers, batteries, tubing, nipples
   2. Sampler suspension hangers for manholes
   3. Grab sampling pole and cups
   4. Sample bottles and containers
   5. Coolers
   6. Two (2) portable pH meters
   7. Portable wench lift
   8. Interceptor core sampler

C. Equipment Wash Station
   1. DI water system
   2. Three (3) automatic dishwashing machines
   3. Two (2) compartment sink
   4. Chest freezer
   5. Stainless steel work tables and storage cabinets

D. Safety Equipment
   1. Personal Protective Equipment (safety shoes, safety vests, hard hats, cold weather clothing, gloves (leather, nitrile), dust masks, safety eyewear)
   2. 4-Gas meters
   3. Traffic cones

7.3.6 **Pretreatment Services for SVSD Service Area**

SVSD will perform all pretreatment functions outlined in these Pretreatment Rules and Regulations for current and future wastewater flows inside the SVSD boundaries (service area). Those functions include, but are not limited to: pipeline inspections and connection, IU design and construction plan review, identification of Users requiring individual and general wastewater discharge permits, issuing permits, conducting enforcement activities, and performing IU inspections and wastewater discharge sampling.

The SVSD will be the Control Authority with jurisdiction over pretreatment functions within the SVSD boundaries. The design configuration of the SVSD sewer collection system allows interconnections of the JBWRF and the SVWRF. Some wastewater flows from within the SVSD boundaries (service area) will be delivered to and treated at the SVWRF. In order to protect both POTWs and the receiving waters, SVSD will adopt SVWRF Local Limits and enforce upon SIUs within the SVSD service area the most stringent limits of the two POTWs. The SVSD pretreatment staff will coordinate and communicate with the SVWRF pretreatment staff to share date, reports and other information where appropriate to ensure the proper and orderly operation of the two POTWs' pretreatment programs.

SECTION 8
ATTORNEY'S STATEMENT

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I am the attorney for South Valley Sewer District (SVSD), and the following Statement is submitted pursuant to the requirements contained in 40CFR 403.9(b)(1) regarding the legal authority for the SVSD to implement its pretreatment program.

It is my opinion that the SVSD has adequate authority to carry out the program described in 40CFR 403.8 based upon the authority granted to the SVSD pursuant to the provisions of Title 17B and Title 19 of the Utah Code Annotated, 1953, as amended, and as implemented by the SVSD Wastewater/Pretreatment Rules and Regulations adopted by Resolution dated _____ ("Pretreatment Rules and Regulations"), together with related Ordinances adopted by Bluffdale City, Draper City, Herriman City, Riverton City, Sandy City and South Jordan City.

The following references to the legal authority requirements of 40CFR 403.8(f)(1) and (2) are correlated with the appropriate sections of the Pretreatment Rules and Regulations and Pretreatment Program:

403.8(f)(1)(i)

A permit is required prior to the time that an industrial user is allowed to connect to the SVSD system pursuant to Section 2.4.2 of the Pretreatment Rules and Regulations. The permitting procedure is described in Section 3.3 of the SVSD Pretreatment Program. Permits issued will contain restrictions and conditions in accordance with the pretreatment program and specifically Section 2.5.2 of the Pretreatment Rules and Regulations. In accordance with Section 2.5.4 C permit transfers are prohibited. In accordance with Section 2.5.1 discharge permits are issued for a specified period of not to exceed five years. Permits may be modified under Section 2.5.3 upon enactment of national categorical pretreatment standards and are further subject to modification where just cause exists. The SVSD's enablement to issue permits to deny or condition new or increased contributions of pollutants is found in Title 19, Chapter 5 of the Utah Code Annotated, 1953, as amended. Specifically, the provisions of Section 19-5-115(7) provide that any political subdivision of the State of Utah may enact and enforce ordinances or rules for the implementation of Chapter 5 of Title 19 which are not inconsistent with that chapter. Title 17B, Part 3 of the Utah Code Annotated, 1953, as amended, authorizes the SVSD's Board of Trustees to adopt regulations for the orderly operation of the SVSD and generally to do all things and perform, or caused to be performed, all acts that are necessary or desirable in the conduct of its affairs and in the operation of the properties of

the SVSD including its treatment facilities. The SVSD may require pretreatment of industrial and commercial wastes and sewage that would otherwise place an undue burden on the collection system or the treatment facilities of the SVSD. By ordinance, the member cities of the SVSD have adopted ordinances enacting wastewater discharge prohibitions and limitations and pretreatment requirements in order to comply with the requirements of 40 CFR 403.8. The authority of the cities to adopt such an ordinance is found in Section 10-8-84 of the Utah Code Annotated, 1953, as amended. All operative provisions are contained in the Pretreatment Rules and Regulations and respective Sections of the SVSD's Pretreatment Program.

403.8(f)(1)(ii).

The authority to require industrial users to comply with national pretreatment standards, prohibitive discharge standards and local limits is based upon exactly the same sources as the SVSD's authority to deny or condition new or increased contributions of pollutants. The sources of authority are set forth in the preceding paragraphs.

403.8(f)(1)(iii).

The SVSD Board of Trustees will control, through permit, the contributions to its treatment facilities by each significant industrial user. The SVSD's enablement to enter into such permits is found in Title 19, Chapter 5, the Utah Code Annotated, 1953, as amended. Permits will be issued pursuant to the provisions of the Pretreatment Rules and Regulations adopted by Resolution of the SVSD Board of Trustees on _____.

403.8(f)(1)(iv).

A user who is not in compliance with the requirements of the Pretreatment Rules and Regulations concerning pretreatment standards is required to be in compliance within a stated time in order to enjoy the continued use of the facilities. Compliance is required under the terms of the Permit and the Pretreatment Rules and Regulations. Compliance reports are required under Section 2.6.4 of the Pretreatment Rules and Regulations. Sections 2.6 and 2.7 pertaining to reporting and monitoring for industrial users provides requirements for sampling, self-monitoring, compliance schedules, submission of technical reports and the maintenance of appropriate records. Section 3.4 of the SVSD's Pretreatment Program contains self-monitoring requirements and procedures. Enabling authority for these rules, regulations and the related permit are set forth in the preceding paragraphs.

403.8(f)(1)(v).

Authority to conduct all inspections, surveillance, or monitoring procedures necessary to determine compliance with applicable pretreatment standards and regulations is provided in the Pretreatment Rules and Regulations and in the applicable sections of the SVSD's Pretreatment Program. Provisions relating to monitoring, inspections, etc., are contained in Section 2.7 of the Pretreatment Rules and Regulations. Sources of enabling authority

are set forth in the preceding paragraphs. The control mechanism to assure pretreatment standards will be met is the permit issued to industrial users.

403.8(f)(1)(vi).

SVSD may seek legal and equitable remedies for non-compliance with its pretreatment standards and requirements in accordance with the provisions of Sections 2.11, 2.12 and 2.13 of the Pretreatment Rules and Regulations and pursuant to the SVSD's Enforcement Response Plan contained within Section 3.9 of the SVSD Pretreatment Program. An injunction, including a temporary restraining order, will be available for violation of the pretreatment requirements pursuant to Utah Rules of Civil Procedures 65A. In addition to the foregoing, pursuant to Section 2.11.7 of the Pretreatment Rules and Regulations the SVSD may terminate, or cause to be terminated sewage treatment service to any user for a violation of any provisions of the Pretreatment Rules and Regulations. Title 19, Chapter 5 provides enabling authority which may be used by the SVSD through the state in seeking civil penalties not to exceed $10,000.00 per day and criminal fines not exceeding $25,000.00 per day against any person who willfully or with gross negligence, discharges pollutants in violation of the provisions of Title 19, Chapter 5 or violates any conditions or limitations included in a permit issued pursuant thereto, etc. Section 2.11.6 of the Pretreatment Rules and Regulations allows the SVSD to suspend sewer service to stop an actual or threatened discharge which does or may present an endangerment to person or the environment or interference with the SVSD's facilities or a violation of its UPDES Permit. Damages are also available at common law for persons injuring the property and facilities of the SVSD.

403.8(f)(1)(vii).

Confidentiality requirements are met in Section 2.9 of the Pretreatment Rules and Regulations.

403.8(f)(2)(i).

SVSD will implement the Pretreatment Program Requirements set forth in 40CFR 403.8 by issuing a discharge permit to all significant industrial users now connected or proposing to connect to the system and by identifying users which are subject to the pretreatment program through inspections, etc. The industrial waste survey is contained in Section 3.1.4 of the SVSD's Pretreatment Program. Industrial user identification, review and permit development procedures are contained in Sections 3.1, 3.2, and 3.3 of the Program.

403.8(f)(2)(ii).

Each industrial user, when obtaining a permit, is required pursuant to Section 2.4 of the Pretreatment Rules and Regulations, to identify the character and volume of pollutants contributed to the SVSD's facilities by such industrial user. Disclosure includes the quantity and quality characteristics of the discharge together with the quality and specific

nature of any pollutants in the discharge which are limited by any federal, state or local pretreatment standards or requirements. Monitoring and testing by the industrial user or the SVSD may also provide for the identification of character and volume of pollutants contributed by such industrial users.

403.8(f)(2)(iii).

Provisions of the discharge permit issued to each industrial user and the permit conditions contained in Section 2.5 of the Pretreatment Rules and Regulations, requires notification of each industrial user of the applicable pretreatment standards and requirements. Under Section 2.11.1 of the Pretreatment Rules and Regulations, Industrial users are notified of any violations of their wastewater discharge permit or any limitations or requirements contained in the Pretreatment Rules and Regulations. The RCRA notification procedures are contained in Section 3.7 of the Pretreatment Program along with other notification procedures. The RCRA notice requirement is also set forth in the industrial wastewater discharge permit.

403.8(f)(2)(iv).

Each industrial user is required to comply with self-monitoring requirements and procedures contained in Section 3.4 of the Pretreatment Program and to submit appropriate self-monitoring and compliance reports as provided in the Permit, Program, and the Pretreatment Rules and Regulations.

403.8(f)(2)(v).

SVSD's Treatment Facility Manager and his or her representatives have authority to conduct random sampling and to analyze effluent from industrial users and to conduct surveillance inspection activities in order to identify, independent of information supplied by the industrial user, occasional and continuing non-compliance with pretreatment standards. Section 2.7.1 of the Pretreatment Rules and Regulations allow the Treatment Facility Manager or his or her representatives ready access at all reasonable time to all parts of the premises for the purpose of conducting such monitoring and inspections. Failure to allow admission to the premises may result in sewer services to those premises being discontinued pursuant to Section 2.11.7.

403.8(f)(2)(vi).

The Treatment Facility Manager and his or her representatives investigate non-compliance as recorded by the reports provided by industrial users. Non-compliance may be indicated by analysis, inspection and surveillance activities of the industrial users by SVSD personnel. Sampling and chain of custody procedures are contained in Section 3.5 of the SVSD's Pretreatment Program. Inspection and sampling provisions are contained Section 2.7 of the Pretreatment Rules and Regulations.

403.8(f)(2)(vii).

Participation, including annual publication of users violating the standards is provided through the SVSD's newspaper notification procedure contained in Section 3.11 of the Pretreatment Program and in accordance with the provisions of Section 2.10 of the Pretreatment Rules and Regulations which provides that a list of users significantly violating any pretreatment requirements or standards during the previous twelve months be published annually in a newspaper of general circulation within the boundaries of the SVSD.

Very truly yours,

BY: _____
Michael J. Mazuran
Attorney for the South Valley Sewer District

Dated: _____