

STATE OF UTAH  
DIVISION OF WATER QUALITY  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
SALT LAKE CITY, UTAH

UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM (UPDES) PERMITS

Minor Municipal Permit No. **UT0025305**

In compliance with provisions of the *Utah Water Quality Act, Title 19, Chapter 5, Utah Code Annotated ("UCA") 1953, as amended (the "Act")*,

**HEXCEL CORPORATION**

is hereby authorized to discharge from its wastewater treatment facility to receiving waters named

**UTAH AND SALT LAKE CANAL,**

in accordance with specific limitations, outfalls, and other conditions set forth herein.

This permit shall become effective on August 1, 2018

This permit expires at midnight on July 31, 2023.

Signed this 1<sup>st</sup> day of August, 2018.



Erica Brown Gaddis, PhD  
Director

DWQ-2018-004408

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**PART I**  
**DISCHARGE PERMIT NO. UT0025305**  
**WASTEWATER**

**I. DISCHARGE LIMITATIONS AND REPORTING REQUIREMENTS**

- A. Description of Discharge Points. The authorization to discharge wastewater provided under this part is limited to those outfalls specifically designated below as discharge locations. Discharges at any location not authorized under a UPDES permit are violations of the *Act* and may be subject to penalties under the *Act*. Knowingly discharging from an unauthorized location or failing to report an unauthorized discharge may be subject to criminal penalties as provided under the *Act*.

Outfall Number

001

Location of Discharge Outfall

Located at Latitude 40°39' 17.65" and Longitude 112° 02' 42.85". The discharge is located approximately 5400 South and 6500 West in Salt Lake County, Utah.

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

C. Specific Limitations and Self-Monitoring Requirements.

1. Effective immediately, and lasting through the life of this permit, there shall be no acute or chronic toxicity in Outfall 001 as defined in *Part VIII* of this permit.
2.
  - a. Effective immediately and lasting the duration of this permit, the permittee is authorized to discharge from Outfall 001. Such discharges shall be limited and monitored by the permittee as specified below:

Parameter	Effluent Limitations *a			
	Maximum Monthly Avg	Maximum Weekly Avg	Daily Minimum	Daily Maximum
Flow, MGD *b*c	0.6	NA	NA	NA
BOD <sub>5</sub> , mg/L	25	35	NA	NA
TSS, mg/L	25	35	NA	NA
Total Dissolved Solids, mg/L	NA	NA	NA	1,200
pH, Standard Units	NA	NA	6.5	9.0

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**WASTEWATER**

Self-Monitoring and Reporting Requirements *a			
Parameter	Frequency	Sample Type	Units
Total Flow *b*c	Monthly	Instantaneous Measurement	MGD
BOD <sub>5</sub>	Monthly	Grab	mg/L
TSS	Monthly	Grab	mg/L
Total Dissolved Solids	Monthly	Grab	mg/L
pH	Monthly	Grab	SU

\*a See Definitions, *Part VIII*, for definition of terms.

\*b Flow measurements of influent/effluent volume shall be made in such a manner that the permittee can affirmatively demonstrate that representative values are being obtained.

\*c If the rate of discharge is controlled, the rate and duration of discharge shall be reported.

3. Acute/Chronic Whole Effluent Toxicity (WET) Testing.

As part of the nationwide effort to control toxics, biomonitoring requirements are being included in all major permits and in minor permits for facilities where effluent toxicity is an existing or potential concern. Authorization for requiring effluent biomonitoring is provided for in UAC R317-8-4.2 and R317-8-5.3. The Permit and Enforcement Guidance Document for Whole Effluent Toxicity DWQ, February 2018, outlines guidance to be used by Utah Division of Water Quality staff and by permittee's for implementation of WET control through the UPDES discharge permit program.

Hexcel is a minor facility discharging approximately 600,000 gallons per day of rinse water, cooling water, non-contact cooling water, and steam condensate. Comparison of the laboratory analysis performed on their effluent to the waste load analysis, Hexcel's discharge is not likely to be toxic. As a result, biomonitoring of the effluent will not be required. However, the permit will contain a WET reopener provision.

D. Reporting of Monitoring Results.

1. Reporting of Wastewater Monitoring Results Monitoring results obtained during the previous month shall be summarized for each month and reported on a Discharge Monitoring Report Form (EPA No. 3320-1)\* or by NetDMR, post-marked or entered into NetDMR no later than the 28<sup>th</sup> day of the month following the completed reporting period. If no discharge occurs during the reporting period, "no discharge" shall be reported. Legible copies of these, and all other reports including whole effluent toxicity (WET) test reports required herein, shall be signed and certified in accordance with the requirements of *Signatory Requirements (see Part VII.G)*, and submitted by NetDMR, or to the Division of Water Quality at the following address:

Department of Environmental Quality  
Division of Water Quality  
PO Box 144870  
Salt Lake City, Utah 84114-4870

\* Starting January 1, 2017 monitoring results must be submitted using NetDMR unless the permittee has successfully petitioned for an exception.



**PART II**  
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**PRETREATMENT**

**II. INDUSTRIAL PRETREATMENT PROGRAM**

- A. Discharges to a POTW. Any process wastewater that the facility may discharge to the sanitary sewer, either as direct discharge or as a hauled waste, is subject to federal, state and local pretreatment regulations. Pursuant to Section 307 of the Clean Water Act, the permittee shall comply with all applicable Federal General Pretreatment Regulations promulgated, found in *40 CFR section 403*, the State Pretreatment Requirements found in *UAC R317-8-8*, and any specific local discharge limitations developed by the Publicly Owned Treatment Works (POTW) accepting the waste.
  
- B. Hazardous Waste Requirements. In accordance with *40 CFR 403.12(p)(1)*, the permittee must notify the POTW, the EPA Regional Waste Management Director, and the State hazardous waste authorities, in writing, if they discharge any substance into a POTW which if otherwise disposed of would be considered a hazardous waste under *40 CFR 261*. This notification must include the name of the hazardous waste, the EPA hazardous waste number, and the type of discharge (continuous or batch).

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**BIOSOLIDS**

**III. BIOSOLIDS REQUIREMENTS**

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

**PART IV**  
**STORM WATER PERMIT NO. UT000000**

**IV. STORM WATER REQUIREMENTS.**

Hexcel manufactures carbon fibers, epoxy resins, uni-directional carbon graphite cloth and woven carbon graphite fiber epoxy resin impregnated cloth. The following Standard Industrial Classification (SIC) codes apply: 2824 Manmade Organic Fibers-Except Cellulosic; 2821 Plastics Materials, Synthetic Resins, and Non-vulcanizable Elastomers.

Based on the SIC Code 282, Hexcel is required to obtain coverage under the UPDES Multi Sector General Permit for Storm Water Discharges from Industrial Activities. Specifically Hexcel is required to obtain coverage under Sector C for Storm Water Discharges from Chemical and Allied Manufacturing Facilities. The permit requires the development and implementation of a storm water pollution prevention plan for the facility.

**V. MONITORING, RECORDING & GENERAL REPORTING REQUIREMENTS**

- A. Representative Sampling. Samples taken in compliance with the monitoring requirements established under *Part I* shall be collected from the effluent stream prior to discharge into the receiving waters. Samples and measurements shall be representative of the volume and nature of the monitored discharge. Samples of biosolids shall be collected at a location representative of the quality of biosolids immediately prior to the use-disposal practice.
- B. Monitoring Procedures. Monitoring must be conducted according to test procedures approved under *Utah Administrative Code ("UAC") R317-2-10 and 40CFR Part 503*, unless other test procedures have been specified in this permit.
- C. Penalties for Tampering. The *Act* provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six months per violation, or by both.
- D. Compliance Schedules. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any Compliance Schedule of this permit shall be submitted no later than 14 days following each schedule date.
- E. Additional Monitoring by the Permittee. If the permittee monitors any parameter more frequently than required by this permit, using test procedures approved under *UAC R317-2-10 and 40 CFR 503* or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or the Biosolids Report Form. Such increased frequency shall also be indicated. Only those parameters required by the permit need to be reported.
- F. Records Contents. Records of monitoring information shall include:
  - 1. The date, exact place, and time of sampling or measurements;
  - 2. The individual(s) who performed the sampling or measurements;
  - 3. The date(s) and time(s) analyses were performed;
  - 4. The individual(s) who performed the analyses;
  - 5. The analytical techniques or methods used; and,
  - 6. The results of such analyses.
- G. Retention of Records. 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 five years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time. A copy of this UPDES permit must be maintained on site during the duration of activity at the permitted location
- H. Twenty-four Hour Notice of Noncompliance Reporting.
  - 1. The permittee shall (orally) report any noncompliance including transportation accidents, spills, and uncontrolled runoff from biosolids transfer or land application sites which may seriously endanger health or environment, as soon as possible, but no later than twenty-four (24) hours from the time the permittee first became aware of circumstances. The report shall be made to the Division of Water Quality, (801) 536-4300, or 24-hour answering service (801) 536-4123.

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2. The following occurrences of noncompliance shall be reported by telephone (801) 536-4300 as soon as possible but no later than 24 hours from the time the permittee becomes aware of the circumstances:
  - a. Any noncompliance which may endanger health or the environment;
  - b. Any unanticipated bypass, which exceeds any effluent limitation in the permit (See *Part VI.G, Bypass of Treatment Facilities.*);
  - c. Any upset which exceeds any effluent limitation in the permit (See *Part VI.H, Upset Conditions.*);
  - d. Violation of a maximum daily discharge limitation for any of the pollutants listed in the permit; or,
  - e. Violation of any of the Table 3 metals limits, the pathogen limits, the vector attraction reduction limits or the management practices for biosolids that have been sold or given away.
3. A written submission shall also be provided within five days of the time that the permittee becomes aware of the circumstances. The written submission shall contain:
  - a. A description of the noncompliance and its cause;
  - b. The period of noncompliance, including exact dates and times;
  - c. The estimated time noncompliance is expected to continue if it has not been corrected;
  - d. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance; and,
  - e. Steps taken, if any, to mitigate the adverse impacts on the environment and human health during the noncompliance period.
4. The Director may waive the written report on a case-by-case basis if the oral report has been received within 24 hours by the Division of Water Quality, (801) 536-4300.
5. Reports shall be submitted to the addresses in *Part I.D, Reporting of Monitoring Results.*
- I. Other Noncompliance Reporting. Instances of noncompliance not required to be reported within 24 hours shall be reported at the time that monitoring reports for *Part I.D* are submitted. The reports shall contain the information listed in *Part V.H.3*
- J. Inspection and Entry The permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:
  1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the permit;
  2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

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3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit, including but not limited to, biosolids treatment, collection, storage facilities or area, transport vehicles and containers, and land application sites;
4. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the *Act*, any substances or parameters at any location, including, but not limited to, digested biosolids before dewatering, dewatered biosolids, biosolids transfer or staging areas, any ground or surface waters at the land application sites or biosolids, soils, or vegetation on the land application sites; and,
5. The permittee shall make the necessary arrangements with the landowner or leaseholder to obtain permission or clearance, the Director, or authorized representative, upon the presentation of credentials and other documents as may be required by law, will be permitted to enter without delay for the purposes of performing their responsibilities.



**VI. COMPLIANCE RESPONSIBILITIES**

- A. Duty to Comply. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity, which may result in noncompliance with permit requirements.
- B. Penalties for Violations of Permit Conditions. The *Act* provides that any person who violates a permit condition implementing provisions of the *Act* is subject to a civil penalty not to exceed \$10,000 per day of such violation. Any person who willfully or negligently violates permit conditions or the Act is subject to a fine not exceeding \$25,000 per day of violation. Any person convicted under *UCA 19-5-115(2)* a second time shall be punished by a fine not exceeding \$50,000 per day. Except as provided at *Part VI.G, Bypass of Treatment Facilities* and *Part VI.H, Upset Conditions*, nothing in this permit shall be construed to relieve the permittee of the civil or criminal penalties for noncompliance.
- C. Need to Halt or Reduce Activity not a Defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- D. Duty to Mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit, which has a reasonable likelihood of adversely affecting human health or the environment. The permittee shall also take all reasonable steps to minimize or prevent any land application in violation of this permit.
- E. Proper Operation and Maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems, which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.
- F. Removed Substances. Collected screening, grit, solids, sludge, or other pollutants removed in the course of treatment shall be disposed of in such a manner so as to prevent any pollutant from entering any waters of the state or creating a health hazard. Sludge/digester supernatant and filter backwash shall not directly enter either the final effluent or waters of the state by any other direct route.
- G. Bypass of Treatment Facilities.
  - 1. Bypass Not Exceeding Limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to paragraph 2 and 3 of this section.
  - 2. Prohibition of Bypass.
    - a. Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:

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- (1) Bypass was unavoidable to prevent loss of human life, personal injury, or severe property damage;
  - (2) There were no feasible alternatives to 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 backup equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance, and
  - (3) The permittee submitted notices as required under *section VI.G.3.*
- b. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed in *sections VI.G.2.a (1), (2) and (3).*

3. Notice.

- a. *Anticipated bypass.* Except as provided above in *section VI.G.2* and below in *section VI.G.3.b*, if the permittee knows in advance of the need for a bypass, it shall submit prior notice, at least ninety days before the date of bypass. The prior notice shall include the following unless otherwise waived by the Director:
- (1) Evaluation of alternative to bypass, including cost-benefit analysis containing an assessment of anticipated resource damages;
  - (2) A specific bypass plan describing the work to be performed including scheduled dates and times. The permittee must notify the Director in advance of any changes to the bypass schedule;
  - (3) Description of specific measures to be taken to minimize environmental and public health impacts;
  - (4) A notification plan sufficient to alert all downstream users, the public and others reasonably expected to be impacted by the bypass;
  - (5) A water quality assessment plan to include sufficient monitoring of the receiving water before, during and following the bypass to enable evaluation of public health risks and environmental impacts; and,
  - (6) Any additional information requested by the Director.
- b. *Emergency Bypass.* Where ninety days advance notice is not possible, the permittee must notify the Director, and the Director of the Department of Natural Resources, as soon as it becomes aware of the need to bypass and provide to the Director the information in *section VI.G.3.a.(1) through (6)* to the extent practicable.
- c. *Unanticipated bypass.* The permittee shall submit notice of an unanticipated bypass to the Director as required under *Part IV.H, Twenty Four Hour Reporting*. The permittee shall also immediately notify the Director of the Department of Natural

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Resources, the public and downstream users and shall implement measures to minimize impacts to public health and environment to the extent practicable.

**H. Upset Conditions.**

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of paragraph 2 of this section are met. Director's administrative determination regarding a claim of upset cannot be judiciously challenged by the permittee until such time as an action is initiated for noncompliance.
2. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
  - a. An upset occurred and that the permittee can identify the cause(s) of the upset;
  - b. The permitted facility was at the time being properly operated;
  - c. The permittee submitted notice of the upset as required under *Part V.H, Twenty-four Hour Notice of Noncompliance Reporting*; and,
  - d. The permittee complied with any remedial measures required under *Part VI.D, Duty to Mitigate*.
3. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

**VII. GENERAL REQUIREMENTS**

- A. Planned Changes. The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when the alteration or addition could significantly change the nature or increase the quantity of parameters discharged or pollutant sold or given away. This notification applies to pollutants, which are not subject to effluent limitations in the permit. In addition, if there are any planned substantial changes to the permittee's existing sludge facilities or their manner of operation or to current sludge management practices of storage and disposal, the permittee shall give notice to the Director of any planned changes at least 30 days prior to their implementation.
- B. Anticipated Noncompliance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity, which may result in noncompliance with permit requirements.
- C. Permit Actions. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- D. Duty to Reapply. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall apply for and obtain a new permit. The application shall be submitted at least 180 days before the expiration date of this permit.
- E. Duty to Provide Information. The permittee shall furnish to the Director, within a reasonable time, any information which the Director 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 Director, upon request, copies of records required to be kept by this permit.
- F. Other Information. When the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or any report to the Director, it shall promptly submit such facts or information.
- G. Signatory Requirements. All applications, reports or information submitted to the Director shall be signed and certified.
  - 1. All permit applications shall be signed by either a principal executive officer or ranking elected official.
  - 2. All reports required by the permit and other information requested by the Director shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
    - a. The authorization is made in writing by a person described above and submitted to the Director, and,
    - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position

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having overall responsibility for environmental matters. A duly authorized representative may thus be either a named individual or any individual occupying a named position.

3. Changes to authorization. If an authorization under *paragraph VII.G.2* is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of *paragraph VII.G.2* must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.
4. Certification. Any person signing a document under this section shall make the following certification:

"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."
- H. Penalties for Falsification of Reports. The *Act* provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction be punished by a fine of not more than \$10,000.00 per violation, or by imprisonment for not more than six months per violation, or by both.
- I. Availability of Reports. Except for data determined to be confidential under *UAC R317-8-3.2*, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the office of Director. As required by the *Act*, permit applications, permits and effluent data shall not be considered confidential.
- J. Oil and Hazardous Substance Liability. Nothing in this permit shall be construed to preclude the permittee of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under the *Act*.
- K. 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.
- L. Severability. The provisions of this permit are severable, and if any provisions 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.
- M. Transfers. This permit may be automatically transferred to a new permittee if:
  1. The current permittee notifies the Director at least 20 days in advance of the proposed transfer date;

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2. The notice includes a written agreement between the existing and new permittee's containing a specific date for transfer of permit responsibility, coverage, and liability between them; and,
  3. The Director does not notify the existing permittee and the proposed new permittee of his or her intent to modify, or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in paragraph 2 above.
- N. State or Federal Laws. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by *UCA 19-5-117* and *Section 510 of the Act* or any applicable Federal or State transportation regulations, such as but not limited to the Department of Transportation regulations.
- O. Water Quality - Reopener Provision. This permit may be reopened and modified (following proper administrative procedures) to include the appropriate effluent limitations and compliance schedule, if necessary, if one or more of the following events occurs:
1. Water Quality Standards for the receiving water(s) to which the permittee discharges are modified in such a manner as to require different effluent limits than contained in this permit.
  2. A final wasteload allocation is developed and approved by the State and/or EPA for incorporation in this permit.
  3. Revisions to the current CWA § 208 areawide treatment management plans or promulgations/revisions to TMDLs (40 CFR 130.7) approved by the EPA and adopted by DWQ which calls for different effluent limitations than contained in this permit.
- P. Biosolids – Reopener Provision. This permit may be reopened and modified (following proper administrative procedures) to include the appropriate biosolids limitations (and compliance schedule, if necessary), management practices, other appropriate requirements to protect public health and the environment, or if there have been substantial changes (or such changes are planned) in biosolids use or disposal practices; applicable management practices or numerical limitations for pollutants in biosolids have been promulgated which are more stringent than the requirements in this permit; and/or it has been determined that the permittees biosolids use or land application practices do not comply with existing applicable state of federal regulations.
- Q. Toxicity Limitation - Reopener Provision. This permit may be reopened and modified (following proper administrative procedures) to include WET testing, a WET limitation, a compliance schedule, a compliance date, additional or modified numerical limitations, or any other conditions related to the control of toxicants if toxicity is detected during the life of this permit.
- R. Storm Water-Reopener Provision. At any time during the duration (life) of this permit, this permit may be reopened and modified (following proper administrative procedures) as per *UAC R317.8*, to include, any applicable storm water provisions and requirements, a storm



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water pollution prevention plan, a compliance schedule, a compliance date, monitoring and/or reporting requirements, or any other conditions related to the control of storm water discharges to "waters-of-State".

**VIII. DEFINITIONS**

**A. Wastewater.**

1. The "7-day (and weekly) average", other than for *E. coli* bacteria, fecal coliform bacteria, and total coliform 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, fecal coliform bacteria, and total coliform 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 in the following month), the weekly average calculated for that calendar week shall be included in the data for the month that contains Saturday.
2. The "30-day (and monthly) average," other than for *E. coli* bacteria, fecal coliform bacteria and total coliform bacteria, is the arithmetic average of all samples collected during a consecutive 30-day period or calendar month, whichever is applicable. Geometric means shall be calculated for *E. coli* bacteria, fecal coliform bacteria and total coliform bacteria. The calendar month shall be used for purposes of reporting self-monitoring data on discharge monitoring report forms.
3. "Act," means the *Utah Water Quality Act*.
4. "Acute toxicity" occurs when 50 percent or more mortality is observed for either test species at any effluent concentration (lethal concentration or "LC<sub>50</sub>").
5. "Bypass," means the diversion of waste streams from any portion of a treatment facility.
6. "IC<sub>25</sub>" is the concentration of toxicant (given in % effluent) that would cause a 25% reduction in mean young per female, or a 25% reduction in overall growth for the test population.
7. "Composite Samples" shall be flow 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:
  - a. Constant time interval between samples, sample volume proportional to flow rate at time of sampling;
  - b. 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;
  - c. Constant sample volume, time interval between samples proportional to flow (i.e., sample taken every "X" gallons of flow); and,

**PART VIII**  
**DISCHARGE PERMIT NO. UT0025305**

- d. Continuous sample volume, with sample collection rate proportional to flow rate.
- 8. "CWA," means *The Federal Water Pollution Control Act*, as amended, by *The Clean Water Act of 1987*.
- 9. "Daily Maximum" (Daily Max.) is the maximum value allowable in any single sample or instantaneous measurement.
- 10. "EPA," means the United States Environmental Protection Agency.
- 11. "Director," means Director of the Division of Water Quality.
- 12. A "grab" sample, for monitoring requirements, is defined as a single "dip and take" sample collected at a representative point in the discharge stream.
- 13. An "instantaneous" measurement, for monitoring requirements, is defined as a single reading, observation, or measurement.
- 14. "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.
- 15. "Upset," means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. 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.

**FACT SHEET/STATEMENT OF BASIS  
HEXCEL CORPORATION  
RENEWAL PERMIT: DISCHARGE  
UPDES PERMIT NUMBER: UT0025305  
MINOR INDUSTRIAL**

**FACILITY CONTACTS**

Person Name: Jonathan Thompson	Person Name: Bryan Wheeler
Position: SLC Fibers Manager	Position: Sr. Environmental Engineer
Telephone: 801-508-8000	Telephone: 801-209-2427

Facility Name:	Hexcel Corporation
Mailing Address:	PO Box 18748 Salt Lake City, Utah 84118-0748
Telephone:	801-508-8000
Actual Address:	6800 West 5400 South

**DESCRIPTION OF FACILITY**

Hexcel manufactures carbon fibers, epoxy resins, uni-directional carbon graphite cloth and woven carbon graphite fiber epoxy resin impregnated cloth ("pre-preg"). The following Standard Industrial Classification (SIC) codes apply: 2824 Manmade Organic Fibers-Except Cellulosic; 2821 Plastics Materials, Synthetic Resins, and Non-vulcanizable Elastomers.

There are 12 fiber lines, several pre-preg lines, and several uni-directional cloth lines. The process of manufacturing carbon fiber begins with spools of polyacrylonitrile (PAN). PAN is strung through a series of ovens and rollers. The fiber is then washed and cooled in an ammonium bicarbonate bath and rinsed in water. Drag-out of the carbon fiber from the ammonia bicarbonate bath is a source for ammonia in the rinse water. The rinse water is constantly being filled and overflow goes to the permitted outfall. The clean fiber then goes through a sizing process. Sizing is an aqueous solution of resin that the fiber is dipped in and then dried before it is spooled and packaged for shipping. If there is any waste of the sizing solution, it is discharged to the sanitary sewer (Central Valley). The waste from the ammonium bicarbonate bath also goes to the sewer. There is no wastewater generated in the production of epoxy resin, uni-directional cloth, or pre-preg.

The wastewater discharged at Outfall 001 consists of carbon fiber rinse water, reverse osmosis reject water, pump sealing cooling water, cooling tower blow down, steam condensate and non-contact cooling water. These waters are collected at the point of generation and then flow via an underground pipeline to the West Ridge Golf Course (WRGC) Pond or the Utah and Salt Lake Canal. Hexcel has demonstrated that the effluent can meet the effluent permit limits without treatment, therefore, there are no treatment units within the system.

Storm water from Hexcel property flows north in a ditch onto ATK property until it is piped under a rocky/pit run base for railroad tracks that cross over ATK property. Once the storm water goes under the railroad tracks it disperses over the predominately undeveloped property and percolates into the ground.

### **SUMMARY OF CHANGES FROM PREVIOUS PERMIT**

No changes in facility processes or discharge permit limits are included in this permit renewal.

Water Quality adopted UAC R317-1-3.3, Technology-Based Phosphorus Effluent Limit (TBPEL) Rule in 2014. The TBPEL rule as it relates to "non-lagoon" wastewater treatment plants establishes new regulations for the discharge of phosphorus to surface waters and is self-implementing. The TBPEL rule includes the following requirements for non-lagoon wastewater treatment plants:

The TBPEL requires that all non-lagoon wastewater treatment works discharging wastewater to surface waters of the state shall provide treatment processes which will produce effluent less than or equal to an annual mean of 1.0 mg/L for total phosphorus. This TBPEL shall be achieved by January 1, 2020. Hexcel does not have a wastewater treatment works, as defined in UAC R317-1-1.29, and therefore is not subject to the TBPEL rule.

### **DISCHARGE**

#### **DESCRIPTION OF DISCHARGE**

Hexcel has one discharge point, Outfall 001, that is located at Latitude 40° 39' 17.65" and Longitude 112° 02' 42.85" along the north-east boundary of Hexcel's property at approximately 5400 South and 6500 West in Salt Lake County. The effluent passes through a vault just prior to crossing Hexcel's property line on the northeast boundary. There is a V-notch weir located in the vault where flow is measured and samples are collected.

Hexcel has been reporting self-monitoring results on Discharge Monitoring Reports on a monthly basis. A summary of the last 5 years of data is attached. In the past 5 years, Hexcel has had three violations of the BOD<sub>5</sub> 30-day average effluent limit and two violations of the BOD<sub>5</sub> daily max effluent limit.

<u>Outfall</u>	<u>Description of Discharge Point</u>
001	Located at Latitude 40°39' 17.65" and Longitude 112° 02' 42.85". The discharge is located approximately 5400 South and 6500 West in Salt Lake County, Utah.

## RECEIVING WATERS AND STREAM CLASSIFICATION

The final discharge is to the Utah and Salt Lake Canal which is classified as 4, *Utah administrative Code (UAC) R317-2-13*.

- Class 2B -Protected for infrequent primary contact recreation. Also protected for secondary contact recreation where there is a low likelihood of ingestion of water or a low degree of bodily contact with the water. Examples include, but not limited to, wading hunting, and fishing
- Class 3E -Severely habitat-limited waters. Narrative standards will be applied to protect these waters for aquatic wildlife.
- Class 4 -Protected for agricultural uses including irrigation of crops and stock watering.

## BASIS FOR EFFLUENT LIMITATIONS

Limitations on total suspended solids (TSS), biochemical oxygen demand (BOD<sub>5</sub>), and pH are based on current Utah Secondary Treatment Standards, *UAC R317-1-3.2*. The limitation on Total Dissolved Solids (TDS) is based upon Water Quality Standards and is the same as in the previous permit.

## REASONABLE POTENTIAL ANALYSIS

Since January 1, 2016, DWQ has conducted reasonable potential analysis (RP) on all new and renewal applications received after that date. Because Hexcel's process does not have the potential to introduce metals into its waste-stream, there is no reasonable potential for metals to be present in the effluent.

The permit limitations are:

Parameter	Effluent Limitations *a			
	Maximum Monthly Avg	Maximum Weekly Avg	Daily Minimum	Daily Maximum
Flow, MGD *b*c	0.6	NA	NA	NA
BOD <sub>5</sub> , mg/L	25	35	NA	NA
TSS, mg/L	25	35	NA	NA
Total Dissolved Solids, mg/L	NA	NA	NA	1,200
pH, Standard Units	NA	NA	6.5	9.0

NA – Not Applicable

\*a See Definitions, *Part VIII*, for definition of terms.

\*b Flow measurements of influent/effluent volume shall be made in such a manner that the permittee can affirmatively demonstrate that representative values are being obtained.



- \*c If the rate of discharge is controlled, the rate and duration of discharge shall be reported.

### **SELF-MONITORING AND REPORTING REQUIREMENTS**

The permit requires reports to be submitted monthly on Discharge Monitoring Report (DMR) forms due 28 days after the end of the monitoring period.

Self-Monitoring and Reporting Requirements *a			
Parameter	Frequency	Sample Type	Units
Total Flow *b*c	Monthly	Instantaneous Measurement	MGD
BOD <sub>5</sub>	Monthly	Grab	mg/L
TSS	Monthly	Grab	mg/L
Total Dissolved Solids	Monthly	Grab	mg/L
pH	Monthly	Grab	SU

NA – Not Applicable

\*a See Definitions, *Part VIII*, for definition of terms.

\*b Flow measurements of influent/effluent volume shall be made in such a manner that the permittee can affirmatively demonstrate that representative values are being obtained.

\*c If the rate of discharge is controlled, the rate and duration of discharge shall be reported.

### **STORM WATER**

Hexcel manufactures carbon fibers, epoxy resins, uni-directional carbon graphite cloth and woven carbon graphite fiber epoxy resin impregnated cloth. The following Standard Industrial Classification (SIC) codes apply: 2824 Manmade Organic Fibers-Except Cellulosic; 2821 Plastics Materials, Synthetic Resins, and Non-vulcanizable Elastomers.

Based on the SIC Code 282, Hexcel is required to obtain coverage under the UPDES Multi Sector General Permit for Storm Water Discharges from Industrial Activities. Specifically Hexcel is required to obtain coverage under Sector C for Storm Water Discharges from Chemical and Allied Manufacturing Facilities. The permit requires the development and implementation of a storm water pollution prevention plan for the facility.

### **PRETREATMENT REQUIREMENTS**

The permittee does not discharge to another wastewater treatment facility, but rather treats and discharges all of the facility's process wastewater. Any wastewaters

discharged to the sanitary sewer, either as a direct discharge or as a hauled waste, are subject to Federal, State and local pretreatment regulations. Pursuant to Section 307 of *The Water Quality Act of 1987*, the permittee shall comply with all applicable federal General Pretreatment Regulations promulgated at *40 CFR 403*, the State Pretreatment Requirements at *UAC R317-8-8*, and any specific local discharge limitations developed by the Publicly Owned Treatment Works (POTW) accepting the wastewaters

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

### **BIOMONITORING REQUIREMENTS**

A nationwide effort to control toxic discharges where effluent toxicity is an existing or potential concern is regulated in accordance with the *State of Utah Permitting and Enforcement Guidance Document for Whole Effluent Toxicity Control (biomonitoring)*. Authority to require effluent biomonitoring is provided in *Permit Conditions, UAC R317-8-4.2, Permit Provisions, UAC R317-8-5.3* and *Water Quality Standards, UAC R317-2-5* and *R317-2-7.2*.

The permittee is a minor industrial facility that discharges to either a private golf course pond or to a canal with designated beneficial uses of 2B, 3E, 4. The receiving stream water quality monitoring data indicate no impairment of the canal and the receiving water body is not a fishery. Therefore, no WET limits and no toxicity testing requirements are included in this renewal permit. The permit will contain a toxicity limitation re-opener provision that allows for modification of the permit should additional information indicate the presence of toxicity in the effluent during this permit cycle.

### **PERMIT DURATION**

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

Drafted by  
Nate Nichols, Discharge  
Dave Wham, Wasteload Analysis  
Utah Division of Water Quality

### **PUBLIC NOTICE**

Began: June 28, 2018

Ended: July 27, 2018

Public Noticed in the Salt Lake Tribune and Deseret News

No comments were received during the public comment period. Therefore, the permit and FSSOB are the same as the draft documents that were public noticed.

**ADDENDUM TO FSSOB**

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

August 1, 2018

DWQ-2018-004402

**Utah Division of Water Quality  
Statement of Basis  
ADDENDUM  
Wasteload Analysis and Antidegradation Level I Review**

**Date:** March 28, 2018

**Prepared by:** Dave Wham  
Standards and Technical Services

**Facility:** Hexcel Corporation  
UPDES No. UT 0025305

**Receiving water:** Utah and Salt Lake Canal (2B, 3E, 4)

This addendum summarizes the wasteload analysis that was performed to determine water quality based effluent limits (WQBEL) for this discharge. Wasteload analyses are performed to determine point source effluent limitations necessary to maintain designated beneficial uses by evaluating projected effects of discharge concentrations on in-stream water quality. The wasteload analysis also takes into account downstream designated uses (UAC R317-2-8). Projected concentrations are compared to numeric water quality standards to determine acceptability. The numeric criteria in this wasteload analysis may be modified by narrative criteria and other conditions determined by staff of the Division of Water Quality.

Discharge

001 Utah & Salt Lake Canal 0.6 MGD

Receiving Water

Discharge from Hexcel's facility may be discharged to the Utah and Salt Lake Canal. As per R317-2-13.9, the designated beneficial uses of irrigation canals and ditches statewide, except as otherwise designated are 2B, 3E, 4.

- *Class 2B - Protected for infrequent primary contact recreation. Also protected for secondary contact recreation where there is a low likelihood of ingestion of water or a low degree of bodily contact with the water. Examples include, but are not limited to, wading, hunting, and fishing.*
- *Class 3E - Severely habitat-limited waters. Narrative standards will be applied to protect these waters for aquatic wildlife.*
- *Class 4 - Protected for agricultural uses including irrigation of crops and stock watering.*

Typically, the critical flow for the wasteload analysis is considered the lowest stream flow for

seven consecutive days with a ten year return frequency (7Q10). Flow values for the Utah and Salt Lake Canal were not available. An estimated low flow of 50 cfs during the irrigation season was determined in consultation with the irrigation company. No flow was assumed in the canal during the non-irrigation season. Ambient water quality for the Utah and Salt Lake Canal was characterized using data from DWQ monitoring station #4994790, JORDAN R AT UTAH L OUTLET U121 XING (the Jordan River is the source of the canal water).

The critical low flow conditions for Discharge 001 are:

**Table 1. Critical low flow conditions (cfs)**

	Summer	Fall	Winter	Spring
Utah & Salt Lake Canal	50	0	0	50

### TMDL

The Utah and Salt Lake Canal is not listed as impaired on Utah's 2016 303(d) Water Quality Assessment Report (canals are not typically assessed for the report). However, the Jordan River source water is listed as impaired for TDS, as are several downstream river segments. In order to protect against causing or contribution to these existing impairments, TDS effluent limit should not exceed the Class 4 standard of 1,200 mg/l.

### Mixing Zone

The maximum allowable mixing zone is 15 minutes of travel time for acute conditions, not to exceed 50% of stream width, and for chronic conditions, per UAC R317-2-5. Water quality standards must be met at the end of the mixing zone. For the discharge to the Utah and Salt Lake Canal, complete mixing was assumed for the chronic condition. Acute limits were calculated using 50% of the seasonal critical low flow for both discharge points.

### Parameters of Concern

TDS was identified as a potential parameter of concern for the discharge.

### WET Limits

The percent of effluent in the receiving water in a fully mixed condition, and acute and chronic dilution in a not fully mixed condition are calculated in the WLA in order to generate WET limits. The LC<sub>50</sub> (lethal concentration, 50%) percent effluent for acute toxicity and the IC<sub>25</sub> (inhibition concentration, 25%) percent effluent for chronic toxicity, as determined by the WET test, needs to be below the WET limits, as determined by the WLA. The WET limit for LC<sub>50</sub> is typically 100% effluent and does not need to be determined by the WLA.

IC<sub>25</sub> WET limits for Outfall 001 should be based on 1.8% effluent in the spring and summer and 100% in the fall and winter.

### Wasteload Allocation Methods

Effluent limits were determined for conservative constituents using a simple mass balance mixing analysis (UDWQ 2012). The mass balance analysis is summarized in the Wasteload

**Utah Division of Water Quality  
Wasteload Analysis  
Hexcel Corporation  
UPDES No. UT-0025305  
Addendums.**

Models and supporting documentation are available for review upon request.

**Antidegradation Level I Review**

The objective of the Level I ADR is to ensure the protection of existing uses, defined as the beneficial uses attained in the receiving water on or after November 28, 1975. No evidence is known that the existing uses deviate from the designated beneficial uses for the receiving water. Therefore, the beneficial uses will be protected if the discharge remains below the WQBELs presented in this wasteload.

A Level II Antidegradation Review (ADR) is not required for this facility. The proposed permit is a simple renewal of an existing UPDES permit. No increase in flow or concentration of pollutants over those authorized in the existing permit is being requested.

**Documents:**

WLA Document: *Hexcel\_WLADoc\_3-28-18.docx*

Wasteload Analysis and Addendums: *Hexcel\_WLA\_3-28-18.xlsm*

**References:**

Utah Division of Water Quality. 2012. *Utah Wasteload Analysis Procedures Version 1.0.*