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

UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM (UPDES) PERMITS

Minor Municipal UPDES Permit No. **UT0020907**

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

RICHMOND CITY

is hereby authorized to discharge from its facility located approximately one mile west of Richmond City, Utah with the outfall located at latitude 41° 55' 25" N and longitude 111° 49' 45" W, to receiving water named

CUB RIVER

in accordance with discharge point, effluent limitations, monitoring requirements and other conditions set forth herein.

This permit shall become effective on October 1, 2014.

This permit expires at midnight on September 30, 2019.

Signed this 30th Day of September, 2014.

Walter L. Baker, P.E.
Director

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I. DISCHARGE LIMITATIONS AND REPORTING REQUIREMENTS

A. Description of Discharge Point. 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	Location of Discharge Outfall
001	Discharge is from the northwest side of the final lagoon cell (at approximate latitude 41°55'25" and longitude 111°49'45") to an unnamed irrigation ditch, to the Cub River.
002	Discharge from the Memebrane Bio Reactor Plant to an unnamed irrigation ditch to the Cub River (at approximate latitude 41 ° 55 ' 29.463" North and longitude 111 ° 50' 2.876" West)

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 the duration of this permit, the permittee is authorized to discharge from Outfall 001 and Outfall 002. 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
Effluent Flow, MGD	0.5	NA	NA	NA
BOD_5, mg/L BOD_5 Min. % Removal	25 85	35 NA	NA NA	NA NA
TSS, mg/L TSS Min. % Removal	25 85	35 NA	NA NA	NA NA
E-Coli, No./100mL	126	157	NA	NA
TRC, mg/L a/	NA	NA	NA	0.875
DO, mg/L	NA	NA	5.5	NA
Oil & Grease, mg/L	NA	NA	NA	Visual/10
pH, Standard Units	NA	NA	6.5	9.0
Total Phosphorous, Kg/Year /b /c April 1–September 30, Kg/Day /c October 1 – March 31, mg/L	NA NA NA	NA NA NA	NA NA NA	84 0.23 1.0

NA – Not Applicable

a/ TRC is only required to be sampled from Outfall 001.

b/ The yearly load cannot exceed the total of the maximum daily load x 365 (0.23 x 365 = 84 Kg).

c/ Total load as the sum of all outfalls. This total shall be calculated monthly and reported on the Discharge Monitoring report.

Self-Monitoring and Reporting Requirements a/ b/			
Parameter	Frequency	Sample Type	Units
Total Flow c/ d/	Continuous	Recorder	MGD
BOD_5, Influent e/ Effluent	2x Monthly 2x Monthly	Grab Grab	mg/L mg/L
TSS, Influent e/ Effluent	2x Monthly 2x Monthly	Grab Grab	mg/L mg/L
E. coli	2x Monthly	Grab	No./100mL
TRC f/	Daily	Grab	mg/L
DO	2x Monthly	Grab	mg/L
Oil & Grease g/	2x Monthly	Visual/Grab	mg/L
PH	2x Monthly	Grab	SU
Total Phosphorous	2x Monthly	Grab	mg/L
Total Phosphorous *h/*	Daily	Calculation	kg/Day

a/ See Definitions, *Part VI*, for definition of terms.

b/ If the effluent is used for Type II reuse as defined in R-317-13, then the facility must meet the requirements for Type II reuse as found in R-317-11.5

c/ 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.

d/ If the rate of discharge is controlled, the rate and duration of discharge shall be reported.

e/ In addition to monitoring the final discharge, influent samples shall be taken and analyzed for this constituent at the same frequency as required for this constituent in the discharge.

f/ TRC is required to be sampled at Outfall 001 when Outfall 001 is discharging.

g/ A visual monitoring will be conducted monthly for an oil and grease sheen. If a sheen is observed, then a grab sample shall be taken and shall not exceed 10 mg/L.

h/ Total daily phosphorus load shall be calculated by using the bi-monthly Total Phosphorus concentration and total daily flow of all outfalls.

D. 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), post-marked no later than the 28th day of the month following the completed reporting period. The first report is due on November 28, 2014. 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, shall be signed and certified in accordance with the requirements of *Signatory Requirements (see Part V.G)*, and submitted to the Division of Water Quality at the following address:

Department of Environmental Quality
Division of Water Quality
195 North 1950 West
PO Box 144870
Salt Lake City, Utah 84114-4870

II. INDUSTRIAL PRETREATMENT PROGRAM

A. Definitions.

For this section the following definitions shall apply:

1. Significant industrial user (SIU) is defined as an industrial user discharging to a publicly-owned treatment works (POTW) that satisfies any of the following:

   a. Has a process wastewater flow of 25,000 gallons or more per average work day;

   b. Has a flow greater than five percent of the flow carried by the municipal system receiving the waste;

   c. Is subject to Categorical Pretreatment Standards, or

   d. Has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

2. Local Limit is defined as a limit designed to prevent pass through and/or interference. And is developed in accordance with 40 CFR 403.5(c).

B. Pretreatment Reporting Requirements

Because the design capacity of this municipal wastewater treatment facility is less than 5 MGD, the permittee will not be required to develop a State-approved industrial pretreatment program at this time. However, in order to determine if development of an industrial pretreatment program is warranted, the permittee shall conduct an **industrial waste survey**, as described in *Part II.C.1*, and submit it to the Division of Water Quality within **sixty (60) calendar days** of the effective date of this permit.

C. Industrial Waste Survey (IWS).

1. As required by *Part II.B.1.* the industrial waste survey consists of;

   a. Identifying each industrial user (IU) and determining if the IU is a signification industrial user (SIU),

   b. Determination of the qualitative and quantitative characteristics of each discharge, and

   c. Appropriate production data.

2. The IWS must be maintained and updated with IU information as necessary, to ensure that all IUs are properly permitted and/or controlled at all times. Updates must be submitted to the Executive Secretary sixty (60) days following a change to the IWS.

3. Evaluate all significant industrial users at least once every two years to determine if they need to develop a slug prevention plan. If a slug prevention plan is required, the permittee shall notify the Executive Secretary.

4. Notify all significant industrial users of their obligation to comply with applicable requirements under *Subtitles C and D* of the *Resource* Conservation and Recovery Act (RCRA).

5. The permittee must notify the Executive Secretary of any new introductions by new or existing SIUs or any substantial change in pollutants from any major industrial source. Such notice must contain the information described in 1. above, and be forwarded no later than sixty (60) days following the introduction or change.

D. General and Specific Prohibitions

1. Developed pursuant to *Section 307* of *The Water Quality Act of 1987* require that under no circumstances shall the permittee allow introduction of the following pollutants into the waste treatment system from any source of non-domestic discharge:

   a. Pollutants which create a fire or explosion hazard in the publicly owned treatment works (POTW), including, but not limited to, wastestreams with a closed cup flashpoint of less than 140°F (60°C);

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

   c. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interference;

   d. Any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a discharge at such volume or strength as to cause interference in the POTW;

   e. Heat in amounts, which will inhibit biological activity in the POTW, resulting in interference, but in no case, heat in such quantities that the influent to the sewage treatment works exceeds 104°F (40°C);

   f. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;

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

   h. Any trucked or hauled pollutants, except at discharge points designated by the POTW.

i. Any pollutant that causes pass through or interference at the POTW.

2. In addition to the general and specific limitations expressed above, more specific pretreatment limitations have been and will be promulgated for specific industrial categories under *Section 307* of *the Water Quality Act of 1987 as amended (WQA). (See 40 CFR, Subchapter N, Parts 400* through *500*, for specific information).

E. Signification Industrial Users Discharging to the POTW.

The permittee shall provide adequate notice to the Executive Secretary and the Division of Water Quality Industrial Pretreatment Coordinator of;

1. Any new introduction of pollutants into the treatment works from an indirect discharger (i.e., industrial user) which would be subject to *Sections 301* or *306* of the *WQA* if it were directly discharging those pollutants;

2. Any substantial change in the volume or character of pollutants being introduced into the treatment works by a source introducing pollutants into the treatment works at the time of issuance of the permit; and

3. For the purposes of this section, adequate notice shall include information on:

   a. The quality and quantity of effluent to be introduced into such treatment works; and,

   b. Any anticipated impact of the change on the quantity or quality of effluent to be discharged from such publicly owned treatment works.

4. Any SIU that must comply with applicable requirements under *Subtitles C and D* of the *Resource* Conservation and Recovery Act (RCRA).

F. Change of Conditions.

At such time as a specific pretreatment limitation becomes applicable to an industrial user of the permittee, the Executive Secretary may, as appropriate, do the following:

1. Amend the permittee's UPDES discharge permit to specify the additional pollutant(s) and corresponding effluent limitation(s) consistent with the applicable national pretreatment limitation;

2. Require the permittee to specify, by ordinance, contract, or other enforceable means, the type of pollutant(s) and the maximum amount which may be discharged to the permittee's facility for treatment. Such requirement shall be imposed in a manner consistent with the POTW program development requirements of the *General Pretreatment Regulations* at *40 CFR 403;*

3. Require the permittee to monitor its discharge for any pollutant, which may likely be discharged from the permittee's facility, should the industrial user fail to properly pretreat its waste; and/or,

4. Require the permittee to develop an approved pretreatment program.

G. Legal Action.

The Executive Secretary retains, at all times, the right to take legal action against the industrial user and/or the treatment works, in those cases where a permit violation has occurred because of the failure of an industrial user to discharge at an acceptable level. If the permittee has failed to properly delineate maximum acceptable industrial contributor levels, the Executive Secretary will look primarily to the permittee as the responsible party.

H. Local Limits

If local limits are developed per R317-8-8.5(4)(b) to protect the POTW from pass through or interference, then the POTW must submit limits to DWQ for review and public notice, as required by R317-8-8.5(4)(c).

III. 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. 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.

2. The following occurrences of noncompliance shall be reported by telephone (801) 536-4123 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 IV.G, Bypass of Treatment Facilities.)*;

   c. Any upset which exceeds any effluent limitation in the permit (See *Part IV.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 III.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;

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.

IV. 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 IV.G, Bypass of Treatment Facilities* and *Part IV.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:

      (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 judgment 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 IV.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 IV.G.3.a (1), (2) and (3).*

3. Notice.

   a. *Anticipated bypass.* Except as provided above in *section IV.G.2* and below in *section IV.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 III.H*, Twenty Four Hour Reporting. The permittee shall also immediately notify the Director of the Department of Natural 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 III.H, Twenty-four Hour Notice of Noncompliance Reporting*; and,

d. The permittee complied with any remedial measures required under *Part IV.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.

V. 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 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 V.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 V.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;

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. 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.

Should the RCWRF change their disposal methods or the biosolids generation and handling processes of the plant, the RCWRF must notify the Director at least 180 days in advance. This includes, but is not limited to, the addition or removal of any biosolids treatment units (e.g., digesters, drying beds, etc.) and/or any other change that would require a major modification of the permit.

Q. Toxicity Limitation - Reopener Provision. This permit may be reopened and modified (following proper administrative procedures) to include, whole effluent toxicity (WET) limitations, a compliance date, a compliance schedule, a change in the whole effluent toxicity (biomonitoring) protocol, additional or modified numerical limitations, or any other conditions related to the control of toxicants if one or more of the following events occur;

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 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".

VI. 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. "Bypass," means the diversion of waste streams from any portion of a treatment facility.

5. "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,

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

6. "CWA," means *The Federal Water Pollution Control Act*, as amended, by *The Clean Water Act of 1987*.

7. "Daily Maximum" (Daily Max.) is the maximum value allowable in any single sample or instantaneous measurement.

8. "EPA," means the United States Environmental Protection Agency.

9. "Director," means Director of the Utah Water Quality Board.

10. A "grab" sample, for monitoring requirements, is defined as a single "dip and take" sample collected at a representative point in the discharge stream.

11. An "instantaneous" measurement, for monitoring requirements, is defined as a single reading, observation, or measurement.

12. "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.

13. "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.

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FACT SHEET AND STATEMENT OF BASIS

RICHMOND CITY
UTAH POLLUTION DISCHARGE ELIMINATION SYSTEM PERMIT NO. UT0020907

FACILITY CONTACT:

Responsible Official: Mike Hall
Mayor, City of Richmond
6 West Main, PO Box 9
Richmond, Utah 84333
Phone: (435) 258-1731

Operator: Scott Ball
6 West Main, PO Box 9
Richmond, Utah 84333
Phone: (435) 994-1572

DESCRIPTION OF FACILITY:

The Richmond City treatment plant (RCTP) has a design capacity of 0.5 MGD. They use an activated sludge process for treatment. Raw wastewater is first treated using a 2 mm screen and compactor followed by grit removal. Following the grit removal system, the process water will enter an aeration basin and then directly into a Membrane Bioreactor (MBR) for microfiltration. The effluent from the MBR will enter an ultra violet disinfection system and then be discharged into an un-named irrigation ditch or to the old lagoon cells and eventually the Cub River.

DESCRIPTION OF DISCHARGE:

Outfall 001 is from the old lagoon cells located at an approximate latitude 41° 55' 25" N and longitude 111° 49' 45" W and has STORET #490372.

A new outfall will be established. This outfall is to an unnamed irrigation ditch to the Cub River. Outfall 002 is located at an approximate latitude 41° 55' 29.463" North and longitude 111° 50' 2.876" West.

RECEIVING WATER CLASSIFICATION:

The Cub River is classified 2B, 3B, and 4. According to Utah Administrative Code (UAC) R317-2-6 the use designations are as follows:

Class 2B	Protected for secondary contact recreation such as boating, wading, or similar uses.
Class 3B	Protected for warm water species of game fish and other warm water aquatic life, including the necessary aquatic organisms in their food chain.
Class 4	Protected for agriculture use including irrigation of crops and stock watering.

SIGNIFICANT PERMIT CHANGES:

During the previous permit cycle, the Richmond City Wastewater treatment plant transitioned from facultative lagoons to Membrane Bio-Reactor facility. As a result of this change, an additional outfall is being added. Additionally, a limit for total phosphorus was added to the permit. This was added because of the finalized TMDL for Cutler Reservoir. The Phosphorous limit for the facility will now be 0.23 Kg per day from April 1-September 30 and 1 mg/L from October 1 – March 31. The facility cannot discharge more than 84 Kg/year of total phosphorous as a sum total of all outfalls. The monthly sum total must be reported on the DMR reports for each month.

The sampling frequency for the facility has been changed to twice monthly based upon the design flow of the facility and the continuous nature of the new discharge.

EFFLUENT LIMITATIONS, SELF-MONITORING AND REPORTING REQUIREMENTS:

Permit effluent limitations are summarized below:

Parameter	Effluent Limitations a/			
	Maximum Monthly Avg	Maximum Weekly Avg	Daily Minimum	Daily Maximum
Effluent Flow, MGD	0.5	NA	NA	NA
BOD_5, mg/L	25	35	NA	NA
BOD_5 Min. % Removal	85	NA	NA	NA
TSS, mg/L	25	35	NA	NA
TSS Min. % Removal	85	NA	NA	NA
E-Coli, No./100mL	126	157	NA	NA
TRC, mg/L a/	NA	NA	NA	0.875
DO, mg/L	NA	NA	5.5	NA
Oil & Grease, mg/L	NA	NA	NA	Visual/10
pH, Standard Units	NA	NA	6.5	9.0
Total Phosphorous, Kg/Year /b /c	NA	NA	NA	84
April 1–September 30, Kg/Day /c	NA	NA	NA	0.23
October 1 – March 31, mg/L	NA	NA	NA	1.0

NA – Not Applicable

a/ TRC is only required to be sampled from Outfall 001.

b/ The yearly load cannot exceed the total of the maximum daily load x 365 (0.23 x 365 = 84 Kg).

c/ Total load as the sum of all outfalls. This total shall be calculated monthly and reported on the Discharge Monitoring report.

Self-Monitoring and Reporting Requirements a/ b/			
Parameter	Frequency	Sample Type	Units
Effluent Total Flow c/ d/	Continuous	Recorder	MGD

BOD_5, Influent e/ Effluent	2x Monthly 2x Monthly	Grab Grab	mg/L mg/L
TSS, Influent e/ Effluent	2x Monthly 2x Monthly	Grab Grab	mg/L mg/L
E. coli	2x Monthly	Grab	No./100mL
TRC f/	Daily	Grab	mg/L
DO	2x Monthly	Grab	mg/L
Oil & Grease g/	2x Monthly	Visual/Grab	mg/L
PH	2x Monthly	Grab	SU
Total Phosphorous	2x Monthly	Grab	mg/L
Total Phosphorous *h/*	Daily	Calculation	kg/Day

a/ See Definitions, *Part VI*, for definition of terms.

b/ If the effluent is used for Type II reuse as defined in R-317-13, then the facility must meet the requirements for Type II reuse as found in R-317-11.5

c/ 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.

d/ If the rate of discharge is controlled, the rate and duration of discharge shall be reported.

e/ In addition to monitoring the final discharge, influent samples shall be taken and analyzed for this constituent at the same frequency as required for this constituent in the discharge.

f/ TRC is required to be sampled at Outfall 001 when Outfall 001 is discharging.

g/ A visual monitoring will be conducted monthly for an oil and grease sheen. If a sheen is observed, then a grab sample shall be taken and shall not exceed 10 mg/L.

h/ Total daily phosphorus load shall be calculated by using the bi-monthly Total Phosphorus concentration and total daily flow of all outfalls.

The sampling frequency for the facility has been changed to twice monthly based upon the design flow of the facility and the continuous nature of the new discharge.

BIOSOLIDS (SEWAGE SLUDGE)

DESCRIPTION OF TREATMENT AND DISPOSAL:

The **RCWRF** is expected to dispose of approximately one hundred and twenty five to one hundred fifty dry metric tons (DMT) of wastewater solids (sewage sludge) per year. The wastewater solids will be stabilized during the MBR process with an average retention time of over 60 days. The wastewater solids from the MBR process will be wasted to the primary cell of the lagoon system where the bio-solids will be naturally attenuated. This method of treatment was approved by the Division of Water Quality in a letter dated June 29, 2011 (Appendix B). Please refer to that letter for further requirements with regards to treatment of biosolids at the Richmond City Wastewater Treatment facility.

PRETREATMENT REQUIREMENTS

RCTP has not been designated for a pretreatment program development because it does not meet conditions which necessitate a full program. The flow through the plant is less than one (1) MGD, and there are no categorical industries discharging to the plant.

Although the permittee does not have a State-approved pretreatment program, any wastewater discharges to the sanitary sewer by industrial users are 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 403* and the State Pretreatment Requirements found in *UAC R317-8-8*.

An industrial waste survey (IWS) is required of the permittee as stated in Part II of the permit. The IWS is to assess the needs of the permittee regarding pretreatment assistance. The IWS is required to be submitted within sixty (60) days after the issuance of the permit. If an Industrial User begins to discharge or an existing Industrial User changes their discharge the permittee must resubmit an IWS no later than sixty days following the introduction or change as stated in Part II of the permit.

It is recommended that the permittee perform an annual evaluation of the need to revise or develop technically based local limits for pollutants of concern, to implement the general and specific prohibitions *40 CFR, Part 403.5(a)* and *Part 403.5(b)*. This evaluation may indicate that present local limits are sufficiently protective, need to be revised or should be developed. It is required that the permittee submit any local limits that are developed to the Division of Water Quality for review and if needed public notice.

WHOLE EFFLUENT TOXICITY TESTING:

The need for WET testing at the facility was examined and it was determined that no WET testing is needed at this time. As stated above, the facility has no pretreatment program and there are no categorical industries that discharge to the system. Additionally, the facility has historically only intermittently discharged and the facility's discharge only makes up a small portion of the receiving water. If it is determined that WET testing is needed in the future, Section *V.Q* of the permit allows the permit to be reopened.

PERMIT DURATION:

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

PUBLIC NOTICE:

This Permit renewal was originally public noticed in The Herald Journal and on the Utah Division of Water Quality's website from March 14, 2014 through April 14, 2014. During that time, comments were received from Richmond City. Richmond City made comments regarding the total residual chlorine limits from Outfall 001. After careful consideration of those comments, the Division of Water Quality modeled the decay rate of total residual chlorine from the facility and a new TRC limit for Outfall 001 was determined to be 0.875 mg/L

The permit was re- public noticed in The Herald Journal and on the Utah Division of Water Quality's website from August 15, 2014 through September 15, 2014. No comments were received during the second public notice period.

Drafted by Lonnie Shull
Environmental Scientist
Utah Division of Water Quality
Drafted February 11, 2014
Updated August 12, 2014
Finalized September 26, 2014