Official Draft Public Notice Version **June 8, 2023**
The findings, determinations, and assertions contained in this document are not final and subject to change following the public comment period.

FACT SHEET AND STATEMENT OF BASIS
VOBEV. LLC
PERMIT: DISCHARGE
UPDES PERMIT NUMBER: UT0026247
MINOR INDUSTRIAL

FACILITY CONTACTS

Contact:	Torben Siggaard
Position:	Vice President, Operations
Phone Number:	(801) 869 -1363
Person Name:	Dylan Barney
Position:	Site Hygienic Engineer
Phone Number:	(801) 869-1377

Permitee:	Vobev. LLC
Facility Name:	Vobev. LLC Manufacturing Facility
Mailing and Facility Address:	5454 West 150 South Salt Lake City, UT 84104
Telephone:	(801) 882-2745
Actual Address:	Same as facility address

DESCRIPTION OF FACILITY

Vobev. LLC is a company that owns and operates Vobev. LLC Manufacturing Facility (Vobev) located in Salt Lake City, Utah and offers two primary products and services to the consumer beverage industry –

- the primary product is the manufacture and sale of two-piece aluminum beverage cans for packaged consumer beverages;
- the second is the contract-manufacture and distribution of filled customer beverage products.

Vobev has a Standard Industrial Classification (SIC) code of 2086 for Soft Drink Manufacturing and 3411 for Metal Can Manufacturing. As part of the production, a can filling reverse osmosis (RO) waste stream is produced. This waste stream is culinary water that has gone through the RO process, but is not required for manufacture or operation. This steam is discharged into Brighton Canal, which flows into Gilbert Bay.

DISCHARGE

DESCRIPTION OF DISCHARGE

Vobev discharge is the reverse osmosis waste stream from can filling production.

Outfall	Description of Discharge Point
001	Located at latitude 40°46'04" and longitude 112°01'28". The discharge is pumped from facility to nearby Brighton Canal.

RECEIVING WATERS AND STREAM CLASSIFICATION

Discharge is pumped into Brighton Canal then flows into Gilbert Bay, which is a Class 2B, 3E, 4, 5A according to *UAC R317-2-13*:

Class 2B -- Protected for infrequent primary contact recreation. Also protected for secondary contact recreation where there is a low likelihood of ingestion of water or a low degree of bodily contact with the water. Examples include, but are not limited to, wading, hunting, and fishing.

Class 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.

Class 5A -- Gilbert Bay
Geographical Boundary -- All open waters at or below approximately 4,208-foot elevation south of the Union Pacific Causeway, excluding all of the Farmington Bay south of the Antelope Island Causeway and salt evaporation ponds.
Beneficial Uses -- Protected for frequent primary and secondary contact recreation, waterfowl, shore birds and other water-oriented wildlife, including their necessary food chain.

BASIS FOR EFFLUENT LIMITATIONS

In accordance with regulations promulgated in 40 Code of Federal Regulations (CFR) Part 122.44 and in Utah Administrative Code (UAC) R317-8-4.2, effluent limitations are derived from Federal technology-based effluent limitations guidelines, Utah Secondary Treatment Standards (UAC R317-1-3.2) or Utah Water Quality Standards (UAC R317-2). In cases where multiple limits have been developed, those that are more stringent apply. In cases where no limits or multiple limits have been developed, Best Professional Judgment (BPJ) of the permitting authority may be used where applicable. “Best Professional Judgment” refers to a discretionary, best professional decision made by the permit writer based upon precedent, prevailing regulatory standards or other relevant information.

Permit limits can also be derived from the WLA, which incorporates Secondary Treatment Standards, Water Quality Standards, including Total Maximum Daily Load (TMDL) impairments as appropriate, Antidegradation Review (ADR), and designated uses into a water quality model that projects the effects of discharge concentrations on receiving water quality. Effluent limitations are those that the model demonstrates are sufficient to meet State water quality standards in the

receiving waters. During this UPDES renewal permit development, a WLA and ADR were completed as appropriate. An ADR Level I review was performed and concluded that an ADR Level II review was required for this permit since this is a new UPDES Permit.

Limitations on flow, dissolved oxygen (DO), total dissolved solids (TDS), pH, whole effluent toxicity (WET), total residual chlorine (TRC), and aluminum are taken from the Wasteload Analysis (WLA) for discharge into the Brighton Canal, which is attached. The oil and grease is based on BPJ. There are no existing impairments or TMDLs in the receiving waters. It has been determined that this discharge will not cause a violation of water quality standards. The permittee is expected to be able to comply with these limitations.

Reasonable Potential Analysis
Since January 1, 2016, the Division of Water Quality (DWQ) has conducted reasonable potential analysis (RP) on all new and renewal applications received after that date. RP for this permit renewal was conducted following DWQ's September 10, 2015 Reasonable Potential Analysis Guidance (RP Guidance). There are four outcomes defined in the RP Guidance: Outcome A, B, C, or D. These Outcomes provide a frame work for what routine monitoring or effluent limitations are required

A quantitative RP analysis was performed on aluminum to determine if there was reasonable potential for the discharge to exceed the applicable water quality standards. The result indicated that the inclusion of an effluent limit for aluminum is required at this time. A copy of the RP analysis is included at the end of this Fact Sheet. TSS and BOD values were also reviewed, and it was determined that no further analysis or inclusion is required at this time - monitoring for these parameters will continue through this permit cycle.

The permit limitations are:

Parameter	Effluent Limitations		
	Maximum Monthly Avg	Daily Minimum	Daily Maximum
Total Flow, MGD	0.1944	--	--
DO, mg/L	--	5.0	--
TRC, mg/L Summer (Jul-Sep) Fall (Oct-Dec) Winter (Jan-Mar) Spring (Apr-Jun)	 1.526 0.147 0.096 0.273	 -- 	 2.632 0.253 0.165 0.471
Aluminum, mg/L	--	--	0.7525
Oil & Grease, mg/L	--	--	10.0
pH, Standard Units	--	6.5	9
TDS, mg/L	--	--	1,200
WET, Acute Biomonitoring	--	--	IC_{50} > 100% effluent

SELF MONITORING AND REPORTING REQUIREMENTS
The permit will require reports to be submitted monthly and annually, as applicable, on Discharge Monitoring Report (DMR) forms due 28 days after the end of the monitoring period. Effective January 1,

2017, monitoring results must be submitted using NetDMR unless the permittee has successfully petitioned for an exception. Lab sheets for biomonitoring must be attached to the biomonitoring DMR. Lab sheets for metals and toxic organics must be attached to the DMRs.

Self-Monitoring and Reporting Requirements *a			
Parameter	Frequency	Sample Type	Units
Total Flow	Continuous	Recorder	MGD
BOD_5	Monthly	Composite	mg/L
TSS	Monthly	Composite	mg/L
pH	Monthly	Grab	SU
DO	Monthly	Grab	mg/L
WET – Biomonitoring*d Ceriodaphnia - Acute Fathead Minnows - Acute	Once during first year of permit	 Composite Composite	 Pass/Fail Pass/Fail
TRC, mg/L, *b	Monthly	Grab	mg/L
Oil & Grease *c	When Sheen Observed	Grab	mg/L
TDS, mg/L	Monthly	Composite	mg/L
Aluminum, mg/L	Monthly	Composite	mg/L
Metals, Influent	Quarterly	Composite	mg/L

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

*b Analytical results less than 0.06 mg/l will not be considered out of compliance with the permit. For purposes of calculating averages and reporting on the Discharge Monitoring Report form, the following will apply:
1) analytical values less than 0.02 mg/L shall be considered zero; and
2) analytical values less than 0.06 mg/L and equal to or greater than 0.02 mg/L will be recorded as measured.

*c Oil & Grease sampled when sheen is present or visible. If no sheen is present or visible, report NA.

*d The acute Ceriodaphnia and acute fathead minnows will be tested once during the first year of permit. The test must be conducted when TRC is below < 0.2 mg/L.

BIOSOLIDS

The State of Utah has adopted the 40 CFR 503 federal regulations for the disposal of sewage sludge (biosolids) by reference. However, since this facility is an industrial facility, there is no sludge production. Therefore 40 CFR 503 does not apply.

STORM WATER

Separate storm water permits may be required based on the types of activities occurring on site.

Permit coverage under the Multi Sector General Permit (MSGP) for Storm Water Discharges from Industrial Activities is required based on the Standard Industrial Classification (SIC) code for the facility and the types of industrial activities occurring. If coverage is needed and the facility is not already covered, it has 30 days from when this permit is issued to submit the appropriate Notice of Intent (NOI) for the MSGP or exclusion documentation.

Permit coverage under the Construction General Storm Water Permit (CGP) is required for any construction at the facility which disturb an acre or more, or is part of a common plan of development or sale that is an acre or greater. A Notice of Intent (NOI) is required to obtain a construction storm water permit prior to the period of construction.

Information on storm water permit requirements can be found at http://stormwater.utah.gov

PRETREATMENT REQUIREMENTS

The permittee will discharge process wastewater directly into a water of the State and to Salt Lake City (SLC). Therefore the permittee must comply with the SLC Ordinance and the requirements stated in this permit.

If changes occur regarding the discharge into the SLC Publicly Owned Treatment Works (POTW), the permittee must ensure compliance with any Pretreatment Standards, Requirements or the permit issued by SLC. Notifications regarding the discharge to the POTW must be reported to SLC and DWQ.

BIOMONITORING REQUIREMENTS

A nationwide effort to control toxic discharges where effluent toxicity is an existing or potential concern is regulated in accordance with the Utah Pollutant Discharge Elimination System Permit and Enforcement Guidance Document for Whole Effluent Toxicity Control (biomonitoring), dated February 2018. 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 will be discharging a small quantity of effluent, in which toxicity is neither an existing concern, nor likely to be present. Based on these considerations, and the absence of receiving stream water quality monitoring data, there is no reasonable potential for toxicity in the permittee's discharge (per State of Utah Permitting and Enforcement Guidance Document for WET Control). As such, there will be no numerical WET limitations. However, because this is a new permit, WET testing will be required once during the first year. 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 discharge.

PERMIT DURATION

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

Drafted and Reviewed by
Danielle Lenz, Discharge Permit Writer
Daniel Griffin, Biosolids

Jennifer Robinson, Pretreatment
Lonnie Shull, Biomonitoring
Carl Adams, Storm Water
Jacob Vanderlaan, TMDL/Watershed
Danielle Lenz, Reasonable Potential Analysis
Suzan Tahir, Wasteload Analysis
Utah Division of Water Quality, (801) 536-4300

PUBLIC NOTICE

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

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

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

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

ADDENDUM TO FSSOB

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

Responsiveness Summary

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

ATTACHMENT 1

Effluent Monitoring Data

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Effluent Monitoring Data.

Can Filling RO							
Date	TDS mg/L	TRC mg/L	pH	Aluminum mg/L	TSS mg/L	BOD5 mg/L	Ammonia mg/L
9/9/22	384	ND	7.9	0.07	ND	ND	--
12/9/22	--	--	8.1	--	6	ND	ND
12/27/22	528	--	--	0.07	ND	--	--
12/28/22	320	--	--	ND	ND	--	--
12/28/22	300	--	--	ND	ND	--	--
12/29/22	580	--	--	ND	ND	--	--
12/29/22	384	--	--	ND	ND	--	--
12/29/22	400	--	--	ND	ND	--	--
2/14/23	--	--	--	ND	--	--	--
2/28/23	--	--	--	ND	--	--	--
4/23	--	--	--	0.418	--	--	--

Can Making RO*							
Date	TDS mg/L	TRC mg/L	pH	Aluminum mg/L	TSS mg/L	BOD5 mg/L	Ammonia mg/L
9/9/22	744	ND	7.9	0.1	ND	ND	--
12/9/22	--	--	8.2	--	24	7	ND
12/27/22	536	--	--	0.07	ND	--	--
12/28/22	808	--	--	0.09	ND	--	--
12/28/22	524	--	--	0.06	ND	--	--
12/29/22	636	--	--	0.05	ND	--	--
12/29/22	648	--	--	0.06	ND	--	--
12/29/22	612	--	--	ND	ND	--	--

*Vobev will not be discharging Can Making RO water, however, due to lack of data, data was used in the analysis.

ATTACHMENT 2

Wasteload Analysis

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ATTACHMENT 3

Reasonable Potential Analysis

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REASONABLE POTENTIAL ANALYSIS

Water Quality has worked to improve our reasonable potential analysis (RP) for the inclusion of limits for parameters in the permit by using an EPA provided model. As a result of the model, more parameters may be included in the renewal permit. A Copy of the Reasonable Potential Analysis Guidance (RP Guide) is available at water Quality. There are four outcomes for the RP Analysis[1]. They are;

Outcome A: A new effluent limitation will be placed in the permit.
Outcome B: No new effluent limitation. Routine monitoring requirements will be placed or increased from what they are in the permit,
Outcome C: No new effluent limitation. Routine monitoring requirements maintained as they are in the permit,
Outcome D: No limitation or routine monitoring requirements are in the permit.

The initial screening check for metals showed that the full model needed to be run on aluminum.

The RP model was run on aluminum using all data provided/ available. This resulted in 17 (8 were ND) data points for combined Can Making and Can Filling streams. The results of the model are that there is acute RP at 95% confidence and at 99% Confidence. This result indicates that the inclusion of an effluent limit for aluminum is required at this time. (Outcome A from Reasonable Potential Guide)

A Summary of the RP Model outputs are included in the table below. Inputs can be seen in Attachment 1.

RP Procedure Output	Outfall Number: 001 Data Units: mg/L	
Parameter	Aluminum	
Distribution	Lognormal	
Reporting Limit	0.0010	
Significant Figures	2	
Maximum Reported Effluent Conc.	0.418	
Coefficient of Variation (CV)	0.70	
Acute Criterion	0.7525	
Chronic Criterion	NA	
Confidence Interval	95	99
Projected Maximum Effluent Conc. (MEC)	0.82	1.6
RP Multiplier	2.0	3.7
RP for Acute?	YES	YES
RP for Chronic?	NA	NA
Outcome	A	

[1] See Reasonable Potential Analysis Guidance for definitions of terms