Permit No. UT0000647
Minor Industrial

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

UNDER THE UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM (UPDES)
AUTHORIZATION TO DISCHARGE AND STORM WATER PERMIT

Minor Industrial UPDES Permit No. UT0000647

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

COMPASS MINERALS OGDEN INC ("Compass")

is hereby authorized to discharge from its facility located at 765 North 10500 West, Ogden, Utah with the outfalls located at the following:

Outfall	Latitude	Longitude	To receiving waters named
001	41° 16' 09" N	112° 14' 39"W,	Great Salt Lake, Bear River Bay
001-B	41°16'43" N	112° 13' 59"W	Internal discharge from the Steam plant to onsite storm water system to the Great Salt Lake, Bear River Bay.
002	41°15'54" N	112°15'03"W,	Great Salt Lake, Bear River Bay
003	41°15'33" N	112°16'39" W,	Great Salt Lake, Bear River Bay
004	41°14'42" N	112°16'38" W,	Great Salt Lake, Bear River Bay
005	41°14'18" N	112°19'13" W,	Great Salt Lake, Bear River Bay
006	41°16'10" N	112°20'11" W,	Great Salt Lake, Bear River Bay
007	41°16'15" N	112°21'26" W,	Great Salt Lake, Bear River Bay
008	41°13'54" N	112°21'42" W,	Great Salt Lake, Bear River Bay
009	41°15'44" N	112°53'29" W,	Great Salt Lake, Gunnison Bay

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

This permit shall become effective on February 1, 2015

This permit expires at midnight on January 31, 2020

Signed this 28 day of January, 2015

Walter L. Baker, P.E.
Director

Table of Contents

I. DISCHARGE – LIMITATIONS AND REPORTING REQUIREMENTS

A. Description of Discharge Point.

The authorization to discharge provided under this permit 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 Point
001	Discharge to the Great Salt Lake, Bear River Bay. Latitude 41°16'09" and Longitude 112°14'39"
001-B	Internal discharge from the Steam plant to onsite storm water system to the Great Salt Lake, Bear River Bay. Latitude 41°16'43" and Longitude 112°13'12"
002	Discharge to the Great Salt Lake, Bear River Bay. Latitude 41°15'54" and Longitude 112°15'03"
003	Discharge to the Great Salt Lake, Bear River Bay. Latitude 41°15'33" and Longitude 112°16'39"
004	Discharge to the Great Salt Lake, Bear River Bay. Latitude 41°14'42" and Longitude 112°16'38"
005	Discharge to the Great Salt Lake, Bear River Bay. Latitude 41°14'18" and Longitude 112°19'13"
006	Discharge to the Great Salt Lake, Bear River Bay. Latitude 41°16'10" and Longitude 112°20'11"
007	Discharge to the Great Salt Lake, Bear River Bay. Latitude 41°16'15" and Longitude 112°21'26"
008	Discharge to the Great Salt Lake, Bear River Bay. Latitude 41°13'54" and Longitude 112°21'42"
009	Discharge to the Great Salt Lake, Gunnison Bay. Latitude 41°15'44" and Longitude 112°53'29"

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.
Effective immediately and lasting the duration of this permit, the permittee is authorized to discharge from Outfall 001, Outfall 002, Outfall 003, Outfall 004, Outfall 005, Outfall 006, Outfall 007, Outfall 008 and Outfall 009, as follows:

1. Narrative Effluent Limitations. All outfalls shall be subject to the following narrative effluent limitations.

   There shall be no discharge of process wastewater pollutants to navigable waters except as follows:

   a. unused bitterns may be returned to the Great Salt Lake, including excess brines that are returned to the Lake and brines that are pumped into the Behrens Trench for transport across the Lake; and

   b. the prohibition against discharge of process wastewater pollutants shall be applied on a net basis.

2. Numeric Effluent Limitations.

   a. Outfalls 001, 002, 003, 004, 005, 006, 007, 008 and 009 shall also be subject to the following numeric effluent limitations. Such discharges shall be limited and monitored by the permittee as specified below:

Parameter	Effluent Limitations			
	Maximum Monthly Average	Maximum Weekly Average	Daily Minimum	Daily Maximum
Oil & Grease, mg/L	NA	NA	NA	10.0
pH, Standard Units	NA	NA	6.5	9.0

NA – Not Applicable

Self-Monitoring and Reporting Requirements a/			
Parameter	Frequency	Sample Type	Units
Total Flow a/ b/	Monthly	Measured	MGD
Oil & Grease	Monthly	Visual c/	mg/L
pH	Monthly	Grab	SU

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

b/ If the rate of discharge is controlled, the rate and duration of discharge shall be reported.
c/ A grab sample for Oil and Grease will be required when a visible sheen is observed in the effluent.

b. Outfalls 001-B shall also be subject to the following numeric effluent limitations. Such discharges shall be limited and monitored by the permittee as specified below:

Parameter	Effluent Limitations			
	Maximum Monthly Average	Maximum Weekly Average	Daily Minimum	Daily Maximum
Oil & Grease, mg/L	NA	NA	NA	10.0
pH, Standard Units	NA	NA	6.5	9.0
Total Suspended Solids, mg/L	25.0	NA	NA	35.0
Total Residual Chlorine, mg/L	0.2	NA	NA	0.5
Total Dissolved Oxygen, mg/L	NA	NA	4.5	NA
Total Chromium, mg/L	0.2	NA	NA	0.2
Total Zinc, mg/L	1.0	NA	NA	1.0

NA – Not Applicable

Self-Monitoring and Reporting Requirements a/			
Parameter	Frequency	Sample Type	Units
Total Flow a/ b/	Monthly	Measured	MGD
Oil & Grease	Monthly	Visual c/	mg/L
pH	Monthly	Grab	SU
Total Suspended Solids	Monthly	Grab	mg/L
Total Residual Chlorine	Monthly	Grab	mg/L
Total Dissolved Oxygen, mg/L	Monthly	Measured	mg/L
Total Chromium	Monthly	Grab	mg/L
Total Zinc	Monthly	Grab	mg/L

a/ Flow measurements of effluent volume shall be made in such a manner that the permittee can affirmatively demonstrate that representative values are being obtained.
b/ If the rate of discharge is controlled, the rate and duration of discharge shall be reported.
c/ A grab sample for Oil and Grease will be required when a visible sheen is observed in the effluent.

3. Monitoring Schedule. The permittee shall complete the listed items below by the indicated dates.

a. Before April 15, 2015 or within three weeks after the mineral return activities are completed at the facility (whichever date is later), DWQ shall transmit to Compass all data acquired pursuant to the Sampling and Analysis Plan developed in conjunction with the 2012 Settlement Agreement. Once the data has been received, by July 1,

2015, or within 75 days after receipt, whichever is later, Compass shall submit to DWQ a final report that summarizes the data. At a minimum, this report will contain: a brief narrative that describes the mineral return operations (i.e., ponds that were involved, start date, end date), a narrative describing unforeseen monitoring logistics, the background concentrations and loads of constituents and concentrations in the discharge leaving mineral return ponds, a summary of comparisons with water quality benchmarks, associated conclusions, and best management practices that have been identified.

b. By August 31, 2015 Compass shall submit a new sampling and analysis plan that outlines any future sampling or monitoring needs. This plan should include sampling locations, sampling frequency, and water quality constituents of concern.

D. Reporting of Monitoring Results.

1. Discharge Water. 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 in DATE. If no discharge occurs during the reporting period, "no discharge" shall be reported. Legible copies of these shall be signed and certified in accordance with the requirements of *Signatory Requirements (see Part V.G)*, and submitted to the Director, Division of Water Quality at the following address:

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

II. STORM WATER REQUIREMENTS

A. Coverage of This Section.

1. Discharges Covered Under This Section. The requirements listed under this section shall apply to storm water discharges from the Compass Minerals Ogden Inc. ("Compass")

   a. Site Coverage. Common activities include: industrial plant yards; material handling sites; refuse sites; sites used for application or disposal of process wastewaters sites used for storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas for raw material and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water.

B. Prohibition of Non-Storm Water Discharges.

1. The following non-storm water discharges may be authorized under this permit provided the non-storm water component of the discharge is in compliance with this section; discharges from fire fighting activities; fire hydrant flushing; potable water sources including waterline flushing; drinking fountain water; irrigation drainage and lawn watering; routine external building wash down water where detergents or other compounds have not been used in the process; pavement wash waters where spills or leaks of toxic or hazardous materials (including oils and fuels) have not occurred (unless all spilled material has been removed) and where detergents are not used; air conditioning condensate; uncontaminated compressor condensate; uncontaminated springs; uncontaminated ground water; and foundation or footing drains where flows are not contaminated with process materials such as solvents.

C. Storm Water Pollution Prevention Plan Requirements.

1. Contents of the Plan. The plan shall include, at a minimum, the following items:

   a. Pollution Prevention Team. Each plan shall identify a specific individual or individuals within the facility organization as members of a storm water Pollution Prevention Team who are responsible for developing the storm water pollution prevention plan and assisting the facility or plant manager in its implementation, maintenance, and revision. The plan shall clearly identify the responsibilities of each team member. The activities and responsibilities of the team shall address all aspects of the facility's storm water pollution prevention plan.

   b. Description of Potential Pollutant Sources. Each plan shall provide a description of potential sources which may reasonably be expected to add significant amounts of pollutants to storm water discharges or which may result in the discharge of pollutants during dry weather from separate storm sewers draining the facility. Each plan shall identify all activities and significant materials, which may be reasonably expected to have the potential as a significant pollutant source. Each plan shall include, at a minimum:

      1) Drainage. A site map indicating drainage areas and storm water outfalls. For each area of the facility that generates storm water discharges associated with the

waste water treatment related activity with a reasonable potential for containing significant amounts of pollutants, a prediction of the direction of flow and an identification of the types of pollutants that are likely to be present in storm water discharges associated with the activity. Factors to consider include the toxicity of the pollutant; quantity of chemicals used, produced or discharged; the likelihood of contact with storm water; and history of significant leaks or spills of toxic or hazardous pollutants. Flows with a significant potential for causing erosion shall be identified. The site map shall include but not be limited to:

a) Drainage direction and discharge points from all wastewater associated activities including, but not limited to, chemical/material loading, unloading and storage areas, vehicle maintenance areas, salt or sand storage areas.

b) Location of any erosion and sediment control structure or other control measures utilized for reducing pollutants in storm water runoff.

c) Location of any handling, loading, unloading or storage of chemicals or potential pollutants such as caustics, hydraulic fluids, lubricants, solvents or other petroleum products, or hazardous wastes and where these may be exposed to precipitation.

d) Locations where any major spills or leaks of toxic or hazardous materials have occurred.

e) Location of any sand or salt piles.

f) Location of fueling stations or vehicle and equipment maintenance and cleaning areas that are exposed to precipitation.

g) Location of receiving streams or other surface water bodies.

h) Locations of outfalls and the types of discharges contained in the drainage areas of the outfalls.

2) Inventory of Exposed Materials. An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of 3 years prior to the date of the submission of a *Notice of Intent* (*NOI*) to be covered under this permit and the present; method and location of onsite storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of 3 years prior to the date of the submission of a *Notice of Intent* (*NOI*) to be covered under this permit and the present; the location and a description of existing structural and nonstructural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

3) Spills and Leaks. A list of significant spills and significant leaks of toxic or hazardous pollutants that occurred at areas that are exposed to precipitation or

that otherwise drain to a storm water conveyance at the facility after the date of 3 years prior to the date of the submission of a *Notice of Intent* (*NOI*) to be covered under this permit. Such list shall be updated as appropriate during the term of the permit.

4) Sampling Data. A summary of existing discharge sampling data describing pollutants in storm water discharges from the facility, including a summary of sampling data collected during the term of this permit.

5) Summary of Potential Pollutant Sources and Risk Assessment. A narrative description of the potential pollutant sources from the following activities: access roads/rail lines; loading and unloading operations; outdoor storage activities; material handling sites; outdoor vehicle storage or maintenance sites; significant dust or particulate generating processes; and onsite waste disposal practices. Specific potential pollutants shall be identified where known.

6) Measures and Controls. Compass shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

   a) Good Housekeeping. All areas that may contribute pollutants to storm waters discharges shall be maintained in a clean, orderly manner. These are practices that would minimize the generation of pollutants at the source or before it would be necessary to employ sediment ponds or other control measures at the discharge outlets. Where applicable, such measures or other equivalent measures would include the following: sweepers and covered storage to minimize dust generation and storm runoff; conservation of vegetation where possible to minimize erosion; sweeping of haul roads, bio-solids access points, and exits to reduce or eliminate off site tracking; sweeping of sand or salt storage areas to minimize entrainment in storm water runoff; collection, removal, and proper disposal of waste oils and other fluids resulting from vehicle and equipment maintenance; other equivalent measures to address identified potential sources of pollution.

   b) Preventive Maintenance. A preventive maintenance program shall involve timely inspection and maintenance of storm water management devices (e.g., cleaning oil/water separators, catch basins) as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters, and ensuring appropriate maintenance of such equipment and systems.

   c) Spill Prevention and Response Procedures. Areas where potential spills that can contribute pollutants to storm water discharges can occur, and their accompanying drainage points, shall be identified clearly in the storm water pollution prevention plan. Where appropriate, specifying material

handling procedures, storage requirements, and use of equipment such as diversion valves in the plan should be considered. Procedures and equipment for cleaning up spills shall be identified in the plan and made available to the appropriate personnel.

d) Inspections. In addition to the comprehensive site evaluation required under *C.1.b.7.d.* of this section, qualified facility personnel shall be identified to inspect designated equipment and areas of the facility on a periodic basis. The following areas shall be included in all inspections: access roads/rail lines, equipment storage and maintenance areas (both indoor and outdoor areas); fueling; material handling areas, residual treatment, storage, and disposal areas; and wastewater treatment areas. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained. The use of a checklist developed by the facility is encouraged.

e) Employee Training. Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping and material management practices. The pollution prevention plan shall identify how often training will take place, but training should be held at least annually (once per calendar year). Employee training must, at a minimum, address the following areas when applicable to a facility: petroleum product management; process chemical management; spill prevention and control; fueling procedures; general good housekeeping practices; proper procedures for using fertilizers, herbicides and pesticides.

f) Record keeping and Internal Reporting Procedures. A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

7) Non-storm Water Discharges.

a) Certification. The plan shall include a certification that the discharge has been tested or evaluated for the presence of non-storm water discharges. The certification shall include the identification of potential significant sources of non-storm water at the site, a description of the results of any test and/or evaluation for the presence of non-storm water discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the onsite drainage points that were directly observed during the test. Certifications shall be signed in accordance with *Part V.G.* (Signatory Requirements) of this permit.

b) Exceptions. Except for flows from fire fighting activities, sources of non-storm water listed in *Part II.B.* (Prohibition of Non-storm Water Discharges) of this permit that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge.

c) Failure to Certify. Any facility that is unable to provide the certification required (testing for non-storm water discharges), must notify the *Director* within 180 days after submitting a notice of intent to be covered by this permit. If the failure to certify is caused by the inability to perform adequate tests or evaluations, such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible. Non-storm water discharges to waters of the State, which are not, authorized by a *UPDES* permit are unlawful, and must be terminated.

(1) Sediment and Erosion Control. The plan shall identify areas, which, due to topography, activities, or other factors, have a high potential for significant soil erosion, and identify structural, vegetative, and/or stabilization measures to be used to limit erosion.

(2) Management of Runoff. The plan shall contain a narrative consideration of the appropriateness of traditional storm water management practices (practices other than those which control the generation or source(s) of pollutants) used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the site. The plan shall provide that measures that the permittee determines to be reasonable and appropriate shall be implemented and maintained. The potential of various sources at the facility to contribute pollutants to storm water discharges associated with industrial activity [*Part II.C.1.b* (Description of Potential Pollutant Sources) of this permit] shall be considered when determining reasonable and appropriate measures. Appropriate measures or other equivalent measures may include: vegetative swales and practices, reuse of collected storm water (such as for a process or as an irrigation source), inlet controls (such as oil/water separators), snow management activities, infiltration devices, wet detention/retention devices and discharging storm water through the waste water facility for treatment.

d) Comprehensive Site Compliance Evaluation. Qualified personnel shall conduct site compliance evaluations at appropriate intervals specified in the plan, but in no case less than once a year. Such evaluations shall provide:

(1) Areas contributing to a storm water discharge associated with

industrial activity shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, sediment and erosion control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.

(2) Based on the results of the evaluation, the description of potential pollutant sources identified in the plan in accordance with *Part II.C.1.b* (Description of Potential Pollutant Sources) of this section and pollution prevention measures and controls identified in the plan in accordance with *Part II.C.1.b.6* (Measures and Controls) of this section shall be revised as appropriate within 2 weeks of such evaluation and shall provide for implementation of any changes to the plan in a timely manner, but in no case more than 12 weeks after the evaluation.

(3) A report summarizing the scope of the evaluation, personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the storm water pollution prevention plan, and actions taken in accordance with paragraph *2.* (above) shall be made and retained as part of the storm water pollution prevention plan for at least 3 years after the date of the evaluation. The report shall identify any incidents of noncompliance. Where a report does not identify any incidents of noncompliance, the report shall contain a certification that the facility is in compliance with the storm water pollution prevention plan and this permit. The report shall be signed in accordance with *Part V.G* (Signatory Requirements) of this permit. *Part*

e) Keeping Plans Current. Compass shall amend the plan whenever there is a change in design, construction, operation, or maintenance, that has a significant effect on the potential for the discharge of pollutants to the waters of the state or if the storm water pollution prevention plan proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified by the plan, or in otherwise achieving the general objective of controlling pollutants in storm water discharges associated with the activities at the facility.

D. Monitoring and Reporting Requirements.

1. Analytical Monitoring Requirements. During the second and fourth year of the permit, permittees industrial inorganic chemical facilities must monitor their storm water discharges associated with industrial activity at least quarterly (4 times per year) during years 2 and 4 except as provided in *Part II.D.1.c* (Sampling Waiver), *Part II.D.1.c.4* (Representative Discharge), and *Part II.D.1.c.5)* (Alternative Certification). The facility is required to monitor their storm water discharges for the pollutants of concern listed below in Table C-3.

Facilities must report in accordance with *Part II.D.1.d.* (Reporting). In addition to the parameters listed in Table C-3 below, the permittee shall provide the date and duration (in hours) of the storm event(s) sampled; rainfall measurements or estimates (in inches) of the storm event that generated the sampled runoff; the duration between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event; and an estimate of the total volume (in gallons) of the discharge sampled.

Table C-3.
Industrial Inorganic Chemicals Monitoring Requirements

Pollutants of Concern	Benchmark Monitoring Cut-Off Concentration
Total Recoverable Aluminum	0.75 mg/L
Total Recoverable Iron	1.0 mg/L
Nitrate plus Nitrite Nitrogen	0.68 mg/L

a. Monitoring Periods. Agricultural chemical manufacturing facilities; industrial inorganic chemical facilities; soaps, detergents, cosmetics, and perfume manufacturing facilities; and plastics, synthetics, and resin manufacturing facilities shall monitor samples collected during the sampling periods of: January through March, April through June, July through September, and October through December, in 2010 and 2013.

b. Sample Type. A minimum of one grab sample shall be taken. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The required 72-hour storm event interval is waived where the preceding measurable storm event did not result in a measurable discharge from the facility. The required 72-hour storm event interval may also be waived where the permittee documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. The grab sample shall be taken during the first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab sample can be taken during the first hour of the discharge, and the discharger shall submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable. If storm water discharges associated with industrial activity commingle with process or nonprocess water, then where practicable permittees must attempt to sample the storm water discharge before it mixes with the non-storm water discharge.

c. Sampling Waiver.

1) Adverse Conditions When a discharger is unable to collect samples within a specified sampling period due to adverse climatic conditions, the discharger shall collect a substitute sample from a separate qualifying event in the next period and submit the data along with data for the routine sample in that period. Adverse weather conditions that may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricanes, tornadoes, electrical storms, etc.) or otherwise

make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

2) Low Concentration Waiver. When the average concentration for a pollutant calculated from all monitoring data collected from an outfall during the second year monitoring period, is less than the corresponding value for that pollutant listed in Table C-3 under the column Monitoring Cut-Off Concentration, a facility may waive monitoring and reporting requirements in the fourth year monitoring period. The facility must submit to the *Director*, in lieu of the monitoring data, a certification that there has not been a significant change in industrial activity or the pollution prevention measures in area of the facility that drains to the outfall for which sampling was waived.

3) Inactive and Unstaffed Site. When a discharger is unable to conduct quarterly chemical storm water sampling at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirements as long as the facility remains inactive and unstaffed. The facility must submit to the *Director*, in lieu of monitoring data, a certification statement on the *Storm Water Discharge Monitoring Report* (*SWDMR*) stating that the site is inactive and unstaffed so that collecting a sample during a qualifying event is not possible.

4) Representative Discharge. When a facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may test the effluent of one of such outfalls and report that the quantitative data also applies to the substantially identical outfall(s) provided that the permittee includes in the storm water pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area [e.g., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)] shall be provided in the plan. The permittee shall include the description of the location of the outfalls, explanation of why outfalls are expected to discharge substantially identical effluents, and estimate of the size of the drainage area and runoff coefficient with the *SWDMR*.

5) Alternative Certification. A discharger is not subject to the monitoring requirements of this section provided the discharger makes a certification for a given outfall or on a pollutant-by-pollutant basis in lieu of monitoring reports required under paragraph *b.* below, under penalty of law, signed in accordance with *Part V.G.* (Signatory Requirements), that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or significant materials from past industrial activity that are located in areas of the facility within the drainage area of the outfall are not presently exposed to storm water and are not expected to be exposed to storm water for the certification period. Such certification must be retained in the storm water pollution prevention plan, and submitted to the *DWQ* in accordance with *Part V.B.* of this permit. In the case of certifying that a pollutant is not present, the permittee must submit the certification along with the

monitoring reports required under paragraph *d* below. If the permittee cannot certify for an entire period, they must submit the date exposure was eliminated and any monitoring required up until that date. This certification option is not applicable to compliance monitoring requirements associated with effluent limitations.

d. Reporting. Permittees with agricultural chemical manufacturing facilities; industrial inorganic chemical facilities; soaps, detergents, cosmetics, and perfume manufacturing facilities; and plastics, synthetics, and resin manufacturing facilities shall submit monitoring results for each outfall associated with industrial activity [or a certification in accordance with paragraphs *3)*, *4)*, or *5)* above] obtained during the second and fourth year reporting periods on *Storm Water Discharge Monitoring Report* (*SWDMR*) Form(s) postmarked no later than the 31st day of the following March. For each outfall, one *SWDMR* form must be submitted per storm event sampled. Signed copies of *SWDMR*s, or said certifications, shall be submitted to the *Director* at the address listed in *Part I.D.1.* of the permit.

1) Additional Notification. In addition to filing copies of discharge monitoring reports in accordance with paragraph *d.* (above), agricultural chemical manufacturing facilities; industrial inorganic chemical facilities; soaps, detergents, cosmetics, and perfume manufacturing facilities; and plastics, synthetics, and resin manufacturing facilities with at least one storm water discharge associated with industrial activity through a large or medium municipal separate storm sewer system (systems serving a population of 100,000 or more) must submit signed copies of discharge monitoring reports to the operator of the municipal separate storm sewer system in accordance with the dates provided in paragraph *d.* (above).

e. Compliance Monitoring Requirements. In addition to the monitoring required in Part *II.1.e.2*, permittees with contaminated storm water runoff from phosphate fertilizer manufacturing facilities must monitor their contaminated storm water discharges for the presence of phosphorus and fluoride at least annually (one time per year). Facilities must report in accordance with Part *II.1.e.)* below (Reporting). In addition to the parameters listed above, the permittee shall provide the date and duration (in hours) of the storm event(s) sampled; rainfall measurements or estimates (in inches) of the storm event that generated the sampled runoff; the duration between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event; and an estimate of the total volume (in gallons) of the discharge sampled;

1) Sample Type. A minimum of one grab sample shall be taken. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The required 72-hour storm event interval is waived where the preceding measurable storm event did not result in a measurable discharge from the facility. The required 72-hour storm event interval may also be waived where the permittee documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. The grab sample shall be taken during the first 30 minutes of the discharge. If the collection of a grab sample during the first 30 minutes is impracticable, a grab sample can be taken during

the first hour of the discharge, and the discharger shall submit with the monitoring report a description of why a grab sample during the first 30 minutes was impracticable.

2) Reporting. Permittees with phosphate fertilizer manufacturing facilities shall submit monitoring results obtained during the second year reporting period on *Storm Water Discharge Monitoring Report* (*SWDMR*) Form(s) postmarked no later than the 28th day of the following February. For each outfall, one signed *SWDMR* form must be submitted to the *Director* per storm event sampled. Signed copies of *SWDMR*s shall be submitted to the *Director* at the address indicated in *Part I.D.1* of this permit.

3) Additional Notification. In addition to filing copies of *SWDMR*s in accordance with paragraph *(2)* (above), permittees that discharge through a large or medium municipal separate storm sewer system (systems serving a population of 100,000 or more) must submit signed copies of *SWDMR*s to the operator of the municipal separate storm sewer system in accordance with the dates provided in paragraph *2)* (above).

2. Quarterly Visual Examination of Storm Water Quality. Facilities shall perform and document a visual examination of a storm water discharge associated with industrial activity from each outfall, except discharges exempted below. The examination must be made at least once in each of the following designated periods during daylight hours unless there is insufficient rainfall or snow melt to produce a runoff event: January through March; April through June; July through September; and October through December.

a. Sample and Data Collection. Examinations shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed 1 hour) of when the runoff or snowmelt begins discharging. The examinations shall document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution. The examination must be conducted in a well lit area. No analytical tests are required to be performed on the samples. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Where practicable, the same individual should carry out the collection and examination of discharges for entire permit term.

b. Visual Storm Water Discharge Examination Reports. Visual examination reports must be maintained onsite in the pollution prevention plan. The report shall include the examination date and time, examination personnel, the nature of the discharge (i.e., runoff or snow melt), visual quality of the storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

c. Representative Discharge. When Compass has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may collect a sample of

effluent of one of such outfalls and report that the observation data also applies to the substantially identical outfall(s) provided that the permittee includes in the storm water pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area [e.g., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)] shall be provided in the plan.

d. Adverse Conditions. When a discharger is unable to collect samples over the course of the visual examination period as a result of adverse climatic conditions, the discharger must document the reason for not performing the visual examination and retain this documentation onsite with the results of the visual examination. Adverse weather conditions, which may prohibit the collection of samples, include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

e. Inactive and Unstaffed Site. When a discharger is unable to conduct visual storm water examinations at an inactive and unstaffed site, the operator of the facility may exercise a waiver of the monitoring requirement as long as the facility remains inactive and unstaffed. The facility must maintain a certification with the pollution prevention plan stating that the site is inactive and unstaffed so that performing visual examinations during a qualifying event is not feasible.

III. MONITORING, RECORDING & ADDITIONAL 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. Sludge samples shall be collected at a location representative of the quality of sludge 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 5 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 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 the 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,

3. A written submission shall also be provided within 5 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* (Reporting of Monitoring Results) are submitted. The reports shall contain the information listed in *Part III.F* (Records Content).

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;

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; 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.

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 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.

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, only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to *paragraphs 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 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 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.2.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 90 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 90 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 IV.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 Notice of Non Compliance 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.

I. Toxic Pollutants.
The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of *The Water Quality Act of 1987* for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

J. Changes in Discharge of Toxic Substances.
Notification shall be provided to the Director as soon as the permittee knows of, or has reason to believe:

1. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

   a. One hundred micrograms per liter (100 ug/L);

   b. Two hundred micrograms per liter (200 ug/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/L) for 2,4-dinitrophenol and for 2-methyl-4, 6-

dinitrophenol; and one milligram per liter (1 mg/L) for antimony;

c. Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with *UAC R317-8-3.4(7)* or (10); or,

d. The level established by the Director in accordance with *UAC R317-8-4.2(6)*.

2. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

a. Five hundred micrograms per liter (500 ug/L);

b. One milligram per liter (1 mg/L) for antimony:

c. Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with *UAC R317-8-3.4(9)*; or,

d. The level established by the Director in accordance with *UAC R317-8-4.2(6)*.

K. Industrial Pretreatment.

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).

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* (Signatory Requirements) 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. A final waste load allocation is developed and approved by the State and/or EPA for incorporation in this permit.

3. A revision to the current Water Quality Management Plan is approved and adopted which calls for different effluent limitations than contained in this permit.

P. Toxicity Limitation-Reopener Provision.
This permit may be reopened and modified (following proper administrative procedures) to include whole effluent toxicity (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.

VI. DEFINITIONS

1. The "30-day (and monthly) average" is the arithmetic average of all samples collected during a consecutive 30-day period or calendar month, whichever is applicable.

2. The "7-day (and weekly) average" is the arithmetic average of all samples collected during a consecutive 7-day period or calendar week, whichever is applicable. 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.

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

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

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

6. "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.

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

8. "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.

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

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

11. "Act," means the *Utah Water Quality Act*.

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

13. "Storm Water," means storm water runoff, snow melt runoff, and surface runoff and drainage.

14. "Pollutant" for the purposes of this permit is an organic substance, an inorganic substance, a combination of organic and inorganic substances, or pathogenic organisms that after discharge and upon exposure, ingestion, inhalation, or assimilation into an organism either directly from the environment or indirectly by ingestion through the food-chain, could on the basis of information

available to the Administrator of EPA, cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions (including malfunction in reproduction), or physical deformations in either organisms or offspring of the organisms.

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

16. "Similar Container" is either an open or closed receptacle. This includes, but is not limited to, a bucket, a box, a carton, and a vehicle or trailer with a load capacity of one metric ton or less.

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

FACT SHEET AND STATEMENT OF BASIS
COMPASS MINERALS CORPORATION
RENEWAL/MINOR INDUSTRIAL
UPDES PERMIT NO. UT0000647

FACILITY CONTACT:

Responsible Official: Denise Hubbard
Vice President of Operations - Ogden
765 North 10500 West
Ogden, Utah 84404
Phone: (801) 732-3319

Facility Contact: Rod Smith
Environmental Engineer
Phone: (801) 732-3251

DESCRIPTION OF FACILITY:

Compass Minerals Ogden Inc (CMP) removes water from the Great Salt Lake (GSL), and by the process of evaporation, concentrates and removes sodium chloride, potash, and magnesium chloride (Salt(s)). During this process, more sodium chloride is produced than any other product, but the potash and magnesium chloride are many times more valuable per ton than sodium chloride. The recovery of these minerals from lake water is a function of the degree of evaporation that occurs, with sodium chloride crystallizing before either potash or magnesium chloride. Bitterns that remain after the initial precipitation of salt from the west side ponds are transported across the lake to the east side, via the Behrens Trench, where they are further evaporated to produce additional salt, potash (fertilizer) and magnesium chloride (dust control and de-icing agents). Compass Minerals was authorized to construct the trench in the lake bed in 1991, pursuant to a Clean Water Act Section 404 permit issued by the U. S. Army Corps of Engineers. Due to the higher density of the bitterns compared to the lake water, the bitterns remain in the trench, with nominal mixing with receiving waters. The vast majority of bitterns that are pumped into the trench are removed from the trench at its eastern terminus and pumped into the east solar evaporation ponds.

Since sodium chloride precipitates at a higher rate than potash or magnesium chloride, large amounts of sodium chloride remain in certain ponds after evaporation. These ponds are located on Bear River Bay, on the east side of the Lake. In accordance with the Royalty Agreement with the Department of Natural Resources, this excess sodium chloride must be returned to the GSL. This is accomplished by pumping water from the Bear River Bay of GSL, dissolving the unprocessed salt found in the evaporation ponds and returning the brines to Bear River Bay. These ponds are used exclusively for solar evaporation, and there is no other physical or chemical processing activity in these ponds, other than the possible use of mobile equipment to scrape the deposited salt into windrows or to slurry it, so that it will dissolve more easily. These ponds simply contain the remnant sodium chloride that was left behind when the bitterns were transferred to other ponds for extraction of potash and magnesium chloride. Only materials native to and originally withdrawn from GSL are discharged with these flows. This mineral return activity takes place during the "non-solar season" from October through March. These mineral return flows are relatively slow in velocity and take place when the flows from Bear River Bay into GSL are the greatest. This leads to decreased residence times and rapid mixing. Sampling done by Compass Minerals and the Division of Water Quality (DWQ) has revealed that constituent levels are at Gilbert Bay background levels by the time the flows pass through the railroad causeway into the open

waters of the GSL. This return flow activity will be limited to Outfalls 002-008, and not all of these outfalls will discharge during each mineral return season.

Outfall 009 comprises a discharge from the concentration ponds on the west side of Gunnison Bay. This is the initial concentration of bitterns in the facility's process. These bitterns are discharged to the Behrens Trench which transports them to the east side ponds for further concentration and mineral separation.

This permit was modified in 2012 to add a new discharge location from a steam plant to an internal outfall and eventually to the GSL. The discharge consists of boiler blow down water. The source of this boiler blow down water is the culinary water supplied to the site by Weber Basin Water. The flow averages around 53,000 gal/day (0.05 MGD) with a daily maximum of 90,000 gal/day (0.09 mgd). This discharges to an existing drainage ditch on the facility that leads to Outfall 001. Since the daily average flow from Outfall 001 is 3.8 MGD, Outfall 001-B will be monitored internally before it enters the drainage ditch.

In addition to boiler blow down water, Outfall 001 generally includes re-dissolved salts from washout of the buildings, the rinsing of railcars previously used for shipping Sulfate of Potash (SOP) product or MgCl2 brine, the washing of mobile equipment and vehicles, and the washing of impurities from salts; air scrubber discharges from the sodium chloride processing; and the return of bitterns from mineral return activities. The Outfall 001 discharges specifically includes effluent from the rinsing of railcars that were previously used to ship SOP fertilizer or MgCl2 brine, effluent from the use of steam to clean the SOP railcar and truck loading chute, effluent from housekeeping activities, and effluent from the washing of salts off from mobile equipment and vehicles. No detergents or other chemicals are used in any of these cleaning activities. Nevertheless, these effluents many contain traces of oil. Any oil released from these activities will be captured by oil skimmers positioned in the drainage ditch downstream from where these activities occur.

The boiler water undergoes a 3 stage pretreatment process,that includes water softening, carbon filtration, and reverse osmosis (RO). These three stages shall provide demineralization, solids removal and purification of the water. After input of the pre-treated water to the boiler, the boiler recycle/condensate steam shall be treated with conventional buffering agents for scale control and corrosion inhibition within the boiler. The RO system is anticipated to have about a 10% reject rate and this flow will be combined with the backwash water. This water will either be consumed in the SOP production process by the SOP plant or discharged from Outfall 001-B.

The geographical location of the new outfall is listed below.

Outfall Number	Location of Discharge Point
001	Discharge to the Great Salt Lake, Bear River Bay Latitude 41° 16' 09" and Longitude 112° 14' 39",
001-B	Internal discharge from the Steam plant to onsite storm water system to the Great Salt Lake, Bear River Bay. Latitude 41°16'43" and Longitude 112°13'59"
002	Discharge to the Great Salt Lake, Bear River Bay.

	Latitude 41°15'54" and Longitude 112°15'03"
003	Discharge to the Great Salt Lake, Bear River Bay. Latitude 41°15'33" and Longitude 112°16'39"
004	Discharge to the Great Salt Lake, Bear River Bay. Latitude 41°14'42" and Longitude 112°16'38"
005	Discharge to the Great Salt Lake, Bear River Bay. Latitude 41°14'18" and Longitude 112°19'13"
006	Discharge to the Great Salt Lake, Bear River Bay. Latitude 41°16'10" and Longitude 112°20'11"
007	Discharge to the Great Salt Lake, Bear River Bay. Latitude 41°16'15" and Longitude 112°21'26"
008	Discharge to the Great Salt Lake, Bear River Bay. Latitude 41°13'54" and Longitude 112°21'42"
009	Discharge to the Great Salt Lake, Gunnison Bay. Latitude 41°15'44" and Longitude 112°53'29"

RECEIVING WATER CLASSIFICATION:

The Facility discharges to Great Salt Lake through Outfall 001, Outfall 001-B, Outfall 002, Outfall 003, Outfall 004, Outfall 005, Outfall 006, Outfall 007, Outfall 008 and Outfall 009. GSL is classified as Class 5. Outfalls 001-008 discharge to the Bear River Bay, a sub-classification of the Great Salt Lake which is protected for infrequent primary and secondary contact recreation, waterfowl, shore birds and other water-oriented wildlife including their necessary food chain. Outfall 009, the outfall to the Behrens Trench, discharges to Gunnison Bay, a sub-classification of the Great Salt Lake which is also protected for infrequent primary and secondary contact recreation, waterfowl, shore birds and other water-oriented wildlife including their necessary food chain.

The location of outfall 006 and timing of the discharge, when the majority of Bear River Bay discharges through the bay where outfall 006 discharges, minimizes the risk of the mineral return operations to Great Salt Lake's uses. Outfall 006 is located in the bay between CMP's causeway to the north and the railroad causeway to the south. Flow through each of these causeways is constricted. Water backs up behind the north causeway, which causes the water depth to be considerably greater (50-80 cm) upstream. The head created by these conditions increases the flow through the bay between the causeways and facilitates rapid mixing of the effluent with first Bear River Bay water and then Gilbert Bay. This downstream head, coupled with the relatively small size and shallow depth of the bay between the causeways also greatly reduces the possibility that wind events could push the discharge upstream, into areas of Bear River Bay that are less saline and potentially sensitive to increases in salinity from the mineral return flows.

BASIS FOR EFFLUENT LIMITS:

No numeric water quality standards have been established for the Great Salt Lake with the exception of Selenium in Gilbert Bay. (Since this facility does not discharge to Gilbert Bay, the Selenium standard does not apply directly to this discharge but the discharge must be protective of downstream uses in accordance with R317-2-8.)

Regulations contained in *40 CFR 436 Subpart L* (Mineral, Mining and Processing Point Source Category - Subpart L - Salines from Brine lake Subcategory) and *40 CFR 415 Subpart P* (Inorganic Chemicals Manufacturing Point Source Category – Subpart P – Sodium Chloride Production Subcategory) are applicable to discharges from the salt evaporation, washing and mineral return activities of the facility. *40 CFR 436 Subpart L* directs that there should be no discharge of process waste water pollutants into navigable waters, and that this shall be applied on a net basis if the source of the permittees water supply is the same body of water into which the discharge is made. *40 CFR 415 Subpart P* directs that there should be no discharge of process wastewater pollutants into navigable waters, except that unused bitterns may be returned to the body of water from which the process brine solution was originally withdrawn, provided that no additional pollutants are added to the bitterns during the production of sodium chloride. The mineral return flows from various evaporation ponds are allowed and unused bitterns are being returned to the body of water from which the process brine solution was originally withdrawn and no additional pollutants are added to the bitterns.

The steam generation plant at the facility replaced steam electric generating plant previously owned and operated by PacifiCorp. However, Compass Minerals will only be generating steam for use in Sulfate of Potash plant and the magnesium chloride plant operations. Compass Minerals will not operate an electric generation turbine, will not generate electric power and will not distribute electricity internally or to the external power grid. There are no Effluent Limitation Guidelines for Steam Generating facilities that do not generate electricity. As such, this facility will be regulated using Best Professional Judgment (BPJ), with the effluent limitations based upon the effluent limitations and guidelines found under *40 CFR 423 – Steam Electric Power Generations Point Source Category.* Since the steam generation facility was constructed in 2012, the steam plant is subject to the New Source Performance Standards as found in *40 CFR 423.15.* These parameters are pH, Oil and Grease, TSS and Total Residual Chlorine. In addition,*40 CFR 423.15 (j)(1)* also identifies Total Chromium and Total Zinc as pollutants on the priority pollutant list that should monitored and limited in the discharge.

This facility has open channels of process water that run through portions of facility grounds where truck maintenance, and other activities, increase the potential for Oil and Grease contamination through the final discharge. Therefore, based on BPJ, the permit will require Oil and Grease to be monitored on a monthly basis at all outfalls. A grab sample for Oil and Grease will only be required if a visible sheen is observed in the effluent at these outfalls. Oil and Grease concentrations will be limited to 10 mg/L.

No sanitary waste will be discharged through Outfall 001. Therefore no fecal or total coliform limits will be necessary.

Based on *UAC R317-1-3.2C*, pH must remain in the range of 6.5 to 9.0 standard units.

Based on a review of the Level II Anti Degradation Review document submitted with the previous permit modification in 2012 to add the steam generation plant, Total Dissolved Oxygen is being

monitored at Outfall 001-B and subjected to the following effluent limitations. This parameter was added because the facility is adding an oxygen scavenger as part of the treatment process.

SUBSTANTIVE CHANGES:

Outfall's 002 – 008 are located within the bay between the two causeways and utilized for mineral return flows. This area of the bay is commonly referred to as the "trapezoid" and is located in the southern most portion of the bay. The facility and DWQ agreed to implement best management practices with regards to these mineral return flow until the supplemental monitoring required as part of this permit are complete. The facility has agreed to engage in the mineral return discharges only during the fall and winter months and further limit such discharges to the trapezoid area.

Monitoring has been conducted for the mineral return flows in 2012 and 2013 for the active outfalls of which only 006 was active. This permit includes a requirement to contemplate further characterization of the return flows. The characterization of the minerals return flows is currently incomplete because the evaporation ponds are rotated and the rotation is incomplete. Based on the limited available data, the mineral return discharges are not a threat to the uses of Great Salt Lake because the mineral concentrations generally dissipate quickly and fall within background concentration levels. Freshwater criteria are considered by the DWQ to be screening criteria. As screening criteria, concentrations less than the screening criteria are unlikely to harm Great Salt Lake's aquatic life. Concentrations exceeding the criteria are not indicative of a threat to the aquatic life but further evaluation is necessary to make a determination.

Selenium concentrations were elevated for short durations at the initiation of the mineral return flows in the immediate receiving waters located between the two railroad bridges in Bear River Bay. This area is commonly referred to as the "trapezoid." Based on the observed short duration of the elevated concentrations, the time of year when the mineral return operations are conducted, and the results of other biological monitoring at the lake with similar concentrations, selenium is unlikely to adversely affect birds. Limited observations during the sampling events also suggest that bird use of the trapezoid is limited. The limited use is suspected to be due to the fluctuating salinity and water levels in the trapezoid that limits the development of forage for birds.

SUMMARY OF LIMITATIONS:

All outfalls with the exception of Outfall 001-B shall also be subject to the following numeric effluent limitations. Such discharges shall be limited and monitored by the permittee as specified below:

Parameter	Effluent Limitations			
	Maximum Monthly Average	Maximum Weekly Average	Daily Minimum	Daily Maximum
Oil & Grease, mg/L	NA	NA	NA	10.0
pH, Standard Units	NA	NA	6.5	9.0

NA – Not Applicable

Outfall 001-B shall subject to the following effluent limitations.

Parameter	Effluent Limitations			
	Maximum Monthly Average	Maximum Weekly Average	Daily Minimum	Daily Maximum
Oil & Grease, mg/L	NA	NA	NA	10.0
pH, Standard Units	NA	NA	6.5	9.0
Total Suspended Solids, mg/L	25.0	NA	NA	35.0
Total Residual Chlorine, mg/L	0.2	NA	NA	0.5
Total Dissolved Oxygen, mg/L	NA	NA	4.5	NA
Total Chromium, mg/L	0.2	NA	NA	0.2
Total Zinc, mg/L	1.0	NA	NA	1.0

NA – Not Applicable

SELF MONITORING AND REPORTING REQUIREMENTS:

All outfalls with the exception of Outfall 001-B shall also be subject to the following Self-Monitoring and Reporting requirements. Such discharges shall be limited and monitored by the permittee as specified below:

Self-Monitoring and Reporting Requirements a/ d/			
Parameter	Frequency	Sample Type	Units
Total Flow a/ b/	Monthly	Measured	MGD
Oil & Grease	Monthly	Visual c/	mg/L
pH	Monthly	Grab	SU

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

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

c/ A grab sample for Oil and Grease will be required when a visible sheen is observed in the effluent.

Outfall 001-B shall subject to the following self-monitoring, and reporting requirements.

Self-Monitoring and Reporting Requirements a/			
Parameter	Frequency	Sample Type	Units
Total Flow a/ b/	Monthly	Measured	MGD
Oil & Grease	Monthly	Visual c/	mg/L
pH	Monthly	Grab	SU
Total Suspended Solids	Monthly	Grab	mg/L
Total Residual Chlorine	Monthly	Grab	mg/L
Total Dissolved Oxygen, mg/L	Monthly	Measured	mg/L
Total Chromium	Monthly	Grab	mg/L
Total Zinc	Monthly	Grab	mg/L

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

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

c/ A grab sample for Oil and Grease will be required when a visible sheen is observed in the effluent.

MONITORING SCHEDULE:

The permittee shall complete the listed items below by the indicated dates.

a) Before April 15, 2015 or within three weeks after the mineral return activities are completed at the facility (whichever date is later), DWQ shall transmit to Compass all data acquired pursuant to the Sampling and Analysis Plan developed in conjunction with the 2012 Settlement Agreement. Once the data have been received, by July 1, 2015, or within 75 days after receipt of the data, whichever is later, Compass shall submit to DWQ a final report that summarizes the data. At a minimum, this report will contain: a brief narrative that describes the mineral return operations (i.e., ponds that were involved, start date, end date), a narrative describing unforeseen monitoring logistics, the background concentrations and loads of constituents and concentrations in the discharge leaving mineral return ponds, a summary of comparisons with water quality benchmarks, associated conclusions, and best management practices that have been identified.

b) By August 31, 2015 Compass shall submit a new sampling and analysis plan that outlines any future sampling or monitoring needs. This plan should include sampling locations, sampling frequency, and water quality constituents of concern.

LEVEL I AND LEVEL II ANTI-DEGRADATION

The facility submitted a Draft Level I and Level II Anti Degradation Review (ADR) Document on July 17, 2012 for the 2012 permit modification. This document was reviewed by the DWQ and comments were supplied to the facility. As a result of this review an amended Level I and Level II ADR was submitted on October 2, 2012. The Level II ADR was public noticed with the permit modification in 2012. An updated ADR is not required for this permit because the proposed effluent limits and loading limits are equal to less than the concentration and loading limits in the previous permit (R317-2-3.5.b.1.b.).

PRETREATMENT REQUIREMENTS

Any process wastewater that the facility may discharge to a publically owned 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.

PERMIT DURATION:

It is recommended that this permit be effective for a period of five years upon re-issuance.

PUBLIC NOTICE

This permit was public noticed in the Ogden Standard Examiner and on the Division of Water Quality's website from December 22, 2014 – January 21, 2015. No public comments were received during the public comment period.

Drafted by Lonnie Shull
Environmental Scientist
Utah Division of Water Quality
Date December 9, 2014