

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

UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM (UPDES) PERMIT

Minor Industrial Permit No. **UT0026271**

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

SALT LAKE CITY PUBLIC UTILITIES

is hereby authorized to discharge from

1800 NORTH SEWER LINE REHAB PROJECT (SLRP)

to receiving waters named the **OIL DRAIN CANAL AND NORTHWEST DRAIN,**

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

This permit shall become effective on November 20, 2023

This permit expires at midnight on October 31, 2028.

Signed this Twentieth day of November, 2023.



John K. Mackey, P.E.
Director

Table of Contents

Outline	Page Number
I. DISCHARGE LIMITATIONS AND REPORTING REQUIREMENTS.....	4
A. Description of Discharge Points	4
B. Narrative Standard	4
C. Specific Limitations and Self-Monitoring Requirements	4
D. Reporting of Monitoring Results	6
II. PRETREATMENT REQUIREMENTS.....	7
III. BIOSOLIDS REQUIREMENTS.....	10
IV. STORM WATER REQUIREMENTS.....	11
V. MONITORING, RECORDING & GENERAL REPORTING REQUIREMENTS.....	12
A. Representative Sampling	12
B. Monitoring Procedures.....	12
C. Penalties for Tampering.....	12
D. Compliance Schedules.....	12
E. Additional Monitoring by the Permittee	12
F. Records Contents.....	12
G. Retention of Records	12
H. Twenty-four Hour Notice of Noncompliance Reporting.....	12
I. Other Noncompliance Reporting.....	13
J. Inspection and Entry	13
VI. COMPLIANCE RESPONSIBILITIES	15
A. Duty to Comply	15
B. Penalties for Violations of Permit Conditions	15
C. Need to Halt or Reduce Activity not a Defense.....	15
D. Duty to Mitigate.....	15
E. Proper Operation and Maintenance.....	15
F. Removed Substances.....	15
G. Bypass of Treatment Facilities	15
H. Upset Conditions	17
I. Toxic Pollutants.....	17
J. Changes in Discharge of Toxic Substances	17
VII. GENERAL REQUIREMENTS.....	19
A. Planned Changes.....	19
B. Anticipated Noncompliance.....	19
C. Permit Actions	19
D. Duty to Reapply.....	19
E. Duty to Provide Information	19
F. Other Information.....	19
G. Signatory Requirements.....	19
H. Penalties for Falsification of Reports.....	21
I. Availability of Reports	21
J. Oil and Hazardous Substance Liability.....	21
K. Property Rights	21
L. Severability	21
M. Transfers.....	21
N. State or Federal Laws	21
O. Water Quality - Reopener Provision.....	22
P. Biosolids – Reopener Provision	22
Q. Toxicity Limitation - Reopener Provision	22
VIII. DEFINITIONS.....	23
A. Wastewater	23

DISCHARGE LIMITATIONS AND REPORTING REQUIREMENTS

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

Outfall Number
001

Location of Discharge Outfall 001
Located at latitude 40° 47 ' 58.7" N and longitude 111° 55' 15.2" W. Groundwater discharge to unnamed ditches that drain to the Oil Drain Canal.

Outfall Number
002

Location of Discharge Outfall 002
Located at latitude 40° 47 ' 51.3" N and longitude 111° 55' 02.7" W. Groundwater discharge to unnamed ditches that drain to the Northwest Drain.

Outfall Number
003

Location of Discharge Outfall 002
Located at latitude 40° 48 ' 1.27" N and longitude 111° 55' 29.49" W. Groundwater discharge to unnamed ditches that drain to the Northwest Drain.

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

C. Specific Limitations and Self-Monitoring Requirements.

1. Effective immediately, and lasting through the life of this permit, there shall be no acute or chronic toxicity in Outfalls 001, 002 and 003 as defined in *Part VIII* of this permit.
2.
 - a. Effective immediately and lasting the duration of this permit, the Permittee is authorized to discharge from all Outfalls. Such discharges shall be limited and monitored by the Permittee as specified below:

PART I
DISCHARGE PERMIT NO. UT0026271
WASTEWATER

Parameter	Effluent Limitations *a			
	Maximum Monthly Avg	Maximum Weekly Avg	Daily Minimum	Daily Maximum
Total Flow, MGD *b *c *d	1.0	--	--	2.0
TSS, mg/L	--	--	--	70
pH, Standard Units	--	--	6.5	9
Oil & Grease, mg/L *e	--	--	--	10
Total Recoverable Lead, µg/L *f	--	--	--	5.0
Benzene, µg/L	--	--	--	5.0
BTEX, mg/L *g	--	--	--	0.1
MTBE, mg/L	--	--	--	0.2
Naphthalene, mg/L	--	--	--	0.7
Total Toxic Organics (TTO) *h	--	--	--	2.0
Individual Toxic Organics	--	--	--	*g
Total Petroleum Hydrocarbon (TPH) GRO, mg/L *i	--	--	--	1.0
TPH-DRO, mg/L *i	--	--	--	1.0
Toxic Metals, µg/L *j	--	--	--	Report
Total Dissolved Solids (TDS), mg/L	--	--	--	Report

Self-Monitoring and Reporting Requirements			
Parameter	Frequency	Sample Type	Units
Total Flow	Continuous	Recorder/ Measured	MGD
pH, Standard Units	2x/Monthly	Grab	mg/L
TSS	Monthly	Grab	mg/L
Total Recoverable Lead	Monthly	Grab	mg/L
Oil & Grease	Monthly	Grab	mg/L
Benzene	2x/Monthly	Grab	mg/L
BTEX	2x/Monthly	Grab	mg/L
MTBE	2x/Monthly	Grab	mg/L
Naphthalene	Monthly	Grab	mg/L
Total Toxic Organics (TTO)	Monthly	Grab	mg/L
Individual Toxic Organics	Monthly	Grab	mg/L
Total Petroleum Hydrocarbon (TPH) GRO	Monthly	Grab	mg/L
TPH-DRO	Monthly	Grab	mg/L
Toxic Metals	Monthly	Grab	mg/L
TDS	Monthly	Grab	mg/L

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

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

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

*d The Maximum monthly Average and Daily Maximum Flow Rates are the sum of all outfalls.

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

*f The freshwater benchmarks values of some metals are dependent on water hardness. These effluent limits have been calculated using an assumption of 25mg/l CaCO₃ hardness.

*g BTEX shall be measured as the sum of benzene, ethylbenzene, toluene, and xylenes.

PART I
DISCHARGE PERMIT NO. UT0026271
WASTEWATER

- *h Those toxic organics that were detected in concentrations equal to or greater than 0.25 times (or, 25%) the numeric criteria in R317-2-14, or if no numeric criterial exists in R317-2-14, 0.25 times (or 25%) the drinking water MCL as defined by EPA, in the initial TTO influent screening will be required to be analyzed for during discharge. Toxic organics detected in concentrations equal to or greater than 0.25 times (or, 25%) the numeric criteria in R317-2-14 or the MCL shall have effluent discharge limitations in as defined in R317-2-14, or, if no numeric criteria exist in R317-2-14, the MCL as defined by EPA will be the limit. Individual toxic organics required to be monitored and analyzed on a monthly basis, will be specified in the DWQ section of the NOI upon permit issuance.
- *i TPH-GRO and TPH-DRO analyses may be substituted for the TTO analyses upon approval from DWQ. Maximum daily effluent limitations of 1.0 mg/L TPH-GRO and TPH-DRO will be substituted for the TTO effluent limitation. It is the permittee's responsibility to petition the Director. Ongoing treatment systems will be required to conduct at least one TTO analysis per permit cycle. The Director may then approve, partially approve, or deny the request based on all available information. If approval is given, the modification will take place without a public notice.
- *j The toxic metals to be sampled include the following: Total Recoverable Aluminum, Total Arsenic, Total Cadmium, Total Chromium, Total Copper, Total Mercury, Total Nickel, Total Silver and Total Zinc.

D. Reporting of Monitoring Results.

1. Reporting of Wastewater Monitoring Results Monitoring results obtained during the previous month shall be summarized for each month and reported on a Discharge Monitoring Report Form (EPA No. 3320-1)* or by NetDMR, post-marked or entered into NetDMR no later than the 28th day of the month following the completed reporting period. The first report is due on December 28, 2023. If no discharge occurs during the reporting period, "no discharge" shall be reported. Legible copies of these, and all other reports including whole effluent toxicity (WET) test reports required herein, shall be signed and certified in accordance with the requirements of *Signatory Requirements (see Part VII.G)*, and submitted by NetDMR, or to the Division of Water Quality at the following address:

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

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

II. PRETREATMENT REQUIREMENTS

This section is only applicable when the permittee discharges to a POTW.

A. Definitions. For this section, the following definitions shall apply:

1. *Indirect Discharge* means the introduction of pollutants into a publicly-owned treatment works (POTW) from any non-domestic source regulated under section 307 (b), (c) or (d) of the CWA.
2. *Interference* means a discharge which, alone or in conjunction with a discharge or discharges from other sources, both:
 - a. Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and
 - b. Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.
3. *Pass Through* means a Discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).
4. *Publicly Owned Treatment Works* or *POTW* means a treatment works, as defined by section 212 of the CWA, which is owned by a State or municipality (as defined by section 502(4) of the CWA). This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW Treatment Plant. The term also means the municipality, as defined in section 502(4) of the CWA, which has jurisdiction over the Indirect Discharges to and the discharges from such a treatment works.
5. *Significant Industrial User (SIU)* is defined as an Industrial User discharging to a POTW that satisfies any of the following:
 - a. Has a process wastewater flow of 25,000 gallons or more per average work day;
 - b. Has a flow greater than five percent of the flow carried by the municipal system receiving the waste;
 - c. Is subject to Categorical Pretreatment Standards, or
 - d. Has a reasonable potential for adversely affecting the operation of the POTW or violating any pretreatment standard or requirement.

PART II
DISCHARGE PERMIT NO. UT0026271
PRETREATMENT

6. *User or Industrial User (IU)* means a source of Indirect Discharge.
- B. Discharge to POTW. 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. At a minimum, the discharge into a POTW must meet the requirements of Part II. D. and E. of the permit.
- C. Hazardous Waste Notification. The permittee must notify the POTW, the EPA Regional Waste Management Director, the Director and the State hazardous waste authorities in writing if they discharge any substance into a POTW that, 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).
- D. General and Specific Prohibitions.
1. General Prohibitions. The permittee may not introduce into a POTW any pollutant(s) which cause Pass Through or Interference. These general prohibitions and the specific prohibitions in paragraph 2. of this section apply to the introducing pollutants into a POTW whether or not the permittee is subject to other National Pretreatment Standards or any national, State, or local Pretreatment Requirements.
 2. Specific Prohibitions. The following pollutants shall not be introduced into a POTW:
 - a. Pollutants which create a fire or explosion hazard in the publicly owned treatment works (POTW), including, but not limited to, waste streams with a closed cup flashpoint of less than 140°F (60°C);
 - b. Pollutants, which will cause corrosive structural damage to the POTW, but in no case, discharges with a pH lower than 5.0;
 - c. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in Interference;
 - d. Any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a discharge at such volume or strength as to cause Interference in the POTW;
 - e. Heat in amounts, which will inhibit biological activity in the POTW, resulting in Interference, but in no case, heat in such quantities that the influent to the sewage treatment works exceeds 104°F (40°C));
 - f. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or Pass Through;
 - g. Pollutants, which result in the presence of toxic gases, vapor, or fumes within the POTW in a quantity that may cause worker health or safety problems;
 - h. Any trucked or hauled pollutants, except at discharge points designated by the POTW;
or

PART II
DISCHARGE PERMIT NO. UT0026271
PRETREATMENT

- i. Any pollutant that causes Pass Through or Interference at the POTW.
 - j. Any specific pollutant which exceeds any Local Limitation established by the POTW.
- E. Categorical Standards. In addition to the general and specific limitations expressed in *Part II. D.* of this section, applicable National Categorical Pretreatment Standards must be met by all Industrial Users discharging into a POTW. These standards are published in the federal regulations at *40 CFR 405 through 471*.

III. BIOSOLIDS REQUIREMENTS

- A. The State of Utah has adopted the *40 CFR Part 503* federal regulations for the disposal of sewage sludge (biosolids) by reference. However, since this facility is a dewatering project, there is no sludge production. Therefore *40 CFR Part 503* does not apply at this time.

IV. STORM WATER REQUIREMENTS.

- A. Construction Storm Water Permit. Any construction at the facility that disturbs an acre or more of land, including less than an acre if it is part of a common plan of development or sale, is required to obtain coverage under the UPDES Construction General Storm Water Permit (UTRC00000). Permit coverage must be obtained prior to land disturbance. If the site qualifies, a Low Erosivity Waiver (LEW) Certification may be submitted instead of permit coverage.

V. MONITORING, RECORDING & GENERAL REPORTING REQUIREMENTS

- A. Representative Sampling. Samples taken in compliance with the monitoring requirements established under *Part I* shall be collected from the effluent stream prior to discharge into the receiving waters. Samples and measurements shall be representative of the volume and nature of the monitored discharge. Samples of biosolids shall be collected at a location representative of the quality of biosolids immediately prior to the use-disposal practice.
- B. Monitoring Procedures. Monitoring must be conducted according to test procedures approved under Utah Administrative Code ("UAC") *R317-2-10*, *UAC R317-8-4.1(10)(d)*, and/or *40 CFR 503* utilizing sufficiently sensitive test methods unless other test procedures have been specified in this permit. Monitoring must be conducted according to the test procedures listed above unless another method is required under 40 CFR subchapters N or O. Sufficiently sensitive test method means: (1) The method minimum level (ML) is at or below the level of the effluent limit established in the permit for the measured pollutant or pollutant parameter; or (2) The method has the lowest ML of the analytical methods approved under *40 CFR part 136* or required under *40 CFR chapter I, subchapter N or O* for the measured pollutant or pollutant parameter as per *40 CFR 122.44(i)(1)(iv)(A)*.
- 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 Permit Part V.B., the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or the Biosolids Report Form.
- F. Records Contents. Records of monitoring information shall include:
1. The date, exact place, and time of sampling or measurements;
 2. The individual(s) who performed the sampling or measurements;
 3. The date(s) and time(s) analyses were performed;
 4. The individual(s) who performed the analyses;
 5. The analytical techniques or methods used; and,
 6. The results of such analyses.
- G. Retention of Records. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least five years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time. A copy of this UPDES permit must be maintained on site during the duration of activity at the permitted location
- H. Twenty-four Hour Notice of Noncompliance Reporting.
1. The permittee shall (orally) report any noncompliance including transportation accidents, spills, and uncontrolled runoff from biosolids transfer or land application sites which may

PART V
DISCHARGE PERMIT NO. UT0026271

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 (DWQ) via the 24-hour answering service (801) 536-4123.

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

PART V
DISCHARGE PERMIT NO. UT0026271

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

VI. COMPLIANCE RESPONSIBILITIES

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

**PART VI
DISCHARGE PERMIT NO. UT0026271**

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

**PART VI
DISCHARGE PERMIT NO. UT0026271**

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 V.H, Twenty-four Hour Notice of Noncompliance Reporting*; and,
 - d. The permittee complied with any remedial measures required under *Part VI.D, Duty to Mitigate*.
 3. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.
- 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 Executive Secretary 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 Executive Secretary in accordance with *UAC R317-8-4.2(6)*.

PART VI
DISCHARGE PERMIT NO. UT0026271

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 Executive Secretary in accordance with *UAC R317-8-4.2(6)*.

VII. GENERAL REQUIREMENTS

- A. Planned Changes. The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 122.29(b); or
 2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit nor to notification requirements under Subsection R317-8-4.1(15).
 3. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan. 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. A person is a duly authorized representative only if:

**PART VII
DISCHARGE PERMIT NO. UT0026271**

- 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.
 - (1) For a corporation. By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
 - (a) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or
 - (b) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - (2) For a partnership or sole proprietorship. By a general partner or the proprietor, respectively; or
 - (3) For a municipality, State, Federal, or other public agency. By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:
 - (a) The chief executive officer of the agency, or
 - (b) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).
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.
 3. Changes to authorization. If an authorization under *paragraph VII.G.2* is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of *paragraph VII.G.2* must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.
 4. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of

PART VII
DISCHARGE PERMIT NO. UT0026271

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 *Sections 19-5-117* and *510* of the *Act* or any applicable Federal or State transportation regulations, such as but not limited to the Department of Transportation regulations.

PART VII
DISCHARGE PERMIT NO. UT0026271

- O. Water Quality - Reopener Provision. This permit may be reopened and modified (following proper administrative procedures) to include the appropriate effluent limitations and compliance schedule, if necessary, if one or more of the following events occurs:
1. Water Quality Standards for the receiving water(s) to which the permittee discharges are modified in such a manner as to require different effluent limits than contained in this permit.
 2. A final wasteload allocation is developed and approved by the State and/or EPA for incorporation in this permit.
 3. Revisions to the current CWA § 208 areawide treatment management plans or promulgations/revisions to TMDLs (40 CFR 130.7) approved by the EPA and adopted by DWQ which calls for different effluent limitations than contained in this permit.
- P. Biosolids – Reopener Provision. This permit may be reopened and modified (following proper administrative procedures) to include the appropriate biosolids limitations (and compliance schedule, if necessary), management practices, other appropriate requirements to protect public health and the environment, or if there have been substantial changes (or such changes are planned) in biosolids use or disposal practices; applicable management practices or numerical limitations for pollutants in biosolids have been promulgated which are more stringent than the requirements in this permit; and/or it has been determined that the permittees biosolids use or land application practices do not comply with existing applicable state or federal regulations.
- Q. Toxicity Limitation - Reopener Provision. This permit may be reopened and modified (following proper administrative procedures) to include WET testing, a WET limitation, a compliance schedule, a compliance date, additional or modified numerical limitations, or any other conditions related to the control of toxicants if toxicity is detected during the life of this permit.

VIII. DEFINITIONS

A. Wastewater.

1. The "7-day (and weekly) average", other than for *E. coli* bacteria, fecal coliform bacteria, and total coliform bacteria, is the arithmetic average of all samples collected during a consecutive 7-day period or calendar week, whichever is applicable. Geometric means shall be calculated for *E. coli* bacteria, fecal coliform bacteria, and total coliform bacteria. The 7-day and weekly averages are applicable only to those effluent characteristics for which there are 7-day average effluent limitations. The calendar week, which begins on Sunday and ends on Saturday, shall be used for purposes of reporting self-monitoring data on discharge monitoring report forms. Weekly averages shall be calculated for all calendar weeks with Saturdays in the month. If a calendar week overlaps two months (i.e., the Sunday is in one month and the Saturday in the following month), the weekly average calculated for that calendar week shall be included in the data for the month that contains Saturday.
2. The "30-day (and monthly) average," other than for *E. coli* bacteria, fecal coliform bacteria and total coliform bacteria, is the arithmetic average of all samples collected during a consecutive 30-day period or calendar month, whichever is applicable. Geometric means shall be calculated for *E. coli* bacteria, fecal coliform bacteria and total coliform bacteria. The calendar month shall be used for purposes of reporting self-monitoring data on discharge monitoring report forms.
3. "Act," means the *Utah Water Quality Act*.
4. "Acute toxicity" occurs when 50 percent or more mortality is observed for either test species at any effluent concentration (lethal concentration or "LC₅₀").
5. "Bypass," means the diversion of waste streams from any portion of a treatment facility.
6. "Chronic toxicity" occurs when the IC₂₅ < XX% effluent. The XX% effluent is the concentration of the effluent in the receiving water, at the end of the mixing zone expressed as per cent effluent.
7. "IC₂₅" is the concentration of toxicant (given in % effluent) that would cause a 25% reduction in mean young per female, or a 25% reduction in overall growth for the test population.
8. "Composite Samples" shall be flow proportioned. The composite sample shall, as a minimum, contain at least four (4) samples collected over the compositing period. Unless otherwise specified, the time between the collection of the first sample and the last sample shall not be less than six (6) hours nor more than 24 hours. Acceptable methods for preparation of composite samples are as follows:
 - a. Constant time interval between samples, sample volume proportional to flow rate at time of sampling;
 - b. Constant time interval between samples, sample volume proportional to total flow (volume) since last sample. For the first sample, the flow rate at the time the sample was collected may be used;

PART VIII
DISCHARGE PERMIT NO. UT0026271

- c. Constant sample volume, time interval between samples proportional to flow (i.e., sample taken every “X” gallons of flow); and,
 - d. Continuous sample volume, with sample collection rate proportional to flow rate.
9. “CWA” means *The Federal Water Pollution Control Act*, as amended, by *The Clean Water Act of 1987*.
 10. “Daily Maximum” (Daily Max.) is the maximum value allowable in any single sample or instantaneous measurement.
 11. “EPA,” means the United States Environmental Protection Agency.
 12. “Director,” means Director of the Division of Water Quality.
 13. A “grab” sample, for monitoring requirements, is defined as a single “dip and take” sample collected at a representative point in the discharge stream.
 14. An “instantaneous” measurement, for monitoring requirements, is defined as a single reading, observation, or measurement.
 15. “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.
 16. “Upset,” means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.

**FACT SHEET AND STATEMENT OF BASIS
SALT LAKE CITY PUBLIC UTILITIES
1800 NORTH SEWER LINE REHAB PROJECT
PERMIT: DISCHARGE
UPDES PERMIT NUMBER: UT0026271
MINOR INDUSTRIAL**

FACILITY CONTACTS

Permittee: Salt Lake City Public Utilities
Contact: Derek Velarde
Position: Assistant Chief Engineer
Phone Number: (801)-483-6772

Project Name: 1800 North Sewer Line Rehab Project (SLRP)
Mailing and Facility Address: 451 South State Street
Salt Lake City, UT 84101
Telephone: (435) 627-4266
Physical Location: 924 W 1500 N, 1360 N Warm Springs Road
Salt Lake City, UT 84116

DESCRIPTION OF FACILITY

This is a temporary construction project to install new sewer utility pipelines for Salt Lake City. The new sewer line will be installed from the 1800 North/Chicago St. intersection along Chicago St. to a trenchless crossing under I-15 and the railroad and across Rosewood Park to 1200 West. The pipe will be installed by trenchless tunneling under the railroad and Interstate 15 (Phase 1), by open trench in accessible public Right of Way and park (Phase 2), and by trenchless slip-lining to repair the existing alignment (Phase 3). The project will be actively dewatering at pit locations in Rosewood Park, Warm Springs Road and 1500 North during the Phase 1 tunneling, and at the 1200 West pit and from open trench construction across park alignment during Phase 2.

Phase 2 open trench in Chicago St. and Phase 3 pit will also require dewatering. Each pit location is a roughly 50'x50'x16 feet deep excavation with shoring designed to be water tight, however, some dewatering around and inside the pits is required to keep the work area free from water. The open trench work will be dewatered from inside the trench as needed along the alignment to provide dry, firm, and unyielding foundation for the pipe. For all dewatering, the groundwater is pumped to settling tanks then off site into an adjacent canal or storm drain. The groundwater is pumped to 18,000-gallon settling tanks then off site into an adjacent canal or storm drain. These conveyances terminate in either the Oil Drain Canal or the Northwest Drain and eventually Farmington Bay of the Great Salt Lake.

SUMMARY OF CHANGES FROM PREVIOUS PERMIT

This facility previously had a Treated Groundwater and Surface Water General Permit with the UPDES permit number of UTG790096. Given the total flow from the facility, the length of time of the project (in excess of 1 year), and the nature of the water being discharged (Total Dissolved Solids in excess of what the General Permit allows), the facility is being transitioned to an individual permit.

DISCHARGE

DESCRIPTION OF DISCHARGE

Salt Lake City Public Utilities has been required to report self-monitoring results on Discharge Monitoring Reports on a monthly basis since the permit was obtained in November of 2022. Due to miscommunications between Salt Lake City Utilities and one of their contractors, the frequency of those submissions has been sporadic, and the reliability of the data is uncertain.

Outfall Number

001

Location of Discharge Outfall 001

Located at latitude 40° 47 ' 58.7" N and longitude 111° 55' 15.2" W. Groundwater discharge to unnamed ditches that drain to the Oil Drain Canal.

Outfall Number

002

Location of Discharge Outfall 002

Located at latitude 40° 47 ' 51.3" N and longitude 111° 55' 02.7" W. Groundwater discharge to unnamed ditches that drain to the Northwest Drain.

Outfall Number

003

Location of Discharge Outfall 003

Located at latitude 40° 48 ' 1.27" N and longitude 111° 55' 29.49" W. Groundwater discharge to unnamed ditches that drain to the Northwest Drain.

RECEIVING WATERS AND STREAM CLASSIFICATION

If a discharge were to occur, it would be pumped into a drainage ditch and then to either the Northwest Drain or the Oil Drain Canal, which are Class 2B, 3E, and 5D according to *UAC R317-2-13*.

- Class 2B -- Protected for infrequent primary contact recreation. Also protected for secondary contact recreation where there is a low likelihood of ingestion of water or a low degree of bodily contact with the water. Examples include, but are not limited to, wading, hunting, and fishing.
- Class 3E -- Severely habitat-limited waters. Narrative standards will be applied to protect these waters for aquatic wildlife.
- Class 5D -- Farmington Bay, Geographical Boundary -- All open waters at or below approximately 4,208-foot elevation east of Antelope Island and south of the Antelope Island Causeway, excluding salt evaporation ponds.
Beneficial Uses -- Protected for infrequent primary and secondary contact recreation, waterfowl, shore birds and other water-oriented wildlife including their necessary food chain.

BASIS FOR EFFLUENT LIMITATIONS

The majority of the limitations in this permit are based primarily upon the limitations found in the General Permit for Treated Groundwater and Surface Water Permit Number UTG790000, with a few exceptions. As mentioned above, this facility applied for and was issued coverage under the Treated Groundwater and Surface Water General Permit. However, it was found that due to several factors, primarily the length of the project, and the projected flow rates of all outfalls when summed in excess of 1 MGD, the facility was not eligible for that permit. It is, therefore, being transitioned to an individual permit. The effluent limits for the following pollutants are based on the General Permit for treated ground water; lead, benzene, BTEX, MTBE, naphthalene, Total Toxic Organics (TTO), Individual Toxic Organics, Total Petroleum Hydrocarbon (TPH) GRO, TPH-DRO, and Toxic Metals.

In August 2020, the Utah Division of Water Quality amended the secondary treatment requirements found in UAC R317-1-3. That rule change made the secondary treatment standards applicable only to Publicly Owned Treatment Works (POTW). As a result of that change, Utah secondary treatment standards for Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS) do not automatically apply to industrial facilities, unless otherwise required by their effluent limitation guidelines. Since this facility is not classified as a POTW, and there are no controlling effluent limitation guidelines (ELG) for this activity, neither Utah secondary treatment standards nor ELG limits for BOD and TSS apply at this time. However, the daily TSS limit of 70 mg/L will remain to align the permit with the Treated Groundwater and Surface Water General Permit (UTG790000) and based on Best Professional Judgement (BPJ). The oil and grease are based on best professional judgment (BPJ). Flow is based on reported values.

The absence of discharge limitations for Total dissolved solids (TDS) are based upon the use classification for the receiving waters and the lack of effluent limitation guidelines for the facility. Both the Northwest Drain and the Oil Drain Canal are listed as 2B, 3E. There are no agricultural uses (Class 4) for either of these waters. Since only Class 4 waters have limits for TDS, no TDS limitations will be included in this individual permit. However, this permit will require monitoring and reporting of TDS.

Based upon the limitations set forth in the permit, it has been determined that this discharge will not cause a violation of water quality standards. An Antidegradation Level II review was completed as part of this permitting process.

Reasonable Potential Analysis

Since January 1, 2016, DWQ has conducted reasonable potential analysis (RP) on all new and renewal applications received after that date. RP for this permit renewal was not conducted following DWQ's September 10, 2015 Reasonable Potential Analysis Guidance (RP Guidance) because there is inadequate data for use in RP. As a result, monitoring for metals will be included in this permit. The additional monitoring will help establish a record of the presence or absence of each pollutant. Monitoring for metals will be required at a monthly frequency. See below for details.

The permit limitations are:

Parameter	Effluent Limitations *a			
	Maximum Monthly Avg	Maximum Weekly Avg	Daily Minimum	Daily Maximum
Total Flow, MGD *b *c *d	1.0	--	--	2.0
TSS, mg/L	--	--	--	70
pH, Standard Units	--	--	6.5	9
Oil & Grease, mg/L *e	--	--	--	10
Total Recoverable Lead, µg/L *f	--	--	--	5.0
Benzene, µg/L	--	--	--	5.0
BTEX, mg/L *g	--	--	--	0.1
MTBE, mg/L	--	--	--	0.2
Naphthalene, mg/L	--	--	--	0.7
Total Toxic Organics (TTO) *h	--	--	--	2.0
Individual Toxic Organics	--	--	--	*g
Total Petroleum Hydrocarbon (TPH) GRO, mg/L *i	--	--	--	1.0
TPH-DRO, mg/L *i	--	--	--	1.0
Toxic Metals, µg/L *j	--	--	--	Report
Total Dissolved Solids (TDS), mg/L	--	--	--	Report

SELF-MONITORING AND REPORTING REQUIREMENTS

The permit will require reports to be submitted monthly and annually, as applicable, on Discharge Monitoring Report (DMR) forms due 28 days after the end of the monitoring period. Effective January 1, 2017, monitoring results must be submitted using NetDMR unless the permittee has successfully petitioned for an exception. Lab sheets for metals and toxic organics must be attached to the DMRs.

Self-Monitoring and Reporting Requirements			
Parameter	Frequency	Sample Type	Units
Total Flow	Continuous	Recorder/ Measured	MGD
pH, Standard Units	2x/Monthly	Grab	mg/L
TSS	Monthly	Grab	mg/L
Total Recoverable Lead	Monthly	Grab	mg/L
Oil & Grease	Monthly	Grab	mg/L
Benzene	2x/Monthly	Grab	mg/L
BTEX	2x/Monthly	Grab	mg/L
MTBE	2x/Monthly	Grab	mg/L
Naphthalene	Monthly	Grab	mg/L
Total Toxic Organics (TTO)	Monthly	Grab	mg/L
Individual Toxic Organics	Monthly	Grab	mg/L
Total Petroleum Hydrocarbon (TPH) GRO	Monthly	Grab	mg/L
TPH-DRO	Monthly	Grab	mg/L
Toxic Metals	Monthly	Grab	mg/L
TDS	Monthly	Grab	mg/L

- *a See Definitions, *Part VIII*, for the definition of terms.
- *b Flow measurements of influent/effluent volume shall be made in such a manner that the permittee can affirmatively demonstrate that representative values are being obtained.
- *c If the rate of discharge is controlled, the rate and duration of discharge shall be reported.
- *d The Maximum monthly Average and Daily Maximum Flow Rates are the sum of all outfalls.
- *e Oil & Grease sampled when sheen is present or visible. If no sheen is present or visible, report NA.
- *f The freshwater benchmarks values of some metals are dependent on water hardness. These effluent limits have been calculated using an assumption of 25mg/l CaCO₃ hardness.
- *g BTEX shall be measured as the sum of benzene, ethylbenzene, toluene, and xylenes.
- *h Those toxic organics that were detected in concentrations equal to or greater than 0.25 times (or, 25%) the numeric criteria in R317-2-14, or if no numeric criteria exists in R317-2-14, 0.25 times (or 25%) the drinking water MCL as defined by EPA, in the initial TTO influent screening will be required to be analyzed for during discharge. Toxic organics detected in concentrations equal to or greater than 0.25 times (or, 25%) the numeric criteria in R317-2-14 or the MCL shall have effluent discharge limitations in as defined in R317-2-14, or, if no numeric criteria exist in R317-2-14, the MCL as defined by EPA will be the limit. Individual toxic organics required to be monitored and analyzed on a monthly basis, will be specified in the DWQ section of the NOI upon permit issuance.
- *i TPH-GRO and TPH-DRO analyses may be substituted for the TTO analyses upon approval from DWQ. Maximum daily effluent limitations of 1.0 mg/L TPH-GRO and TPH-DRO will be substituted for the TTO effluent limitation. It is the permittee's responsibility to petition the Director. Ongoing treatment systems will be required to conduct at least one TTO analysis per permit cycle. The Director may then approve, partially approve, or deny the request based on all available information. If approval is given, the modification will take place without a public notice.
- *j The toxic metals to be sampled include the following: Total Recoverable Aluminum, Total Arsenic, Total Cadmium, Total Chromium, Total Copper, Total Mercury, Total Nickel, Total Silver and Total Zinc.

BIOSOLIDS

The State of Utah has adopted the *40 CFR Part 503* federal regulations for the disposal of sewage sludge (biosolids) by reference. However, since this facility is a dewatering project, there is no sludge production. Therefore *40 CFR Part 503* does not apply at this time.

STORM WATER

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

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

PRETREATMENT REQUIREMENTS

Any process wastewater that the permittee discharges to a Publicly Owned Treatment Works (POTW), either as a 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 403, the pretreatment requirements found in UAC R317-8-8, and any specific local discharge limitations, Pretreatment Standards or Pretreatment Requirements developed by the POTW accepting the waste or required by 40 CFR 403 or R317-8.

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

BIOMONITORING REQUIREMENTS

A nationwide effort to control toxic discharges where effluent toxicity is an existing or potential concern is regulated in accordance with the Utah Pollutant Discharge Elimination System Permit and Enforcement Guidance Document for Whole Effluent Toxicity Control (biomonitoring), dated February 2018. Authority to require effluent biomonitoring is provided in Permit Conditions, UAC R317-8-4.2, Permit Provisions, UAC R317-8-5.3 and Water Quality Standards, UAC R317-2-5 and R317 -2-7.2.

The permittee is a minor industrial facility that will be discharging an infrequent amount of effluent, in which toxicity is neither an existing concern, nor likely to be present. Additionally, the receiving waters are listed as Class 3DE, severely habitat-limited waters. Based on these considerations, and the absence of receiving stream water quality monitoring data, there is no reasonable potential for toxicity in the permittee's discharge (per State of Utah Permitting and Enforcement Guidance Document for WET Control). As such, there will be no numerical WET limitations or WET monitoring requirements in this permit. However, the permit will contain a toxicity limitation re-opener provision that allows for modification of the permit should additional information indicate the presence of toxicity in the discharge.

PERMIT DURATION

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

Drafted and Reviewed by
Lonnie Shull, Discharge Permit Writer, Biomonitoring
Daniel Griffin, Biosolids
Jennifer Robinson, Pretreatment
Jeanne Riley, Stormwater
Ben Holcomb, Wasteload Analysis
Utah Division of Water Quality, (801) 536-4300

PUBLIC NOTICE

Began: October 16, 2023
Ended: November 16, 2023

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

The Public Noticed of the draft permit was published on the DWQ webpage.

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

ADDENDUM TO FSSOB

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

Responsiveness Summary

The draft permit was public noticed on the Division of Water Quality's website from October 16, 2023 through November 16, 2023. No public comments were received during the public comment period. The permit was issued as drafted.

This Page Intentionally Left Blank

