

Official Draft Public Notice Version **July 23, 2020**.

The findings, determinations, and assertions contained in this document are not final and subject to change following the public comment period.

**STATEMENT OF BASIS
THE SYNERGY COMPANY OF UTAH
INDUSTRIAL USER
UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM (UPDES)
PRETREATMENT PERMIT NO. UTP000056**

FACILITY CONTACT

Designated Facility Contact
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DESCRIPTION OF FACILITY

The Synergy Company of Utah (Synergy) manufactures dietary supplements for retail sale online and in a Moab retail store. Synergy utilizes a variety of botanical dried products which are packaged as powders, capsules and tables for dietary supplements.

The facility has two shifts per day working from 7 am to 3:45 am. The first shift has 14 employees working from 7 am to 6 pm Monday through Thursday. The second shift has 5 employees working from 4:45 pm to 3:45 am Monday through Thursday. The operation is continuous throughout the year without seasonal or scheduled closures other than holidays.

Synergy has been classified as a significant industrial user due the determination that the facility is covered by the categorical standard based on *40 CFR §439.0 (a)*. Additional information regarding the categorical standard can be found in *40 CFR §439—Pharmaceutical Manufacturing Point Source Category*. Limitations will be based on *40 CFR §439.47* and the specific and general pretreatment standards. Monitoring requirements will be required to determine compliance with the pretreatment standards. At this time additional limitations will not be required due to the publicly owned treatment works (POTW) meeting limits for BOD, TSS and metals. Sampling in the future for these parameters may need to occur based on the needs of the POTW and the development of local limits.

DESCRIPTION OF DISCHARGE

The facility is organic certified and adheres to the strict cleaning requirements to meet this standard. As part of the cleaning process about 300 grams of food grade powders are discharged to the POTW a month. The equipment is cleaned with chemicals that adhere to the organic production standard. The process wastewater discharge is from the cleaning process with an estimated discharge to the POTW of 200 gallons per day.

EFFLUENT LIMITATIONS

Utah Administrative Code (UAC) R317-8-8.5 contains general and specific prohibitions which must be achieved by all non-domestic sources of pollutants. Pollutants introduced into a POTW by a non-domestic source shall not pass through the POTW or interfere with the operation or performance of the POTW.

A reasonable potential analysis was not completed for this facility because the facility does not discharge directly to waters of the State, instead, the facility discharges to a POTW and is regulated by pretreatment standards.

Limits for acetone, n-amyl acetate, ethyl acetate, isopropyl acetate and methylene chloride are based on the categorical standard found in *40 CFR §439.47*.

The effluent limitations listed in the Effluent Limitations Table will apply to the permittees discharge.

Parameter	Effluent Limitations Table		
	Maximum Monthly Avg	Daily Minimum	Daily Maximum
Acetone, mg/L	8.2	NA	20.7
n-Amyl acetate, mg/L	8.2	NA	20.7
Ethyl acetate, mg/L	8.2	NA	20.7
Isopropyl acetate, mg/L	8.2	NA	20.7
Methylene chloride, mg/L	8.2	NA	20.7

NA – Not Applicable

MONITORING AND REPORTING REQUIREMENTS

Monitoring requirements, measurement frequencies and sample types were adapted from guidance documents for pretreatment permitting. The wastewater discharge shall be sampled as specified in the Self-Monitoring and Reporting Requirements Table.

Samples must be collected utilizing grab sampling techniques. Due to the nature of the discharge being a batch process grab sampling techniques will be required. The grab sample must be taken while a clean cycle of the equipment is occurring.

Self-Monitoring and Reporting Requirements Table			
Parameter	Frequency	Sample Type	Units
Total Flow	Batch	Estimated	gpd
Acetone, mg/L	Yearly	Grab	mg/L
n-Amyl acetate, mg/L	Yearly	Grab	mg/L
Ethyl acetate, mg/L	Yearly	Grab	mg/L
Isopropyl acetate, mg/L	Yearly	Grab	mg/L
Methylene chloride, mg/L	Yearly	Grab	mg/L

Categorical parameters will be required to be sampled within 90 days of the permit being issued. If the parameter is found to be present, samples will be required to be taken twice a year. These parameters are not believed to be present therefore yearly sampling will be required per the requirements of the categorical standard, *40 CFR §439.2*.

All monitoring results and observations shall be summarized on a discharge monitoring report (DMR) form. DMRs must be submitted no later than the 28th day of the month following the sampling event. DMRs must either be submitted with monitoring data included or indicate that no discharge occurred for the monitoring period. DMRs shall be submitted via netDMR. Due to the sampling requirements DMRs will only be required if a sample is collected. The parameters listed in the permit are required to be sampled by the permittee yearly unless the DWQ samples the effluent prior to the end of the reporting period. If samples are analyzed by the DWQ the permittee may choose to use the data collected by the DWQ or collect a sample. Any analysis of the parameters listed in the permit taken of the effluent by the permittee must be reported to the DWQ on a DMR form.

BIOMONITORING REQUIREMENTS

As part of a nationwide effort to control toxicity, biomonitoring requirements are being included in permits for facilities where effluent toxicity is an existing or potential concern. Synergy discharges to a POTW therefore at this time biomonitoring will not be required. Biomonitoring of Synergy's effluent will not be required unless a potential for toxicity is discovered. Authorization for requiring effluent biomonitoring is provided in *UAC R317-8-4.2* and *R317-8.5.3*.

PRETREATMENT REQUIREMENTS

Any wastewater that Synergy discharges to the sanitary sewer, either as a direct discharge or as a hauled waste, is subject to Federal, state of Utah 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 in *40 CFR §403*, the state of Utah Pretreatment Requirements found in *UAC R317-8-8*, and any specific local discharge limitations developed by the POTW accepting the waste.

SLUG CONTROL PLAN

Synergy has been evaluated for a slug control plan, based on the findings; the facility will not be required to develop a slug control plan at this time. A re-evaluation of the facility will be completed as part of inspections at the facility. If conditions change the facility will be required to develop a slug control plan and the permit will be modified to include the requirement to develop a slug control plan. The facility is required to immediately notify the Division of Water Quality and the POTW of changes to spill and/or slug potential which could impact the POTW.

Raw material used at the facility includes a variety of dried botanical powders. The following cleaning supplies are used by the facility: soap, simple green, bleach, vinegar, isopropyl alcohol, EcoLab Tri-Star Chlorite and EcoLab Tri-Star Flexylite. Small quantities of the cleaning supplies are stored at the facility. Larger totes are stored off site at a location which is not connected to the sewer. Floor drains are located in the manufacturing area of the facility. The floor drains discharge to the POTW. Based on a site visit the facility will not be required to develop a slug discharge control plan. For more detailed information on the storage of chemicals and spill containment see the permit application Section H, I and J.

STORM WATER

This permit does not include storm water requirements. The facility's industrial activities fall under an industrial storm water sector, SIC Code¹ 2833, requiring permit coverage, therefore the permittee must either submit a notice of intent or documentation for an exclusion, see Part IV of the permit for requirements. The following link also provides additional information regarding the UPDES Industrial Stormwater Permit

<https://deq.utah.gov/water-quality/general-multi-sector-industrial-storm-water-permit-updes-permits>.

PERMIT DURATION

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

PUBLIC NOTICE INFORMATION

This information will be added following the public notice.

¹ Standard Industry Classification Code

GENERAL INFORMATION

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Permit DWQ-2020-008666
Fact Sheet/Statement of Basis DWQ-2020-008668
Permit Application DWQ-2019-005091
Pretreatment Categorical Information 40 CFR 439.47

<https://www.ecfr.gov/cgi-bin/text-idx?SID=9b2ad535d533c8e67ed84ba64ff900de&mc=true&node=pt40.32.439&rgn=div5#sp40.32.439.d>

DWQ-2020-008668

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