

Official Draft Public Notice Version **April 2, 2024**

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

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

UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM (UPDES) PERMITS

Major Municipal Permit No. **UT0025747**

Biosolids Permit No. **UTL-025747**

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

JORDANELLE SPECIAL SERVICE DISTRICT

is hereby authorized to discharge from the

JORDANELLE SPECIAL SERVICE DISTRICT WATER RECLAMATION FACILITY

to receiving waters named **TIMPANOGOS CANAL, WASATCH CANAL, PROVO RIVER, PROVO RIVER RETURN CANAL**

to dispose biosolids,

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

This permit shall become effective on MONTH 1, 2024

This permit expires at midnight on MONTH/DATE, 2029.

Signed this **XXth** day of **Month**, 2024.

John K. Mackey, P.E.
Director

Table of Contents

<u>Outline</u>	<u>Page Number</u>
I. DISCHARGE LIMITATIONS AND REPORTING REQUIREMENTS.....	1
A. Description of Discharge Points	1
B. Narrative Standard	1
C. Specific Limitations and Self-Monitoring Requirements	1
D. Reporting of Monitoring Results	7
II. PRETREATMENT REQUIREMENTS.....	8
A. Definitions	8
B. Pretreatment Monitoring and Reporting Requirements.....	9
C. Industrial Wastes.....	10
D. General and Specific Prohibitions	11
E. Significant Industrial Users Discharging to the POTW	11
F. Change of Conditions.....	12
G. Legal Action	12
H. Local Limits.....	12
III. BIOSOLIDS REQUIREMENTS.....	20
A. Biosolids Treatment and Disposal	20
B. Specific Limitations and Monitoring Requirements	20
C. Management Practices of Biosolids.....	16
D. Special Conditions on Biosolids Storage.....	19
E. Representative Sampling.....	19
F. Reporting of Monitoring Results.....	19
G. Additional Record Keeping Requirements Specific to Biosolids.....	19
IV. STORM WATER REQUIREMENTS.....	21
V. MONITORING, RECORDING & GENERAL REPORTING REQUIREMENTS.....	22
A. Representative Sampling	22
B. Monitoring Procedures.....	22
C. Penalties for Tampering.....	22
D. Compliance Schedules.....	22
E. Additional Monitoring by the Permittee	22
F. Records Contents.....	22
G. Retention of Records	22
H. Twenty-four Hour Notice of Noncompliance Reporting.....	22
I. Other Noncompliance Reporting.....	30
J. Inspection and Entry	31
VI. COMPLIANCE RESPONSIBILITIES	25
A. Duty to Comply	25
B. Penalties for Violations of Permit Conditions	25
C. Need to Halt or Reduce Activity not a Defense.....	25
D. Duty to Mitigate.....	25
E. Proper Operation and Maintenance.....	25
F. Removed Substances.....	25
G. Bypass of Treatment Facilities	25
H. Upset Conditions	27
VII. GENERAL REQUIREMENTS.....	28
A. Planned Changes.....	28
B. Anticipated Noncompliance.....	28
C. Permit Actions	28
D. Duty to Reapply.....	28
E. Duty to Provide Information	28

F. Other Information..... 28
G. Signatory Requirements..... 28
H. Penalties for Falsification of Reports..... 30
I. Availability of Reports 30
J. Oil and Hazardous Substance Liability..... 30
K. Property Rights 30
L. Severability 30
M. Transfers..... 30
N. State or Federal Laws 30
O. Water Quality - Reopener Provision..... 31
P. Biosolids – Reopener Provision 31
Q. Toxicity Limitation - Reopener Provision 31
VIII. DEFINITIONS 40
 A. Wastewater 40
 B. Biosolids 41

PNDRAFF

I. 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*.

<u>Outfall Numbers</u>	<u>Location of Discharge Outfalls</u>
001	Located at latitude 40°34'24"N and longitude 111° 25'28"W and discharging to the Timpanogos Canal.
002	Located at latitude 40°34'04"N and longitude 111° 25'39"W and discharging to the Wasatch Canal.
003	Located at latitude 40°34'24"N and longitude 111° 25'40"W and discharging to the Provo River Return Canal.
004	Located at latitude 40°34'20"N and longitude 111° 25'42"W and discharging to the Provo River.

- 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 the discharging Outfalls as defined in *Part VIII*, and determined by test procedures described in *Part I. C.3.a & b* of this permit.
2. Effective immediately and lasting the duration of this permit, the Permittee is authorized to discharge from Outfalls 001, 002, 003 and 004. Such discharges shall be limited and monitored by the Permittee as specified below:

PART I
DISCHARGE PERMIT NO. UT0025747
WASTEWATER

Parameter	Effluent Limitations *a (for all Outfalls unless stated otherwise)					
	Maximum Monthly Average	Maximum Weekly Average	90-day Average	Annual Maximum	Daily Minimum	Daily Maximum
Total Flow, MGD *b, *c	1.0	--	--	--	--	Report
BOD ₅ , mg/L *d	10	10	--	--	--	--
BOD ₅ Min. % Removal	85	--	--	--	--	--
TSS, mg/L *d	10	10	--	--	--	--
TSS Min. % Removal	85	--	--	--	--	--
Total Ammonia (as N), mg/L (Outfalls 003 & 004)	4.5	--	--	--	--	8.7
<i>E. coli</i> , No./100mL	126	157	--	--	--	--
TDS, mg/L *d	--	--	--	--	--	1200
WET *e Acute Biomonitoring (Outfalls 003 & 004)	--	--	--	--	--	LC ₅₀ > 100% effluent
Oil & Grease, mg/L *f	--	--	--	--	--	10
pH, Standard Units	--	--	--	--	6.5	9.0
Dissolved Oxygen, mg/L (Outfalls 003 & 004)	--	--	--	--	6.5	--
Total Phosphorus, mg/L; *d May-October	--	--	0.03	--	--	0.08
November-April	--	--	0.06	--	--	0.10
Total Phosphorus, lbs/yr. *g	--	--	--	91	--	--

PART I
DISCHARGE PERMIT NO. UT0025747
WASTEWATER

Self-Monitoring and Reporting Requirements *a (for all Outfalls unless stated otherwise)			
Parameter	Frequency	Sample Type	Units
Total Flow *b, *c	Continuous	Recorder	MGD
BOD ₅ Influent	2 x Week	Composite	mg/L
Effluent	2 x Week	Composite	mg/L
TSS Influent	2 x Week	Composite	mg/L
Effluent	2 x Week	Composite	mg/L
<i>E. coli</i>	2 x Week	Grab	No./100mL
pH	2 x Week	Grab	SU
Total Ammonia (as N)	2 x Week	Grab	mg/L
Dissolved Oxygen	2 x Week	Grab	mg/L
WET – Biomonitoring *e Ceriodaphnia - Acute	Quarterly 1 st & 3 rd Quarter	Composite	Pass/Fail
Fathead Minnows - Acute (Outfalls 003 & 004)	2 nd & 4 th Quarter	Composite	Pass/Fail
Oil & Grease *f	Monthly When Sheen Observed	Grab	mg/L
TDS Influent	Monthly	Grab/Composite	mg/L
Effluent	Monthly	Grab/Composite	mg/L
Orthophosphate, (as P) Effluent	Monthly	Composite	mg/L
Total Phosphorus Influent	Monthly	Composite	mg/L
Effluent	Monthly	Composite	mg/L
Total Kjeldahl Nitrogen, TKN (as N) Influent	Monthly	Composite	mg/L
Effluent	Monthly	Composite	mg/L
Nitrate, NO ₃ , Effluent	Monthly	Composite	mg/L
Nitrite, NO ₂ , Effluent	Monthly	Composite	mg/L
Metals *h Influent	2 x Year	Composite	mg/L
Effluent	2 x Year	Composite	mg/L
Organic Toxics *i Influent	1 st , 3 rd & 5 th year of permit cycle	Grab/Composite	mg/L
Effluent	1 st , 3 rd & 5 th year of permit cycle	Grab/Composite	mg/L

*a See *Part VIII* of this permit for 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 In addition to monitoring the final effluent discharge, influent samples shall be taken and analyzed for this constituent at the same frequency as required for this constituent in the discharge.

PART I
DISCHARGE PERMIT NO. UT0025747
WASTEWATER

- *e For Outfalls 003 & 004, the acute Ceriodaphnia will be tested during the 1st and 3rd quarters and the acute fathead minnows will be tested during the 2nd and 4th quarters. Discharges to either Outfalls 001 or Outfall 002 do not require WET biomonitoring.
- *f Oil & Grease sampled when sheen is present or visible. If no sheen is present or visible, report NA.
- *g For calculating the yearly Total Phosphorus load use the following equation: Total load for outfall 001*0.05 + total load for outfall 002*0.50 + total load for outfall 003 + total load for outfall 004. This flow proportioned data is based on average flow data from CUWCD, who operate the canals.
- *h See Metals Monitoring table in *Part II*. of this permit.
- *i Testing shall be performed in the first, third and fifth year of the permit cycle with either grab or composite sample types. A list of the organics to be tested can be found in *40CFR122 appendix D table II*.

3. Acute Whole Effluent Toxicity (WET) Testing.

- a. *Whole Effluent Testing – Acute Toxicity.* Starting on the effective date of this permit, the Permittee shall quarterly conduct acute static renewal toxicity tests on a composite sample of the final effluent at Outfalls 003 & 004. The sample shall be collected at the point of compliance before mixing with the receiving water.

The monitoring frequency for acute tests shall be quarterly unless a sample is found to be acutely toxic during a routine test. If that occurs, the monitoring frequency shall become weekly (See Part I.C.3.c., Accelerated Testing). Unless otherwise approved by the Director, samples shall be collected on a two-day progression; i.e., if the first sample is on a Monday, during the next sampling period, the sampling shall begin on a Wednesday, etc.

The static-renewal acute toxicity tests shall be conducted in general accordance with the procedures set out in the latest revision of Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, Fifth Edition, October 2002, EPA-821-R-02-012 as per 40 CFR 136.3(a) TABLE IA-LIST OF APPROVED BIOLOGICAL METHODS. The Permittee shall conduct the 48-hour static renewal toxicity test using Ceriodaphnia dubia (solution renewal every 24 hours) and the acute 96-hour static renewal toxicity test using Pimephales promelas (fathead minnow)(solution renewal every 24 hours). Based on the Test Acceptability Criteria included in Utah Pollutant Discharge Elimination System (UPDES) Permit and Enforcement Guidance Document for Whole Effluent Toxicity Control (Biomonitoring) February, 2018, the Director may require acceptable variations in the test, i.e. temperature, carbon dioxide atmosphere, or any other acceptable variations in the testing procedure, as documented in the Fact Sheet Statement of Basis. If possible dilution water should be taken from the receiving stream. A valid replacement test is required within the specified sampling period to remain in compliance.

Acute toxicity occurs when 50 percent or more mortality is observed for either species at any effluent concentration. Mortality in the control must simultaneously be 10 percent or less for the results to be considered valid. If more than 10 percent control mortality occurs, the test shall be repeated until satisfactory control mortality

PART I
DISCHARGE PERMIT NO. UT0025747
WASTEWATER

is achieved. The Permittee shall meet all QA/QC requirements of the acute WET testing method listed in this Section of the permit.

Quarterly test results shall be reported along with the Discharge Monitoring Report (DMR) submitted for the end of the required reporting period (month, quarter or semi-annual) e.g., biomonitoring results for the calendar quarter ending March 31 shall be reported with the DMR due April 28, with the remaining biomonitoring reports submitted with DMRs due each July 28, October 28, and January 28. Monthly test results shall be reported along with the DMR submitted for that month. The format for the report shall be consistent with Appendix C of "Utah Pollutant Discharge Elimination System (UPDES) Permitting and Enforcement Guidance Document for Whole Effluent Toxicity (Biomonitoring), Utah Division of Water Quality, February 2018.

- b. *Accelerated Testing.* When whole effluent toxicity is indicated during routine WET testing as specified in this permit, the Permittee shall notify the Director in writing within 5 days after becoming aware of the test result. The Permittee shall perform an accelerated schedule of WET testing to establish whether a pattern of toxicity exists unless the Permittee notifies the Director and commences a PTI, TIE, or a TRE. Accelerated testing or the PTI, TIE, or TRE will begin within fourteen days after the Permittee becomes aware of the test result. Accelerated testing shall be conducted as specified under Part I. Pattern of Toxicity. If the accelerated testing demonstrates no pattern of toxicity, routine monitoring shall be resumed.
- c. *Pattern of Toxicity.* A pattern of toxicity is defined by the results of a series of up to five biomonitoring tests pursuant to the accelerated testing requirements using a full set of dilutions for acute (five plus the control) and five effluent dilutions for chronic (five plus the control), on the species found to be more sensitive, once every week for up to five consecutive weeks for acute and once every two weeks up to ten consecutive weeks for chronic.

If two (2) consecutive tests (not including the scheduled test which triggered the search for a pattern of toxicity) do not result in an exceedance of the acute or chronic toxicity criteria, no further accelerated testing will be required and no pattern of toxicity will be found to exist. The Permittee will provide written verification to the Director within 5 days of determining no pattern of toxicity exists, and resume routine monitoring.

A pattern of toxicity may or may not be established based on the following:

WET tests should be run at least weekly (acute) or every two weeks (chronic) (note that only one test should be run at a time), for up to 5 tests, until either:

- 1) 2 consecutive tests fail, or 3 out of 5 tests fail, at which point a pattern of toxicity will have been identified, or
- 2) 2 consecutive tests pass, or 3 out of 5 tests pass, in which case no pattern of toxicity is identified.

- d. *Preliminary Toxicity Investigation.*
- (1) When a pattern of toxicity is detected the Permittee will notify the Director in writing within 5 days and begin an evaluation of the possible causes of the

toxicity. The Permittee will have 15 working days from demonstration of the pattern of toxicity to complete an optional Preliminary Toxicity Investigation (PTI) and submit a written report of the results to the Director. The PTI may include, but is not limited to: additional chemical and biological monitoring, examination of Pretreatment Program records, examination of discharge monitoring reports, a thorough review of the testing protocol, evaluation of treatment processes and chemical use, inspection of material storage and transfer areas to determine if any spill may have occurred.

- (2) If the PTI identifies a probable toxicant and/or a probable source of toxicity, the Permittee shall submit, as part of its final results, written notification of that effect to the Director. Within thirty days of completing the PTI the Permittee shall submit to the Director for approval a control program to control effluent toxicity and shall proceed to implement such plan in accordance with the Director's approval. The control program, as submitted to or revised by the Director, will be incorporated into the permit. After final implementation, the Permittee must demonstrate successful removal of toxicity by passing a two species WET test as outlined in this permit. With adequate justification, the Director may extend these deadlines.
 - (3) If no probable explanation for toxicity is identified in the PTI, the Permittee shall notify the Director as part of its final report, along with a schedule for conducting a Phase I Toxicity Reduction Evaluation (TRE) (see *Toxicity Reduction Evaluation*).
 - (4) If toxicity spontaneously disappears during the PTI, the Permittee shall submit written notification to that effect to the Director, with supporting testing evidence.
- e. *Toxicity Reduction Evaluation (TRE)*. If a pattern of toxicity is detected the Permittee shall initiate a TIE/TRE within 7 days unless the Director has accepted the decision to complete a PTI. With adequate justification, the Director may extend the 7-day deadline. The purpose of the TIE portion of a TRE will be to establish the cause of the toxicity, locate the source(s) of the toxicity, and the TRE will control or provide treatment for the toxicity.

A TRE may include but is not limited to one, all, or a combination of the following:

- (1) Phase I – Toxicity Characterization
- (2) Phase II – Toxicity Identification Procedures
- (3) Phase III – Toxicity Control Procedures
- (4) Any other appropriate procedures for toxicity source elimination and control.

If the TRE establishes that the toxicity cannot be immediately eliminated, the Permittee shall submit a proposed compliance plan to the Director. The plan shall include the proposed approach to control toxicity and a proposed compliance schedule for achieving control. If the approach and schedule are acceptable to the Director, this permit may be reopened and modified.

PART I
DISCHARGE PERMIT NO. UT0025747
WASTEWATER

If toxicity spontaneously disappears during the TIE/TRE, the Permittee shall submit written notification to that effect to the Director.

If the TRE shows that the toxicity is caused by a toxicant(s) that may be controlled with specific numerical limitations, the Permittee shall submit the following:

- (a) An alternative control program for compliance with the numerical requirements.
- (b) If necessary, as determined by the Director, provide a modified biomonitoring protocol which compensates for the pollutant(s) being controlled numerically.

This permit may be reopened and modified to incorporate any additional numerical limitations, a modified compliance schedule if judged necessary by the Director, and/or modified WET testing requirements without public notice.

Failure to conduct an adequate TIE/TRE plan or program as described above, or the submittal of a plan or program judged inadequate by the Director, shall be considered a violation of this permit. After implementation of TIE/TRE plan, the Permittee must demonstrate successful removal of toxicity by passing a two species WET test as outlined in this permit.

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. 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.

PART II
DISCHARGE PERMIT NO. UT0025747
PRETREATMENT

II. PRETREATMENT REQUIREMENTS

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 UPDES 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. *Local Limit* is defined as a limit designed to prevent Pass Through or Interference. And is developed in accordance with 40 CFR 403.5(c).
4. *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).
5. *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.
6. *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

PART II
DISCHARGE PERMIT NO. UT0025747
PRETREATMENT

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

7. *User or Industrial User (IU)* means a source of Indirect Discharge

B. Pretreatment Monitoring and Reporting Requirements.

1. The design capacity of the municipal wastewater treatment facility is less than 5 MGD; therefore, the Permittee will not be required to develop an Approved POTW Pretreatment Program. However, in order to determine if development of an Approved POTW Pretreatment Program is warranted, the Permittee shall conduct an **industrial waste survey**, as described in *Part II.C.1.*
2. Monitoring will be required of the Permittee for the pretreatment requirements at this time. If changes occur monitoring may be required for parameters not currently listed in the permit or current monitoring requirements may be required to be increased to determine the impact of an Industrial User or to investigate sources of pollutant loading. This could include but is not limited to sampling of the influent and effluent of the wastewater treatment plant and within the collection system.
3. Influent and Effluent Monitoring and Reporting Requirements. The Permittee shall sample and analyze both the influent and effluent, for the parameters listed in the Pretreatment Monitoring Table.

Pretreatment Monitoring Table				
Parameter	MDL	Sample Type	Frequency	Units
Total Arsenic	0.100	Composite	Twice a year	mg/L
Total Cadmium	0.005			
Total Chromium	0.011			
Total Copper	0.0169			
Total Lead	0.0077			
Total Molybdenum	NA			
Total Nickel	0.094			
Total Selenium	0.0046			
Total Silver	0.0125			
Total Zinc	0.2156			
Total Cyanide	0.0058			
Total Mercury	0.000012			
Organic Toxic Pollutants	NA	Composite/Grab	1 st , 3 rd and 5 th year of the permit cycle	

- a. The minimum detection limit (MDL) of the test method used for analysis must be below the concentration stated, if a test method is not available the Permittee must submit documentation to the Director regarding the method that will be used.
- b. If a Local Limit will be developed for any metals listed above, sampling of domestic source(s) in the POTW must occur. The sampling location cannot be the influent of the POTW Treatment Plant.

PART II
DISCHARGE PERMIT NO. UT0025747
PRETREATMENT

- c. In addition, the Permittee shall analyze the treatment facility influent and effluent for the presence of the toxic pollutants listed in *40 CFR 122 Appendix D Table II* the 1st, 3rd & 5th year of the permit cycle. If expected to be present surfactants and *40 CFR 122 Appendix D Table V* must be sampled the 1st, 3rd & 5th year of the permit cycle. The pesticides fraction of Appendix D, Table II is suspended unless pesticides are expected to be present.
 - d. The metals sample must be taken during the months of January to June and July to December.
4. The results of the analyses of metals, cyanide and Organic Toxic Pollutants shall be submitted along with the Discharge Monitoring Report (DMR) at the end of the earliest possible reporting period. Also, the Permittee must submit a copy of the Organic Toxic Pollutants data to the Pretreatment Coordinator for the Division of Water Quality via email.
 5. For Local Limit parameters it is recommended that the most sensitive method be used for analysis. This will determine if the parameter is present and provide removal efficiencies based on actual data rather than literature values. If a parameter load is greater than the allowable head works load, for any pollutant listed in Part II.B.3. or Part I, or a pollutant of concern listed in the Local Limit development document or determined by the Director, the Permittee must report this information to the Pretreatment Coordinator for the Division of Water Quality. If the loading exceeds the allowable headworks load, increase sampling must occur based on the requirements given by the Pretreatment Coordinator for the Division of Water Quality. If needed sampling may need to occur to find the source(s) of the increase. This may include sampling of the collection system. Notification regarding the exceedances of the allowable headworks loading can be provided via email.
- C. Industrial Wastes.
1. The "Industrial Waste Survey" or "IWS" as required by *Part II.B.1.* consists of;
 - a. Identifying each Industrial User (IU) and determining if the IU is a Significant Industrial User (SIU),
 - b. Determination of the qualitative and quantitative characteristics of each discharge, and
 - c. Appropriate production data.
 2. The IWS must be maintained and updated with IU information as necessary, to ensure that all IUs are properly permitted or controlled at all times. Updates must be submitted to the Director sixty (60) days following a change to the IWS.
 3. Notify all Significant Industrial Users of their obligation to comply with applicable requirements under *Subtitles C and D* of the *Resource Conservation and Recovery Act (RCRA)*.
 4. The Permittee must notify the Director of any new introductions by new or existing SIUs or any substantial change in pollutants from any major industrial source. Such notice must contain the information described in 1. above, and be forwarded no later than sixty (60) days following the introduction or change.

PART II
DISCHARGE PERMIT NO. UT0025747
PRETREATMENT

- D. General and Specific Prohibitions. The Permittee must ensure that no IU violates any of the general or specific standards. If an IU is found violating a general or specific standard the Permittee must notify the Director within 24 hours of the event. The general prohibitions and the specific prohibitions apply to each User introducing pollutants into a POTW whether or not the User is subject to other Pretreatment Standards or any national, State or local Pretreatment Requirements.
1. General prohibition Standards. A User may not introduce into a POTW any pollutant(s) which cause Pass Through or Interference.
 2. Specific Prohibited Standards. Developed pursuant to *Section 307 of The Clean Water Act of 1987* require that under no circumstances shall the Permittee allow introduction of the following pollutants into the waste treatment system from any User (*40 CFR 403.5*):
 - 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, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or Pass Through;
 - g. Pollutants which result in the presence of toxic gases, vapor, or fumes within the POTW in a quantity that may cause worker health or safety problems; or,
 - h. Any trucked or hauled pollutants, except at discharge points designated by the POTW.
 - i. Any pollutant that causes Pass Through or Interference at the POTW.
 - j. Any prohibited standard which the Permittee has adopted in an ordinance or rule to control IU discharge to the POTW.
 3. In addition to the general and specific limitations expressed above, more specific pretreatment limitations have been and will be promulgated for specific industrial categories under *Section 307 of the Clean Water Act of 1987 as amended*. (*See 40 CFR, Subchapter N, Parts 400 through 500, for specific information*).
- E. Significant Industrial Users Discharging to the POTW. The Permittee shall provide adequate notice to the Director and the Division of Water Quality Pretreatment Coordinator of;

PART II
DISCHARGE PERMIT NO. UT0025747
PRETREATMENT

1. Any new introduction of pollutants into the treatment works from an indirect discharger (i.e., Industrial User) which would be subject to *Sections 301 or 306* of the *Clean Water Act* if it were directly discharging those pollutants;
 2. Any substantial change in the volume or character of pollutants being introduced into the treatment works by a source introducing pollutants into the treatment works at the time of issuance of the permit; and
 3. For the purposes of this section, adequate notice shall include information on:
 - a. The quality and quantity of effluent to be introduced into such treatment works; and,
 - b. Any anticipated impact of the change on the quantity or quality of effluent to be discharged from such publicly owned treatment works.
 4. Any IU that must comply with applicable requirements under Subtitles C and D of the RCRA.
- F. Change of Conditions. At such time as a specific pretreatment limitation becomes applicable to an Industrial User of the Permittee, the Director may, as appropriate, do the following:
1. Amend the Permittee's UPDES discharge permit to specify the additional pollutant(s) and corresponding effluent limitation(s) consistent with the applicable national pretreatment limitation;
 2. Require the Permittee to specify, by ordinance, contract, or other enforceable means, the type of pollutant(s) and the maximum amount which may be discharged to the Permittee's facility for treatment. Such requirement shall be imposed in a manner consistent with the POTW program development requirements of the *General Pretreatment Regulations* at *40 CFR 403*;
 3. Require the Permittee to monitor its discharge for any pollutant, which may likely be discharged from the Permittee's facility, should the Industrial User fail to properly pretreat its waste; and/or
 4. Require the Permittee to develop an Approved POTW Pretreatment Program.
- G. Legal Action. The Director retains, at all times, the right to take legal action against the Industrial User and/or the treatment works, in those cases where a permit violation has occurred because of the failure of an Industrial User to discharge at an acceptable level. If the Permittee has failed to properly delineate maximum acceptable industrial contributor levels, the Director will look primarily to the Permittee as the responsible party.
- H. Local Limits. If Local Limits are developed per R317-8-8.5(4)(b) to protect the POTW from Pass Through or Interference, then the POTW must submit limits to Division of Water Quality for review and public notice, as required by R317-8-8.5(4)(c). Local Limits should be developed in accordance with the latest revision of the EPA Local Limits Development Guidance and per R317-8-8.5.

III. BIOSOLIDS REQUIREMENTS

A. Biosolids Treatment and Disposal. The authorization to dispose biosolids provided under this permit is limited to those biosolids produced from the treatment works owned and operated by the Permittee. The treatment methods and disposal practices are designated below.

1. Treatment

a. Biosolids produced at the facility are stabilized in an oxidation ditch, with a mean cell residence time of at least 50 days, and dewatered with screw presses, then transferred to a landfill for disposal.

2. Description of Biosolids Disposal Method

a. Class A biosolids may be sold or given away to the public for lawn and garden use or land application.

b. Class B biosolids may be land applied for agriculture use or at reclamation sites at agronomic rates.

c. Biosolids may be disposed of in a landfill or transferred to another facility for treatment and/or disposal.

3. Changes in Treatment Systems and Disposal Practices.

a. Should the Permittee change their disposal methods or the biosolids generation and handling processes of the plant, the Permittee must notify the Director at least 30 days in advance if the process/method is specified in *40 CFR Part 503*. This includes, but is not limited to, the permanent addition or removal of any biosolids treatment units (i.e., digesters, drying beds, belt presses, etc.) and/or any other change.

b. Should the Permittee change their disposal methods or the biosolids generation and handling processes of the plant, the Permittee must notify the Director at least 180 days in advance if the process/method is not specified in *40 CFR Part 503*. This includes, but is not limited to, the permanent addition or removal of any biosolids treatment units (i.e., digesters, drying beds, belt presses, etc.) and/or any other change.

For any biosolids that are land filled, the requirements in *Section 2.12* of the latest version of the *EPA Region VIII Biosolids Management Handbook* must be followed

B. Specific Limitations and Monitoring Requirements. All biosolids generated by this facility to be sold or given away to the public shall meet the requirements of *Part III.B.1, 2, 3 and 4* listed below.

1. Metals Limitations. All biosolids sold or given away in a bag or similar container for application to lawns and home gardens must meet the metals limitations as described below. If these metals limitations are not met, the biosolids must be landfilled.

Pollutant Limits, (40 CFR Part 503.13(b)) Dry Mass Basis				
Heavy Metals	Table 1	Table 2	Table 3	Table 4
	Ceiling Conc. Limits ¹ , (mg/kg)	CPLR ² , (mg/ha)	Pollutant Conc. Limits ³ (mg/kg)	APLR ⁴ , (mg/ha-yr)
Total Arsenic	75	41	41	2.0

PART III
BIOSOLIDS PERMIT NO. UTL-025747

Pollutant Limits, (40 CFR Part 503.13(b)) Dry Mass Basis				
Heavy Metals	Table 1	Table 2	Table 3	Table 4
	Ceiling Conc. Limits ¹ , (mg/kg)	CPLR ² , (mg/ha)	Pollutant Conc. Limits ³ (mg/kg)	APLR ⁴ , (mg/ha-yr)
Total Cadmium	85	39	39	1.9
Total Copper	4300	1500	1500	75
Total Lead	840	300	300	15
Total Mercury	57	17	17	0.85
Total Molybdenum	75	N/A	N/A	N/A
Total Nickel	420	420	420	21
Total Selenium	100	100	100	5.0
Total Zinc	7500	2800	2800	140
1, If the concentration of any 1 (one) of these parameters exceeds the Table 1 limit, the biosolids cannot be land applied or beneficially used in any way.				
2, CPLR - Cumulative Pollutant Loading Rate - The maximum loading for any 1 (one) of the parameters listed that may be applied to land when biosolids are land applied or beneficially used on agricultural, forestry, or a reclamation site.				
3, If the concentration of any 1 (one) of these parameters exceeds the Table 3 limit, the biosolids cannot be land applied or beneficially used in on a lawn, home garden, or other high potential public contact site. If any 1 (one) of these parameters exceeds the Table 3 limit, the biosolids may be land applied or beneficially reused on an agricultural, forestry, reclamation site, or other high potential public contact site, as long as it meets the requirements of Table 1, Table 2, and Table 4.				
4, APLR - Annual Pollutant Loading Rate - The maximum annual loading for any 1 (one) of the parameters listed that may be applied to land when biosolids are land applied or beneficially reused on agricultural, forestry, or a reclamation site, when they do not meet Table 3, but do meet Table 1.				

2. Pathogen Limitations. All biosolids sold or given away in a bag or a similar container for application to lawns and home gardens must meet the pathogen limitations for Class A. Land applied biosolids must meet the pathogen limitations for Class B as described below. If the pathogen limitations are not met, the biosolids must be landfilled.
 - a. Class A biosolids shall meet one of the pathogen measurement requirements in the following Pathogen Control Class table or shall meet the requirements for a Process to Further Reduce Pathogens as defined in *40 CFR Part 503.32(a) Sewage Sludge – Class A*.
 - (1) At this time the Permittee does not intend to distribute biosolids to the public for use on the lawn and garden and thus is not required meet Class A Biosolids requirements currently.
 - b. Class B biosolids shall meet the pathogen measurement requirements in the following Pathogen Control Class table or shall meet the requirements for a Process to Significantly Reduce Pathogens as defined in *40 CFR Part 503.32(b) Sewage Sludge – Class B*.
 - (1) At this time the Permittee does not intend to distribute bulk biosolids for land application and thus is not required meet Class B Biosolids requirements.
 - c. In addition, the Permittee shall comply with all applicable site restrictions listed below (*40 CFR 503.32,(b),(5)*):

PART III
BIOSOLIDS PERMIT NO. UTL-025747

- (1) Food crops with harvested parts that touch the biosolids/soil mixture and are totally above the land surface shall not be harvested for 14 months after application.
- (2) Food crops with harvested parts below the land surface shall not be harvested for 20 months after application if the biosolids remains on the land surface for four months or more prior to incorporation into the soil.
- (3) Food crops with harvested parts below the surface of the land shall not be harvested for 38 months after application of sewage sludge when the sewage sludge remains on the land surface for less than four months prior to incorporation into the soil.
- (4) Food crops, feed crops, and fiber crops shall not be harvested from the land for 30 days after application.
- (5) Animals shall not be allowed to graze on the land for 30 days after application.
- (6) Turf grown on land where biosolids is applied shall not be harvested for one year after application if the harvested turf is placed on either land with a high potential for public exposure or a lawn.
- (7) Public access to land with a high potential for public exposure shall be restricted for one year after application.
- (8) Public access to land with a low potential for public exposure shall be restricted for 30 days after application.
- (9) The sludge or the application of the sludge shall not cause or contribute to the harm of a threatened or endangered species or result in the destruction or adverse modification of critical habitat of a threatened or endangered species after application.

Pathogen Control Class	
503.32 (a)(1) - (5), (7), (8), Class A	503.32 (b)(1) - (5), Class B
B Salmonella species –less than three (3) MPN ¹ per four (4) grams total solids (DWB) ² or Fecal Coliforms – less than 1,000 MPN per gram total solids (DWB).	Fecal Coliforms – less than 2,000,000 MPN or CFU ³ per gram total solids (DWB).
503.32 (a)(6) Class A—Alternative 4	
B Salmonella species –less than three (3) MPN per four (4) grams total solids (DWB) or less than 1,000 MPN Fecal Coliforms per gram total solids (DWB), And - Enteric viruses –less than one (1) plaque forming unit per four (4) grams total solids (DWB) And - Viable helminth ova –less than one (1) per four (4) grams total solids (DWB)	
1 - MPN – Most Probable Number	
2 - DWB – Dry Weight Basis	
3 - CFU – Colony Forming Units	

3. Vector Attraction Reduction Requirements.

a. The Permittee will meet vector attraction reduction through use of one of the methods listed in *40 CFR Part 503.33*. Facility is meeting the requirements through the following methods.

- (1) The Permittee transfers solids to another facility (Intermountain Regional Landfill) where they are disposed of.

If the Permittee intends to use another one of the alternatives, the Director and the EPA must be informed at least thirty (30) days prior to its use. This change may be made without additional public comment.

4. Self-Monitoring Requirements.

a. At a minimum, upon the effective date of this permit, all chemical pollutants, pathogens and applicable vector attraction reduction requirements shall be monitored according to *40 CFR Part 503.16(1)(a)*.

Minimum Frequency of Monitoring (40 CFR Part 503.16, 503.26. and 503.46)		
Amount of Biosolids Disposed Per Year		Monitoring Frequency
Dry US Tons	Dry Metric Tons	Per Year or Batch
> 0 to < 320	> 0 to < 290	Once Per Year or Batch
> 320 to < 1650	> 290 to < 1,500	Once a Quarter or Four Times
> 1,650 to < 16,500	> 1,500 to < 15,000	Bi-Monthly or Six Times
> 16,500	> 15,000	Monthly or Twelve Times
The Permittee produces on average over the past 3 years, since startup in September 2020, 111 Dry Metric Tons per year. Accordingly, the Permittee will sample at least once per year.		

b. Sample collection, preservation and analysis shall be performed in a manner consistent with the requirements of *40 CRF 503* and/or other criteria specific to this permit. A metals analysis is to be performed using *Method SW 846* with *Method 3050* used for digestion. For the digestion procedure, an amount of biosolids equivalent to a dry weight of one gram shall be used. The methods are also described in the latest version of the *Region VIII Biosolids Management Handbook*.

c. The Director may request additional monitoring for specific pollutants derived from biosolids if the data shows a potential for concern.

d. After two (2) years of monitoring at the frequency specified, the Permittee may request that the Director reduce the sampling frequency for the heavy metals. The frequency cannot be reduced to less than once per year for biosolids that are sold or given away to the public for any parameter. The frequency also cannot be reduced for any of the pathogen or vector attraction reduction requirements listed in this permit.

C. Management Practices of Biosolids.

1. Biosolids Distribution Information

a. For biosolids that are sold or given away, an information sheet shall be provided to the person who receives the biosolids. The label or information sheet shall contain:

PART III
BIOSOLIDS PERMIT NO. UTL-025747

- (1) The name and address of the person who prepared the biosolids for a sale or to be given away.
- (2) A statement that prohibits the application of the biosolids to the land except in accordance with the instructions on the label or information sheet.

2. Biosolids Application Site Storage

- a. For biosolids or material derived from biosolids that are stored in piles for one year or longer, measures shall be taken to ensure that erosion (whether by wind or water) does not occur. However, best management practices should also be used for piles used for biosolids treatment. If a treatment pile is considered to have caused a problem, best management practices could be added as a requirement in the next permit renewal

3. Land Application Practices

- a. The Permittee shall operate and maintain the land application site operations in accordance with the following requirements:
 - (1) The Permittee shall provide to the Director and the EPA within 90 days of the effective date of this permit a land application plan.
 - (2) Application of biosolids shall be conducted in a manner that will not contaminate the groundwater or impair the use classification for that water underlying the sites.
 - (3) Application of biosolids shall be conducted in a manner that will not cause a violation of any receiving water quality standard from discharges of surface runoff from the land application sites. Biosolids shall not be applied to land 10 meters or less from waters of the United States (as defined in 40 CFR 122.2).
 - (4) No person shall apply biosolids for beneficial use to frozen, ice-covered, or snow-covered land where the slope of such land is greater than three percent and is less than or equal to six percent unless one of the following requirements is met:
 - (a) there is 80 percent vegetative ground cover; or,
 - (b) approval has been obtained based upon a plan demonstrating adequate runoff containment measures.
 - (5) Application of biosolids is prohibited to frozen, ice-covered, or snow-covered sites where the slope of the site exceeds six percent.
 - (6) Agronomic Rate
 - (a) Application of biosolids shall be conducted in a manner that does not exceed the agronomic rate for available nitrogen of the crops grown on the site. At a minimum, the Permittee is required to follow the methods for calculating agronomic rate outlined in the latest version of the *Region VIII Biosolids Management Handbook* (other methods may be approved by the Director). The treatment plant shall provide written notification to the applier of the biosolids of the concentration of total nitrogen (as N on a dry weight basis)

PART III
BIOSOLIDS PERMIT NO. UTL-025747

in the biosolids. Written permission from the Director is required to exceed the agronomic rate.

- (b) The Permittee may request the limits of *Part III.C.6.* be modified if different limits would be justified based on local conditions. The limits are required to be developed in cooperation with the local agricultural extension office or university.
 - (c) Deep soil monitoring for nitrate-nitrogen is required for all land application sites (does not apply to sites where biosolids are applied less than once every five years). A minimum of six samples for each 320 (or less) acre area is to be collected. These samples are to be collected down to either a 5-foot depth, or the confining layer, whichever is shallower (sample at 1 foot, 2 foot, 3 foot, 4 foot and 5 foot intervals). Each of these one-foot interval samples shall be analyzed for nitrate-nitrogen. In addition to the one-foot interval samples, a composite sample of the 5-foot intervals shall be taken, and analyzed for nitrate-nitrogen as well. Samples are required to be taken once every five years for non-irrigated sites that receive more than 18 inches of precipitation annually or for irrigated sites
- (7) Biosolids shall not be applied to any site area with standing surface water. If the annual high groundwater level is known or suspected to be within five feet of the surface, additional deep soil monitoring for nitrate-nitrogen as described in *Part III.C.(6)(c).* is to be performed. At a minimum, this additional monitoring will involve a collection of more samples in the affected area and possibly more frequent sampling. The exact number of samples to be collected will be outlined in a deep soil monitoring plan to be submitted to the Director and the EPA within 90 days of the effective date of this permit. The plan is subject to approval by the Director.
- (8) The specified cover crop shall be planted during the next available planting season. If this does not occur, the Permittee shall notify the Director in writing. Additional restrictions may be placed on the application of the biosolids on that site on a case-by-case basis to control nitrate movement. Deep soil monitoring may be increased under the discretion of the Director.
- (9) When weather and or soil conditions prevent adherence to the biosolids application procedure, biosolids shall not be applied on the site.
- (10) For biosolids that are sold or given away, an information sheet shall be provided to the person who receives the biosolids. The label or information sheet shall contain:
- (a) The name and address of the person who prepared the biosolids for sale or give away for application to the land.
 - (b) A statement that prohibits the application of the biosolids to the land except in accordance with the instructions on the label or information sheet.
 - (c) The annual whole biosolids application rate for the biosolids that do not cause the metals loading rates in Tables 1, 2, and 3 (*Part III.B.1.*) to be exceeded.

PART III
BIOSOLIDS PERMIT NO. UTL-025747

- (11) Biosolids subject to the cumulative pollutant loading rates in Table 2 (*Part III.B.1.*) shall not be applied to agricultural land, forest, a public contact site, or a reclamation site if any of the cumulative pollutant loading rates in Table 2 have been reached.
 - (12) If the treatment plant applies the biosolids, it shall provide the owner or leaseholder of the land on which the biosolids are applied notice and necessary information to comply with the requirements in this permit.
 - (13) The Permittee shall inspect the application of the biosolids to active sites to prevent malfunctions and deterioration, operator errors and discharges, which may cause or lead to the release of biosolids to the environment or a threat to human health. The Permittee must conduct these inspections often enough to identify problems in time to correct them before they harm human health or the environment. The Permittee shall keep an inspection log or summary including at least the date and time of inspection, the printed name and the handwritten signature of the inspector, a notation of observations made and the date and nature of any repairs or corrective action.
- D. Special Conditions on Biosolids Storage. Permanent storage of biosolids is prohibited. Biosolids shall not be temporarily stored for more than two (2) years. Written permission to store biosolids for more than two years must be obtained from the Director. Storage of biosolids for more than two years will be allowed only if it is determined that significant treatment is occurring.
- E. Representative Sampling. Biosolids samples used to measure compliance with *Part III* of this Permit shall be collected at locations representative of the quality of biosolids generated at the treatment works and immediately prior to land application.
- F. Reporting of Monitoring Results.
1. Biosolids. The Permittee shall provide the results of all monitoring performed in accordance with Part III.B, and information on management practices, biosolids treatment, site restrictions and certifications shall be provided no later than February 19 of each year. Each report is for the previous calendar year. If no biosolids were sold or given away during the reporting period, "no biosolids were sold or given away" shall be reported. Legible copies of these, and all other reports required herein, shall be signed and certified in accordance with the Signatory Requirements (see Part VII.G), and submitted to the Utah Division of Water Quality and the EPA by the NeT-Biosolids system through the EPA Central Data Exchange (CDX) System.
- G. Additional Record Keeping Requirements Specific to Biosolids.
1. Unless otherwise required by the Director, **the Permittee is not required to keep records** on compost products if the Permittee prepared them from biosolids that meet the limits in Table 3 (*Part III.B.1.*), the Class A pathogen requirements in *Part III.B.2* and the vector attraction reduction requirements in *Part III.B.3*. The Director may notify the Permittee that additional record keeping is required if it is determined to be significant to protecting public health and the environment.
 2. **The Permittee is required** to keep the following information for at least 5 years:
 - a. Concentration of each heavy metal in Table 3 (*Part III.B.1.*).

PART III
BIOSOLIDS PERMIT NO. UTL-025747

- b. A description of how the pathogen reduction requirements in *Part III.B.2* were met.
- c. A description of how the vector attraction reduction requirements in *Part III.B.3* were met.
- d. A description of how the management practices in *Part III.C* were met (if necessary).
- e. The following certification statement:

"I certify under the penalty of law, that the heavy metals requirements in *Part III.B.1*, the pathogen requirements in *Part III.B.2*, the vector attraction requirements in *Part III.B.3*, the management practices in *Part III.C*. This determination has been made under my direction and supervision in accordance with the system designed to assure that qualified personnel properly gather and evaluate the information used to determine that the pathogen requirements, the vector attraction reduction requirements and the management practices have been met. I am aware that there are significant penalties for false certification including the possibility of imprisonment."

- 3. 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 the life of the permit. Data collected on site, copies of Biosolids Report forms, and a copy of this UPDES biosolids-only permit must be maintained on site during the duration of activity at the permitted location.

IV. STORM WATER REQUIREMENTS.

- A. Industrial Storm Water Permit. Based on the type of industrial activities occurring at the facility, the Permittee may be required to maintain separate coverage, or an appropriate exclusion under the Multi-Sector General Permit (MSGP) for Storm Water Discharges Associated with Industrial Activities (UTR000000). If the facility is not already covered, the Permittee has 30 days from when this permit is issued to submit the appropriate Notice of Intent (NOI), or exclusion documentation for the MSGP.
- B. 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.

P/N D R A F T

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.

PART V
DISCHARGE PERMIT NO. UT0025747
BIOSOLIDS PERMIT NO. UTL-025747

1. The Permittee shall (orally) report any noncompliance including transportation accidents, spills, and uncontrolled runoff from biosolids transfer or land application sites which may seriously endanger health or environment, as soon as possible, but no later than twenty-four (24) hours from the time the Permittee first became aware of circumstances. The report shall be made to the Division of Water Quality (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*

PART V
DISCHARGE PERMIT NO. UT0025747
BIOSOLIDS PERMIT NO. UTL-025747

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

PART VI
DISCHARGE PERMIT NO. UT0025747
BIOSOLIDS PERMIT NO. UTL-025747

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. 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 includes adequate laboratory controls and quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems, which are installed by a Permittee only when the operation is necessary to achieve compliance with the conditions of the permit.
- F. Removed Substances. Collected screening, grit, solids, sludge, or other pollutants removed in the course of treatment shall be disposed of in such a manner so as to prevent any pollutant from entering any waters of the state or creating a health hazard. Sludge/digester supernatant and filter backwash shall not directly enter either the final effluent or waters of the state by any other direct route.
- G. Bypass of Treatment Facilities.
1. Bypass Not Exceeding Limitations. The Permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to paragraph 2 and 3 of this section.
 2. Prohibition of Bypass.
 - a. Bypass is prohibited, and the Director may take enforcement action against a Permittee for bypass, unless:

PART VI
DISCHARGE PERMIT NO. UT0025747
BIOSOLIDS PERMIT NO. UTL-025747

- (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 IV.H*, Twenty-Four Hour Reporting. The Permittee shall also immediately notify the Director of the Department of Natural

PART VI
DISCHARGE PERMIT NO. UT0025747
BIOSOLIDS PERMIT NO. UTL-025747

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.

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. UT0025747
BIOSOLIDS PERMIT NO. UTL-025747

- 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:

PART VII
DISCHARGE PERMIT NO. UT0025747
BIOSOLIDS PERMIT NO. UTL-025747

"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

PART VII
DISCHARGE PERMIT NO. UT0025747
BIOSOLIDS PERMIT NO. UTL-025747

established pursuant to any applicable state law or regulation under authority preserved by Sections 19-5-117 and 510 of the *Clean Water 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 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, whole effluent toxicity (WET) limitations, a compliance date, a compliance schedule, a change in the whole effluent toxicity (biomonitoring) protocol, additional or modified numerical limitations, or any other conditions related to the control of toxicants if one or more of the following events occur;
1. Toxicity is detected, as per *Part I.C.3.a* and *b* of this permit, during the duration of this permit.
 2. The TRE results indicate that the toxicant(s) represent pollutant(s) or pollutant parameter(s) that may be controlled with specific numerical limits, and the Director concludes that numerical controls are appropriate.
 3. Following the implementation of numerical control(s) of toxicant(s), the Director agrees that a modified biomonitoring protocol is necessary to compensate for those toxicants that are controlled numerically.

PART VII
DISCHARGE PERMIT NO. UT0025747
BIOSOLIDS PERMIT NO. UTL-025747

4. The TRE reveals other unique conditions or characteristics, which in the opinion of the permit issuing authority justify the incorporation of unanticipated special conditions in the permit.

PND DRAFT

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. “Composite Samples” shall be flow proportioned. The composite sample shall, as a minimum, contain at least four (4) samples collected over the compositing period. Unless otherwise specified, the time between the collection of the first sample and the last sample shall not be less than six (6) hours nor more than 24 hours. Acceptable methods for preparation of composite samples are as follows:
 - a. Constant time interval between samples, sample volume proportional to flow rate at time of sampling;
 - b. Constant time interval between samples, sample volume proportional to total flow (volume) since last sample. For the first sample, the flow rate at the time the sample was collected may be used;
 - c. Constant sample volume, time interval between samples proportional to flow (i.e., sample taken every “X” gallons of flow); and,
 - d. Continuous sample volume, with sample collection rate proportional to flow rate.

PART VIII
DISCHARGE PERMIT NO. UT0025747
BIOSOLIDS PERMIT NO. UTL-025747

7. “CWA” means *The Federal Water Pollution Control Act*, as amended, by *The Clean Water Act of 1987*.
8. “Daily Maximum” (Daily Max.) is the maximum value allowable in any single sample or instantaneous measurement.
9. “EPA,” means the United States Environmental Protection Agency.
10. “Director,” means Director of the Division of Water Quality.
11. A “grab” sample, for monitoring requirements, is defined as a single “dip and take” sample collected at a representative point in the discharge stream.
12. An “instantaneous” measurement, for monitoring requirements, is defined as a single reading, observation, or measurement.
13. “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.
14. “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.

B. Biosolids.

1. “Biosolids,” means any material or material derived from sewage solids that have been biologically treated.
2. “Dry Weight-Basis,” means 100 percent solids (i.e. zero percent moisture).
3. “Land Application” is the spraying or spreading of biosolids onto the land surface; the injection of biosolids below the land surface; or the incorporation of biosolids into the land so that the biosolids can either condition the soil or fertilize crops or vegetation grown in the soil. Land application includes distribution and marketing (i.e. the selling or giving away of the biosolids).
4. “Pathogen,” means an organism that is capable of producing an infection or disease in a susceptible host.
5. “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,

PART VIII
DISCHARGE PERMIT NO. UT0025747
BIOSOLIDS PERMIT NO. UTL-025747

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.

6. "Runoff" is rainwater, leachate, or other liquid that drains over any part of a land surface and runs off the land surface.
7. "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.
8. "Total Solids" are the materials in the biosolids that remain as a residue if the biosolids are dried at 103° or 105° Celsius.
9. "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.
10. "Vector Attraction" is the characteristic of biosolids that attracts rodents, flies mosquito's or other organisms capable of transporting infectious agents.
11. "Animals" for the purpose of this permit are domestic livestock.
12. "Annual Whole Sludge Application Rate" is the amount of sewage sludge (dry-weight basis) that can be applied to a unit area of land during a cropping cycle.
13. "Agronomic Rate" is the whole sludge application rate (dry-weight basis) designed to: (1) provide the amount of nitrogen needed by the crop or vegetation grown on the land; and (2) minimize the amount of nitrogen in the sewage sludge that passes below the root zone of the crop or vegetation grown on the land to the ground water.
14. "Annual Pollutant Loading Rate" is the maximum amount of a pollutant (dry-weight basis) that can be applied to a unit area of land during a 365-day period.
15. "Application Site or Land Application Site" means all contiguous areas of a users' property intended for sludge application.
16. "Cumulative Pollutant Loading Rate" is the maximum amount of an inorganic pollutant (dry-weight basis) that can be applied to a unit area of land.
17. "Grit and Screenings" are sand, gravel, cinders, other materials with a high specific gravity and relatively large materials such as rags generated during preliminary treatment of domestic sewage at a treatment works and shall be disposed of according to 40 CFR 258.
18. "High Potential for Public Contact Site" is land with a high potential for contact by the public. This includes, but is not limited to, public parks, ball fields, cemeteries, plant nurseries, turf farms, and golf courses.

PART VIII
DISCHARGE PERMIT NO. UT0025747
BIOSOLIDS PERMIT NO. UTL-025747

19. "Low Potential for Public Contact Site" is the land with a low potential for contact by the public. This includes, but is not limited to, farms, ranches, reclamation areas, and other lands which are private lands, restricted public lands, or lands which are not generally accessible to or used by the public.
20. "Monthly Average" is the arithmetic mean of all measurements taken during the month.
21. "Volatile Solids" is the amount of the total solids in sewage sludge lost when the sludge is combusted at 550 degrees Celsius for 15-20 minutes in the presence of excess air.

P/N DRAFT

Official Draft Public Notice Version **April 2, 2024**

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

**FACT SHEET AND STATEMENT OF BASIS
JORDANELLE SPECIAL SERVICE DISTRICT WATER RECLAMATION FACILITY
UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM (UPDES)
RENEWAL PERMIT: DISCHARGE, BIOSOLIDS
UPDES PERMIT NUMBER: UT0025747
UPDES BIOSOLIDS PERMIT NUMBER: UTL-025747
MAJOR MUNICIPAL FACILITY**

FACILITY CONTACTS

Name: Max Covey
Position: General Manager

Name: Drew Robinson
Position: Wastewater Operations Treatment Manager

Permittee Name: Jordanelle Special Service District (JSSD)
Facility Name: JSSD Water Reclamation Facility

Facility Location: 5400 North Old Hwy 40
Heber City, Utah 84032

Mailing Address: PO Box 519
Heber City, Utah 84032

Telephone: (435) 940-0475

DESCRIPTION OF FACILITY

The Jordanelle Special Service District Water Reclamation Facility (JSSDWRF) is a domestic wastewater treatment plant that has a maximum average monthly design flow rate of 1.0 million gallons per day (MGD) and a daily maximum design flow rate of 1.2 MGD. The JSSDWRF facility was built in 2008 to serve the future developments in the areas of the Jordanelle Reservoir and north of Heber City in Wasatch County, Utah. JSSDWRF only recently began operating and discharging in September of 2020 after remaining idled since new in 2008. The JSSDWRF treatment system consists of the following process; raw influent enters the facility and passes through fine screens, and then through a series of anaerobic and aerobic tanks (as a biological aid in the removal of phosphorus), then through a membrane bio-reactor (which includes the addition of alum and/or other chemical treatment for further phosphorus removal), and finally through an ultra violet (UV) disinfection system before discharging via the permitted Outfalls. The JSSDWRF solids waste handling consists of an aerated solids-handling basin and belt press for dewatering with all biosolids sent to an approved off-site disposal facility. This permit will once again authorize effluent discharges from JSSDWRF during the next five years as appropriate.

SUMMARY OF CHANGES FROM PREVIOUS PERMIT

There are a few proposed changes with this permit renewal. The first change is regarding the previously included Stormwater provisions, which have been removed as part of a Division of Water Quality (DWQ) programmatic separation of the previously combined UPDES permits. JSSDWRF may now be required to apply for and obtain separate UPDES Industrial Storm Water Permit coverage under the UPDES General Permit No. UTR000000, or an applicable exemption, as described further in the **STORMWATER** section of this Fact Sheet.

Other permit changes include the addition of ammonia limits, which were not included previously, to account for any potential discharges to the Provo River, as well as the removal of the “Interim Limits” for both total phosphorus and total dissolved solids that were previously included for more flexibility during the initial startup operations.

Lastly, the dissolved oxygen minimum concentration limitation has been updated in the permit to reflect the current wasteload analysis for any potential discharges to the Provo River. Permit limitations are discussed further in the **BASIS FOR EFFLUENT LIMITATIONS** section of this Fact Sheet.

DISCHARGE INFORMATION

DESCRIPTION OF DISCHARGE OUTFALLS

Since initial startup in 2020, JSSDWRF has discharged exclusively to the irrigation canals via Outfalls 001 & 002. A description of the permitted discharging outfalls Outfalls are as follows:

<u>Outfall Numbers</u>	<u>Location and Description of Outfalls</u>
001	Located at latitude 40°34'24"N and longitude 111° 25'28"W and discharging to the Timpanagos Canal.
002	Located at latitude 40°34'04"N and longitude 111° 25'39"W and discharging to the Wasatch Canal.
003	Located at latitude 40°34'24"N and longitude 111° 25'40"W and discharging to the Provo River Return Canal.
004	Located at latitude 40°34'20"N and longitude 111° 25'42"W and discharging to the Provo River.

A signed memorandum of agreement between JSSDWRF, Central Utah Water Conservancy District (CUWCD), and the Department of Interior (DOI) allows JSSDWRF to discharge to the DOI owned canals that are operated by CUWCD (Outfalls 001 & 002). This agreement prohibits a direct discharge to the Provo River, but does allow for a direct discharge option in the event of an emergency or upon termination of the agreement (Outfalls 003 & 004). There is also a memorandum signed by the Heber Valley Special Service District (HVSSD), which allows JSSDWRF to divert flows in emergency type situations to the HVSSD treatment lagoons.

RECEIVING WATERS AND STREAM CLASSIFICATION

JSSDWRF is located near the Provo River, which is a drinking water source and classified as a blue-ribbon fishery. The discharge from JSSDWRF is located in the Provo River Watershed, with the ultimate receiving water being the Provo River, either via direct discharges or indirect discharges through return flows. The Provo River has been classified as Class 1C, 2B, 3A, and 4 according to *Utah Administrative Code (UAC) R317-2-13*.

- Class 1C -- Protected for domestic purposes with prior treatment by treatment processes as required by the Utah Division of Drinking Water
- 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 3A -- Protected for cold water species of game fish and other cold-water aquatic life, including the necessary aquatic organisms in their food chain.
- Class 4 -- Protected for agricultural uses including irrigation of crops and stock watering.
Beneficial Uses -- Protected for infrequent primary and secondary contact recreation, waterfowl, shore birds and other water-oriented wildlife including their necessary food chain.

TOTAL MAXIMUM DAILY LOAD (TMDL) REQUIREMENTS

According to the DWQ 2022 Integrated Report and 303(d) Water Quality Assessment, the Provo River from Deer Creek Reservoir to Jordanelle Reservoir (Provo River-4, UT16020203-004_00) is listed as impaired for pH, while the Deer Creek Reservoir (Deer Creek Reservoir, UT-L-16020203-001_00), located downstream of JSSDWRF, is listed as impaired for temperature and dissolved oxygen. A TMDL study addressing the dissolved oxygen impairment through the control of phosphorus loading to the watershed was completed in 2002. The TMDL as previously approved, set the wasteload-related endpoint for the in-stream total phosphorus concentration of 0.030 mg/l. For more detailed information, the TMDL study can be found at: <https://documents.deq.utah.gov/water-quality/watershed-protection/total-maximum-daily-loads/DWQ-2015-006575.pdf>.

Additionally, a TMDL study was completed in December 2021 for the Spring Creek (Heber) Assessment Unit (UT16020203-027), addressing an impairment for *E. coli*. Since JSSDWRF has the potential to contribute to the Spring Creek watershed, *E. coli* was further evaluated in the effluent discharge. As part of the treatment system, the JSSDWRF has an ultraviolet light system in place for disinfection purposes, which essentially removes the *E. coli* concentrations. *E. coli* limits are included in the permit and are set at 126 MPN/100 mL as a monthly average and 157 MPN/100 mL as a weekly maximum average, which is below the *E. coli* water quality standards for Spring Creek as identified in the TMDL study. For more detailed information, the TMDL study can be found at: <https://documents.deq.utah.gov/water-quality/watershed-protection/total-maximum-daily-loads/DWQ-2021-031624.pdf>

BASIS FOR EFFLUENT LIMITATIONS

In accordance with regulations promulgated in *40 Code of Federal Regulations (40 CFR) Part 122.44* and in *UAC R317-8-4.2*, effluent limitations are derived from technology-based effluent limitations guidelines, Utah Secondary Treatment Standards as found in *UAC R317-1-3.2*, or Utah Water Quality Standards (WQS), as found in *UAC R317-2* as applicable. In cases where multiple limits have been developed, those that are more stringent apply. In cases where no limits or multiple limits have been developed, Best Professional Judgment (BPJ) of the permitting authority may be used where applicable. Best Professional

Judgment or BPJ, refers to a discretionary, best professional decision made by the permit writer based on precedent, prevailing regulatory standards or other relevant information.

Permit limits can also be derived from the Wasteload Analysis (WLA), which incorporates Secondary Treatment Standards, WQS, including any applicable TMDL impairments as appropriate, Antidegradation Reviews (ADR), and designated uses into a water quality model that projects the effects of discharge concentrations on receiving water quality. Effluent limitations are those that the model demonstrates are sufficient to meet State water quality standards in the receiving waters. During this UPDES renewal permit development, a WLA and ADR were completed as appropriate. An ADR Level I review was performed and concluded that an ADR Level II review was not required this time since there are no proposed increases in flow or concentrations from the existing permit limitations. The WLA indicates that the effluent limitations will be sufficiently protective of water quality, in order to meet State water quality standards in the receiving waters. The WLA and ADR are attached as an addendum to this Fact Sheet.

Limitations on total suspended solids (TSS), biochemical oxygen demand 5-day testing (BOD₅), *E. coli*, pH and percent removal for TSS and BOD₅ were initially based on Utah Secondary Treatment Standards, but more specifically, the permit limitations for TSS and BOD₅ concentration values that are more restrictive than secondary standards remain in the permit based upon the original ADR Level II review from 2008 and the best available treatment technology capabilities of the JSSDWRF.

The total ammonia (as Nitrogen) and dissolved oxygen (DO) limitations are based on the current WLA to be protective of the beneficial uses for any potential discharges to the Provo River.

As mentioned previously, the total phosphorus concentration limitations are based on the approved TMDL with endpoints as derived from best available treatment technology capabilities of the JSSDWRF. The total phosphorus annual loading limitation in the permit is a flow proportioned calculation based on CUWCD flow data of water from the Timpanogos and Wasatch Canals that are projected as potential return flows to the Provo River.

The Total Dissolved Solids (TDS) limitation is based upon the WQS for agriculture beneficial uses as found in *UAC R317-2-14*.

The oil & grease limitation is based upon BPJ of the permitting authority and is consistent with other similar UPDES permits statewide.

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 conducted following DWQ's September 10, 2015 Reasonable Potential Analysis Guidance (RP Guidance). There are four outcomes defined in the RP Guidance: Outcome A, B, C, or D. These Outcomes provide a framework for what routine monitoring or effluent limitations are required to be included in the permit.

A qualitative RP analysis was performed on the applicable metals constituents from the JSSDWRF discharge data since facility startup and optimization in late 2020. Although there have been only six (6) semi-annual metals sampling events through 2023 to evaluate, initial screening for metals values as submitted to DWQ showed that a closer look at any of the metals is not needed since all of the metals concentration results were either below the appropriate method detection limits and/or below the applicable water quality standards. Therefore, no RP currently exists at JSSDWRF for these metals parameters and a more quantitative RP analysis using the RP Model was not necessary at this time. Based on the RP Guidance, no additional metal effluent limits have been included in this renewal permit. This resulted in

the following RP outcome; **Outcome C: No new effluent limitation, routine monitoring requirements maintained as they are in the permit.** Metals monitoring will continue, however, as detailed in the permit. This will be re-evaluated during the next permit cycle once additional metals monitoring data has been collected, as typically, at least 10 data points are recommended for a quantitative analysis using the RP Model. A copy of the RP analysis summary is included as an addendum to this Fact Sheet.

The permittee is expected to be able to continue complying with the permit effluent limitations as follows.

Parameter	Effluent Limitations *a (for all Outfalls unless stated otherwise)					
	Maximum Monthly Average	Maximum Weekly Average	90-day Average	Annual Maximum	Daily Minimum	Daily Maximum
Total Flow, MGD *b, *c	1.0	--	--	--	--	Report
BOD ₅ , mg/L *d	10	10	--	--	--	--
BOD ₅ Min. % Removal	85	--	--	--	--	--
TSS, mg/L *d	10	10	--	--	--	--
TSS Min. % Removal	85	--	--	--	--	--
Total Ammonia (as N), mg/L (Outfalls 003 & 004)	4.5	--	--	--	--	8.7
<i>E. coli</i> , No./100mL	126	157	--	--	--	--
TDS, mg/L *d	--	--	--	--	--	1200
WET *e Acute Biomonitoring (Outfalls 003 & 004)	--	--	--	--	--	LC ₅₀ > 100% effluent
Oil & Grease, mg/L *f	--	--	--	--	--	10
pH, Standard Units	--	--	--	--	6.5	9.0
Dissolved Oxygen, mg/L (Outfalls 003 & 004)	--	--	--	--	6.5	--
Total Phosphorus, mg/L; *d May-October	--	--	0.03	--	--	0.08
November-April	--	--	0.06	--	--	0.10
Total Phosphorus, lbs/yr. *g	--	--	--	91	--	--

SELF-MONITORING AND REPORTING REQUIREMENTS

JSSDWRF has been reporting self-monitoring results on Discharge Monitoring Reports (DMRs) on a monthly basis as required. JSSDWRF effluent discharge data has been summarized and included as an attachment to this Fact Sheet. The following self-monitoring requirements are similar as in the previous permit with the exception that this permit now also includes monitoring for total ammonia. The permit requires reports to be submitted monthly as applicable, on DMRs via NetDMR due 28 days after the end of the monitoring period. Effective January 1, 2017, monitoring results must be submitted using NetDMR unless the permittee has successfully petitioned for an exception. Lab sheets for biomonitoring must be attached to the biomonitoring DMRs. Lab sheets for metals and toxic organics must also be attached to the DMRs.

Self-Monitoring and Reporting Requirements *a (for all Outfalls unless stated otherwise)			
Parameter	Frequency	Sample Type	Units
Total Flow *b, *c	Continuous	Recorder	MGD

BOD ₅ Influent	2 x Week	Composite	mg/L
Effluent	2 x Week	Composite	mg/L
TSS Influent	2 x Week	Composite	mg/L
Effluent	2 x Week	Composite	mg/L
<i>E. coli</i>	2 x Week	Grab	No./100mL
pH	2 x Week	Grab	SU
Total Ammonia (as N)	2 x Week	Grab	mg/L
Dissolved Oxygen	2 x Week	Grab	mg/L
WET – Biomonitoring *e Ceriodaphnia - Acute Fathead Minnows - Acute (Outfalls 003 & 004)	Quarterly 1 st & 3 rd Quarter 2 nd & 4 th Quarter	Composite Composite	Pass/Fail Pass/Fail
Oil & Grease *f	Monthly When Sheen Observed	Grab	mg/L
TDS Influent	Monthly	Grab/Composite	mg/L
Effluent	Monthly	Grab/Composite	mg/L
Orthophosphate, (as P) Effluent	Monthly	Composite	mg/L
Total Phosphorus Influent	Monthly	Composite	mg/L
Effluent	Monthly	Composite	mg/L
Total Kjeldahl Nitrogen, TKN (as N) Influent	Monthly	Composite	mg/L
Effluent	Monthly	Composite	mg/L
Nitrate, NO ₃ , Effluent	Monthly	Composite	mg/L
Nitrite, NO ₂ , Effluent	Monthly	Composite	mg/L
Metals *h Influent	2 x Year	Composite	mg/L
Effluent	2 x Year	Composite	mg/L
Organic Toxics *i Influent	1 st , 3 rd & 5 th year of permit cycle	Grab/Composite	mg/L
Effluent	1 st , 3 rd & 5 th year of permit cycle	Grab/Composite	mg/L

*a See Part VIII of the Permit for 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 In addition to monitoring the final effluent discharge, influent samples shall be taken and analyzed for this constituent at the same frequency as required for this constituent in the discharge.

- *e For Outfalls 003 & 004, the acute Ceriodaphnia will be tested during the 1st and 3rd quarters and the acute fathead minnows will be tested during the 2nd and 4th quarters. Discharges to either Outfalls 001 or Outfall 002 do not require WET biomonitoring.
- *f Oil & Grease sampled when sheen is present or visible. If no sheen is present or visible, report NA.
- *g For calculating the yearly Total Phosphorus load use the following equation: Total load for outfall 001*0.05 + total load for outfall 002*0.50 + total load for outfall 003 + total load for outfall 004. This flow proportioned data is based on average flow data from CUWCD, who operate the canals.
- *h See Metals Monitoring table in Part II of the permit.
- *i Testing shall be performed in the first, third and fifth year of the permit cycle with either grab or composite sample types. A list of the organics to be tested can be found in *40CFR122 appendix D table II*.

BIOSOLIDS

For clarification purposes, sewage sludge is considered solids, until treatment or testing shows that the solids are safe, and meet beneficial use standards. After the solids are tested or treated, the solids are then known as biosolids. Class A biosolids, may be used for high public contact sites, such as home lawns and gardens, parks, or playing fields, etc. Class B biosolids may be used for low public contact sites, such as farms, rangeland, or reclamation sites, etc.

DESCRIPTION OF TREATMENT AND DISPOSAL

JSSDWRF screens the influent to remove the larger pieces of debris and the solids are stabilized by activated sludge treatment with a mean cell residence time of approximately 14 days in a new, state of the art membrane bioreactor plant. After stabilization, the biosolids are de-watered by belt press and loaded into a hopper trailer to be hauled elsewhere for disposal. The biosolids are disposed of in the Intermountain Regional Landfill.

If the biosolids are hauled to another facility to meet land application requirements for sale or giveaway to the public, that facility must have a valid UPDES biosolids permit and will be responsible for meeting all requirements of *40 CFR 503*.

SELF-MONITORING REQUIREMENTS

Under *40 CFR 503.16(a)(1)*, the self-monitoring requirements are based upon the amount of biosolids disposed per year and shall be monitored according to the chart below.

Minimum Frequency of Monitoring (40 CFR Part 503.16, 503.26. and 503.46)		
Amount of Biosolids Disposed Per Year		Monitoring Frequency
Dry US Tons	Dry Metric Tons	Per Year or Batch
> 0 to < 320	> 0 to < 290	Once Per Year or Batch
> 320 to < 1650	> 290 to < 1,500	Once a Quarter or Four Times
> 1,650 to < 16,500	> 1,500 to < 15,000	Bi-Monthly or Six Times
> 16,500	> 15,000	Monthly or Twelve Times

Annually JSSDWRF disposes of approximately 111 dry metric tons of biosolids and would therefore need to sample once per year.

Landfill Monitoring

Under *40 CFR 258*, the landfill monitoring requirements include a paint filter test. If the biosolids do not pass a paint filter test, the biosolids cannot be disposed in the sanitary landfill (*40 CFR 258.28(c)(1)*).

BIOSOLIDS LIMITATIONS

Heavy Metals

Class A Biosolids for Home Lawn and Garden Use

The intent of the heavy metals regulations of Table 3, *40 CFR 503.13* is to ensure the heavy metals do not build up in the soil in home lawn and gardens to the point where the heavy metals become phytotoxic to plants. The permittee will be required to produce an information sheet (see *Part III. C.* of the permit) to be made available to all people who are receiving and land applying Class A biosolids to their lawns and gardens. If the instructions of the information sheet are followed to any reasonable degree, the Class A biosolids will be able to be land applied year after year, to the same lawns and garden plots without any deleterious effects to the environment. The information sheet must be provided to the public, because the permittee is not required, nor able to track the quantity of Class A biosolids that are land applied to home lawns and gardens.

Class A Requirements With Regards to Heavy Metals

If the biosolids are to be applied to a lawn or home garden, the biosolids shall not exceed the maximum heavy metals in Table 3 below. If the biosolids do not meet these requirements, the biosolids cannot be sold or given away for applications to home lawns and gardens.

Class B Requirements for Agriculture and Reclamation Sites

The intent of the heavy metals regulations of Tables 1, 2 and 3, of *40 CFR 503.13* is to ensure that heavy metals do not build up in the soil at farms, forest land, and land reclamation sites to the point where the heavy metals become phytotoxic to plants. The permittee will be required to produce an information sheet (see *Part III. C.* of the permit) to be handed out to all people who are receiving and land applying Class B biosolids to farms, ranches, and land reclamation sites (if biosolids are only applied to land owned by the permittee, the information sheet requirements are waived). If the biosolids are land applied according to the regulations of *40 CFR 503.13*, to any reasonable degree, the Class B biosolids will be able to be land applied year after year, to the same farms, ranches, and land reclamation sites without any deleterious effects to the environment.

Class B Requirements With Regards to Heavy Metals

If the biosolids are to be land applied to agricultural land, forest land, a public contact site or a reclamation site it must meet at all times:

The maximum heavy metals listed in *40 CFR Part 503.13(b) Table 1* and the heavy metals loading rates in *40 CFR Part 503.13(b) Table 2*; or

The maximum heavy metals in *40 CFR Part 503.13(b) Table 1* and the monthly heavy metals concentrations in *40 CFR Part 503.13(b) Table 3*.

Tables 1, 2, and 3 of Heavy Metal Limitations

Pollutant Limits, (40 CFR Part 503.13(b)) Dry Mass Basis				
Heavy Metals	Table 1	Table 2	Table 3	Table 4
	Ceiling Conc. Limits ¹ , (mg/kg)	CPLR ² , (mg/ha)	Pollutant Conc. Limits ³ (mg/kg)	APLR ⁴ , (mg/ha-yr)
Total Arsenic	75	41	41	2.0
Total Cadmium	85	39	39	1.9
Total Copper	4300	1500	1500	75
Total Lead	840	300	300	15
Total Mercury	57	17	17	0.85
Total Molybdenum	75	N/A	N/A	N/A
Total Nickel	420	420	420	21
Total Selenium	100	100	100	5.0
Total Zinc	7500	2800	2800	140
1, If the concentration of any 1 (one) of these parameters exceeds the Table 1 limit, the biosolids cannot be land applied or beneficially used in any way.				
2, CPLR - Cumulative Pollutant Loading Rate - The maximum loading for any 1 (one) of the parameters listed that may be applied to land when biosolids are land applied or beneficially used on agricultural, forestry, or a reclamation site.				
3, If the concentration of any 1 (one) of these parameters exceeds the Table 3 limit, the biosolids cannot be land applied or beneficially used in on a lawn, home garden, or other high potential public contact site. If any 1 (one) of these parameters exceeds the Table 3 limit, the biosolids may be land applied or beneficially reused on an agricultural, forestry, reclamation site, or other high potential public contact site, as long as it meets the requirements of Table 1, Table 2, and Table 4.				
4, APLR - Annual Pollutant Loading Rate - The maximum annual loading for any 1 (one) of the parameters listed that may be applied to land when biosolids are land applied or beneficially reused on agricultural, forestry, or a reclamation site, when they do not meet Table 3, but do meet Table 1.				

Any violation of these limitations shall be reported in accordance with the requirements of Part III.F.1. of the permit. If the biosolids do not meet these requirements they cannot be land applied.

Pathogens

The Pathogen Control class listed in the table below must be met;

Pathogen Control Class	
503.32 (a)(1) - (5), (7), (8), Class A	503.32 (b)(1) - (5), Class B
B Salmonella species –less than three (3) MPN ¹ per four (4) grams total solids (DWB) ² or Fecal Coliforms – less than 1,000 MPN per gram total solids (DWB).	Fecal Coliforms – less than 2,000,000 MPN or CFU ³ per gram total solids (DWB).
503.32 (a)(6) Class A—Alternative 4	

Pathogen Control Class	
503.32 (a)(1) - (5), (7), (8), Class A	503.32 (b)(1) - (5), Class B
B Salmonella species –less than three (3) MPN per four (4) grams total solids (DWB) or less than 1,000 MPN Fecal Coliforms per gram total solids (DWB), And - Enteric viruses –less than one (1) plaque forming unit per four (4) grams total solids (DWB) And - Viable helminth ova –less than one (1) per four (4) grams total solids (DWB)	
1 - MPN – Most Probable Number	
2 - DWB – Dry Weight Basis	
3 - CFU – Colony Forming Units	

Class A Requirements for Home Lawn and Garden Use

If biosolids are land applied to home lawns and gardens, the biosolids need to be treated by a specific process to further reduce pathogens (PFRP), and meet a microbiological limit of less than less than 3 most probable number (MPN) of *Salmonella* per 4 grams of total solids (or less than 1,000 most probable number (MPN/g) of fecal coliform per gram of total solids) to be considered Class A biosolids. At this time the JSSDWRF does not intend to distribute biosolids to the public for use on the lawn and garden and thus is not required meet Class A Biosolids requirements currently.

The practice of sale or giveaway to the public is an acceptable use of biosolids of this quality as long as the biosolids continue to meet Class A standards with respect to pathogens. If the biosolids do not meet Class A pathogen standards the biosolids cannot be sold or given away to the public, and the permittee will need find another method of beneficial use or disposal.

If the Permittee intends to use another one of the listed alternatives in *40 CFR 503.32.(a)*, the Director and the EPA must be informed at least thirty (30) days prior to its use. This change may be made without additional public notice.

Pathogens Class B

If biosolids are to be land applied for agriculture or land reclamation the solids need to be treated by a specific process to significantly reduce pathogens (PSRP). At this time JSSDWRF does not intend to distribute bulk biosolids for land application and thus is not required meet Class B Biosolids requirements currently.

If the Permittee intends to use another one of the listed alternatives in *40 CFR 503.32.(b)*, the Director and the EPA must be informed at least thirty (30) days prior to its use. This change may be made without additional public notice

Vector Attraction Reduction (VAR)

If the biosolids are land applied, JSSDWRF will be required to meet VAR through the use of a method of listed under *40 CFR 503.33*. At this time JSSDWRF does not intend to distribute biosolids to the public for beneficial use, and will be disposing of them in a landfill. Under *40 CFR 503.33(b)(11)*

If the biosolids do not meet a method of VAR, the biosolids cannot be land applied.

If the Permittee intends to use another one of the listed alternatives in *40 CFR 503.33*, the Director and the EPA must be informed at least thirty (30) days prior to its use. This change may be made without additional public notice

Landfill Monitoring

Under *40 CFR 258*, the landfill monitoring requirements include a paint filter test to determine if the biosolids exhibit free liquid. If the biosolids do not pass a paint filter test, the biosolids cannot be disposed in the sanitary landfill (*40 CFR 258.28(c)(1)*).

Record Keeping

The record keeping requirements from *40 CFR 503.17* are included under *Part III.G.* of the permit. The amount of time the records must be maintained are dependent on the quality of the biosolids in regards to the metals concentrations. If the biosolids continue to meet the metals limits of *Table 3* of *40 CFR 503.13*, and are sold or given away the records must be retained for a minimum of five years. If the biosolids are disposed in a landfill the records must be retained for a minimum of five years.

Reporting

JSSDWRF must report annually as required in *40 CFR 503.18*. This report is to include the results of all monitoring performed in accordance with *Part III.B* of the permit, information on management practices, biosolids treatment, and certifications. This report is due no later than February 19 of each year. Each report is for the previous calendar year.

MONITORING DATA

METALS MONITORING DATA

JSSDWRF transfers all biosolids to a landfill and therefore is not required to report to DWQ any monitoring results as a condition of the permit.

STORM WATER

Separate Storm Water permits may be required based on the types of activities occurring on site. As mentioned previously, Storm Water provisions have been removed from this permit as part of a DWQ programmatic separation of the previously combined UPDES permits. Previously, storm water discharge requirements and coverage were combined in this individual UPDES permit. The permits have now been separated to provide consistency among permittees, electronic reporting for storm water discharge monitoring reports, and increase flexibility to changing site conditions. JSSDWRF may now be required to apply for and obtain separate UPDES Industrial Storm Water Permit coverage under the Multi Sector General Permit (MSGP) UPDES No. UTR000000, or an applicable exemption demonstration.

Permit coverage under the MSGP for Storm Water Discharges from Industrial Activities is likely required based on the Standard Industrial Classification (SIC) code for and size of the facility. If the facility is not already covered, it has 30 days from when this permit is issued to either submit the appropriate Notice of Intent (NOI) for the MSGP, or to submit the applicable exemption documentation.

Additionally, Permit coverage under the Construction General Storm Water Permit (CGP) is required for any construction at the facility which disturb an acre or more, or is part of a common plan of development or sale that is an acre or greater. A Notice of Intent (NOI) is required to obtain a construction storm water permit prior to the period of construction. Information on storm water permit requirements can be found at <http://stormwater.utah.gov>.

PRETREATMENT REQUIREMENTS

The pretreatment requirements in the permit are to assist DWQ in understanding the sources discharging to the JSSDWRF Publicly Owned Treatment Works (POTW). The permittee has not been designated to develop an Approved POTW Pretreatment Program (Program). The following conditions indicate that a Program does not need to be developed by the POTW: the flow through the plant is less than five (5) MGD, no known Categorical Industrial Users are discharging to the treatment facility, the POTW does not accept hauled waste, and there is no indication of Pass Through or Interference with the operation of the treatment facility such as upsets or violations of the UPDES permit limits.

JSSDWRF is not implementing a Program; however, industrial wastewater discharged to the POTW is subject to Federal, State, and local regulations. Pursuant to Section 307 of the Clean Water Act, JSSDWRF shall comply with all applicable Federal General Pretreatment Regulations promulgated, found in 40 CFR 403 and the State Pretreatment Requirements found in UAC R317-8-8. This includes, although is not limited to, notifying DWQ of Industrial Users discharging to the POTW that could violate a Pretreatment Standard or Requirement.

An industrial waste survey (IWS) is required of JSSDWRF, as stated in Part II of the permit and as included as an attachment to this Fact Sheet. The IWS is to assess the needs of JSSDWRF regarding pretreatment assistance. If an Industrial User begins to discharge or an existing Industrial User changes their discharge, JSSDWRF must resubmit an IWS within sixty days following the introduction or change as stated in Part II of the permit.

The permit requires influent and effluent monitoring of metals and organic toxics. The organic toxics are listed in UAC R317-8-7.5. Metals monitoring is required twice a year, and organic toxics monitoring is required in the 1st, 3rd, and 5th year of the permit cycle. For more information regarding sample requirements related to the pretreatment requirements, see Part II of the permit.

It is required that JSSDWRF submit for review and approval any Local Limits that are developed to DWQ for review. If Local Limits are developed, it is required that JSSDWRF perform an annual evaluation of the need to revise or develop technically based Local Limits for pollutants of concern to implement the general and specific prohibitions in 40 CFR Part 403.5(a) and Part 403.5(b). This evaluation may indicate that present Local Limits are sufficiently protective, need to be revised or should be developed.

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 biomonitoring requirements remain unchanged from the previous permit and since the JSSDWRF is categorized as a major municipal discharger, the permit will once again require whole effluent toxicity (WET) biomonitoring testing from outfalls discharging directly to the Provo River (Outfalls 003 & 004). Upon any discharges from Outfalls 003 and/or 004, Acute WET testing will be required quarterly using both *Ceriodaphnia dubia* and the *Pimephales promelas* (fathead minnows) test species and alternated on a quarterly basis as detailed in the permit. The alternating of test species was previously granted by DWQ

and remains in the permit based upon BPJ of the permitting authority to be consistent with other similar permits in Utah. The Acute WET testing, in lieu of Chronic WET testing in this case, is due to the high dilution effect of the receiving waters in accordance with DWQ's updated WET policy entitled, *Utah Pollutant Discharge Elimination System Permit and Enforcement Guidance Document for Whole Effluent Toxicity Control, dated February 2018*. The renewal permit will also once again contain the standard requirements for accelerated testing upon failure of a WET test, a Preliminary Toxicity Investigation (PTI) and Toxicity Reduction Evaluation (TRE) as necessary, and a toxicity limitation re-opener provision as appropriate in the event of any toxicity as detected in the effluent discharge.

PERMIT DURATION

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

Drafted and Reviewed by
Jeff Studenka, Discharge Permit Writer
Daniel Griffin, Biosolids
Jennifer Robinson, Pretreatment
Lonnie Shull, Biomonitoring
Jordan Bryant, Storm Water
Sandy Wingert, TMDL/Watershed
Suzan Tahir, Wasteload Analysis/ADR
Utah Division of Water Quality, (801) 536-4300
March 28, 2024

PUBLIC NOTICE INFORMATION (to be updated after)

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

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

The Public Noticed of the draft permit is to be published on DWQ website for at least 30 days as required.

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 may be completed. Due to the nature of these changes they are not considered major modifications and the permit is not required to be re-Public Noticed.

Responsiveness Summary (for comments received)

ATTACHMENTS

1. Industrial Waste Survey
2. Effluent Monitoring Data Summary
3. Wasteload Analysis & Antidegradation Review
4. Reasonable Potential Analysis

PND Draft

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PND Draft

ATTACHMENT 1

Industrial Waste Survey

PVNDraft

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Industrial Pretreatment Wastewater Survey



Do you periodically experience any of the following treatment works problems:

- foam, floaties or unusual colors
- plugged collection lines caused by grease, sand, flour, etc.
- discharging excessive suspended solids, even in the winter
- smells unusually bad
- waste treatment facility doesn't seem to be treating the waste right

Perhaps the solution to a problem like one of these may lie in investigating the types and amounts of wastewater entering the sewer system from industrial users.

An industrial user (IU) is defined as a non-domestic user discharging to the waste treatment facility which meets any of the following criteria:

1. **has a lot of process wastewater (5% of the flow at the waste treatment facility or more than 25,000 gallons per work day.)**

Examples: Food processor, dairy, slaughterhouse, industrial laundry.

2. **is subject to Federal Categorical Pretreatment Standards;**

Examples: metal plating, cleaning or coating of metals, blueing of metals, aluminum extruding, circuit board manufacturing, tanning animal skins, pesticide formulating or packaging, and pharmaceutical manufacturing or packaging,

3. **is a concern to the POTW.**

Examples: septage hauler, restaurant and food service, car wash, hospital, photo lab, carpet cleaner, commercial laundry.

All users of the water treatment facility are **prohibited** from making the following types of discharges:

1. A discharge which creates a fire or explosion hazard in the collection system.
2. A discharge which creates toxic gases, vapor or fumes in the collection system.
3. A discharge of solids or thick liquids which creates flow obstructions in the collection system.
4. An acidic discharge (low pH) which causes corrosive damage to the collection system.
5. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause problems in the collection system or at the waste treatment facility.
6. Waste haulers are prohibited from discharging without permission. (No midnight dumping!)

When the solution to a sewer system problem may be found by investigating the types and amounts of wastewater entering the sewer system discharged from IUs, it's appropriate to conduct an Industrial Waste Survey.

An Industrial Waste Survey consists of:

Step 1: Identify Industrial Users

Make a list of all the commercial and industrial sewer connections.

Sources for the list:

business license, building permits, water and wastewater billing, Chamber of Commerce, newspaper, telephone book, yellow pages.

Split the list into two groups:

domestic wastewater only--no further information needed
everyone else (IUs)

Step 2: Preliminary Inspection

Go visit each IU identified on the "everybody else" list.

Fill out the **Preliminary Inspection Form** during the site visit.

Step 3: Informing the State

Please fax or send a copy of the Preliminary inspection form (both sides) to:

Jennifer Robinson

Division of Water Quality
288 North 1460 West
P.O. Box 144870
Salt Lake City, UT 84114-4870

Phone: (801) 536-4383
Fax: (801) 536-4301
E-mail: jenrobinson@utah.gov

PRELIMINARY INSPECTION FORM

INSPECTION DATE ___ / ___ /

Name of Business _____ Person Contacted _____
Address _____ Phone Number _____

Description of Business _____

Principal product or service: _____

Raw Materials used: _____

Production process is: Batch Continuous Both

Is production subject to seasonal variation? yes no

If yes, briefly describe seasonal production cycle.

This facility generates the following types of wastes (check all that apply):

- | | |
|---|--|
| 1. <input type="checkbox"/> Domestic wastes | (Restrooms, employee showers, etc.) |
| 2. <input type="checkbox"/> Cooling water, non-contact | 3. <input type="checkbox"/> Boiler/Tower blowdown |
| 4. <input type="checkbox"/> Cooling water, contact | 5. <input type="checkbox"/> Process |
| 6. <input type="checkbox"/> Equipment/Facility washdown | 7. <input type="checkbox"/> Air Pollution Control Unit |
| 8. <input type="checkbox"/> Storm water runoff to sewer | 9. <input type="checkbox"/> Other describe |

Wastes are discharged to (check all that apply):

- | | |
|---|---------------------------------------|
| <input type="checkbox"/> Sanitary sewer | <input type="checkbox"/> Storm sewer |
| <input type="checkbox"/> Surface water | <input type="checkbox"/> Ground water |
| <input type="checkbox"/> Waste haulers | <input type="checkbox"/> Evaporation |
| <input type="checkbox"/> Other (describe) | |

Name of waste hauler(s), if used

Is a grease trap installed? Yes No

Is it operational? Yes No

Does the business discharge a lot of process wastewater?

- More than 5% of the flow to the waste treatment facility? Yes No
- More than 25,000 gallons per work day? Yes No

Does the business do any of the following:

- | | |
|---|--|
| <input type="checkbox"/> Adhesives | <input type="checkbox"/> Car Wash |
| <input type="checkbox"/> Aluminum Forming | <input type="checkbox"/> Carpet Cleaner |
| <input type="checkbox"/> Battery Manufacturing | <input type="checkbox"/> Dairy |
| <input type="checkbox"/> Copper Forming | <input type="checkbox"/> Food Processor |
| <input type="checkbox"/> Electric & Electronic Components | <input type="checkbox"/> Hospital |
| <input type="checkbox"/> Explosives Manufacturing | <input type="checkbox"/> Laundries |
| <input type="checkbox"/> Foundries | <input type="checkbox"/> Photo Lab |
| <input type="checkbox"/> Inorganic Chemicals Mfg. or Packaging | <input type="checkbox"/> Restaurant & Food Service |
| <input type="checkbox"/> Industrial Porcelain Ceramic Manufacturing | <input type="checkbox"/> Septage Hauler |
| <input type="checkbox"/> Iron & Steel | <input type="checkbox"/> Slaughter House |
| <input type="checkbox"/> Metal Finishing, Coating or Cleaning | |
| <input type="checkbox"/> Mining | |
| <input type="checkbox"/> Nonferrous Metals Manufacturing | |
| <input type="checkbox"/> Organic Chemicals Manufacturing or Packaging | |
| <input type="checkbox"/> Paint & Ink Manufacturing | |
| <input type="checkbox"/> Pesticides Formulating or Packaging | |
| <input type="checkbox"/> Petroleum Refining | |
| <input type="checkbox"/> Pharmaceuticals Manufacturing or Packaging | |
| <input type="checkbox"/> Plastics Manufacturing | |
| <input type="checkbox"/> Rubber Manufacturing | |
| <input type="checkbox"/> Soaps & Detergents Manufacturing | |
| <input type="checkbox"/> Steam Electric Generation | |
| <input type="checkbox"/> Tanning Animal Skins | |
| <input type="checkbox"/> Textile Mills | |

Are any process changes or expansions planned during the next three years? Yes No
If yes, attach a separate sheet to this form describing the nature of planned changes or expansions.

Inspector

Waste Treatment Facility

Please send a copy of the preliminary inspection form (both sides) to:

Jennifer Robinson
Division of Water Quality
P. O. Box 144870
Salt Lake City, Utah 84114-4870

Phone: (801) 536-4383

Fax: (801) 536-4301

E-Mail: jenrobinson@utah.gov

	Industrial User	Jurisdiction	SIC Codes	Categorical Standard Number	Total Average Process Flow (gpd)	Total Average Facility Flow (gpd)	Facility Description
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							

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ATTACHMENT 2

Effluent Monitoring Data Summary

	Flow (MGD)	pH (s.u.)	BOD (mg/L)	D.O. (mg/L)	TDS (mg/L)	TSS (mg/L)	Phosphorus (mg/L)	E-cloi (#/100mL)	Ammonia (mg/L)
AVG	0.399	7.57	4.4	7.69	1091	3.6	0.04	0	0.823
Min	0.150	6.6	2.5	7.32	708	2.0	0.01	0	0.001
Max	0.804	8.49	14.0	7.9	1320	9.0	0.24	0	13.4

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ATTACHMENT 3

*Wasteload Analysis and Antidegradation Review
(DWQ-2023-126142 & DWQ-2023-126151)*

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ATTACHMENT 4

Reasonable Potential Analysis

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REASONABLE POTENTIAL ANALYSIS

The Division of Water Quality has worked to improve our reasonable potential analysis (RP) for the inclusion of limits for parameters in the permit by using an EPA provided model. As a result of the model, more parameters may be included in the renewal permit. A Copy of the Reasonable Potential Analysis Guidance (RP Guidance) is available at the Division of Water Quality. As listed below, there are four outcomes from the RP Analysis¹ that provide a frame work for what routine monitoring or effluent limitations are required.

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

The Initial RP Screening Table is included below for all metals parameters of concern. Note that the full RP analysis model was not necessary at this time due to the results of the initial screening results below.

RP Initial Screening Table for JSSDWRF Discharges (UT0025747)

Parameter	No. of Samples	MEC* mg/L	Water Quality Standard, units MAC**		Outcome/Result
			Acute mg/L	Chronic mg/L	
Total Arsenic	6	0.001	0.100	0.100	MEC < MAC***
Total Cadmium	6	<0.0002	0.0043	0.0005	MEC < MAC***
Total Chromium	5	0.0012	0.0160	0.0110	MEC < MAC***
Total Copper	6	<0.0010	0.0269	0.0169	MEC < MAC***
Total Lead	6	<0.0005	0.100	0.0077	MEC < MAC***
Total Mercury	6	<0.00015	0.00015	0.00012	MEC < MAC***
Total Molybdenum	6	0.05	NA	NA	NA
Total Nickel	6	0.0033	0.8433	0.094	MEC < MAC***
Total Selenium	6	0.0016	0.0200	0.0046	MEC < MAC***
Total Silver	6	<0.0005	0.0125	NA	MEC < MAC***
Total Zinc	5	0.05	0.2156	0.2156	MEC < MAC***
Total Cyanide	6	0.005	0.022	0.0052	MEC < MAC***

Notes:

NA – not applicable, no current Water Quality Standard.

*MEC – Maximum expected effluent concentration as determined from existing data set and initial metals screening.

**MAC – Maximum allowable concentration, UPDES permit effluent limits derived from the current wasteload allocation analysis (WLA).

***MEC < (less than) MAC. No Acute or Chronic limits required.

Result: From the table above, the RP analysis results of the discharge for all of the listed metals is: MEC < MAC, therefore no additional Acute or Chronic limits are required regarding the listed metals parameters. This equates to ***RP Outcome C: No new effluent limitation. Routine monitoring requirements maintained as they are in the permit.***

¹ See Reasonable Potential Analysis Guidance for definitions of terms

Summary: A qualitative RP analysis was performed on the applicable metals constituents from the JSSDWRF discharge data since facility startup and optimization in late 2020. Although there have been only six (6) semi-annual metals sampling events through 2023 to evaluate, initial screening for metals values that were submitted through the discharge monitoring reports showed that a closer look at any of the metals is not needed since all of the metals concentration results were either below the appropriate method detection limits and/or below the applicable water quality standards. Therefore, no RP currently exists at JSSDWRF for these metals parameters and a more quantitative RP analysis using the RP Model was not conducted at this time. Based upon the RP Guidance, no additional metal effluent limits have been included in this renewal permit. This resulted in the following RP outcome; ***Outcome C: No new effluent limitation, routine monitoring requirements maintained as they are in the permit.*** Metals monitoring will continue however, as detailed in the permit. This will be re-evaluated during the next permit cycle once additional metals monitoring data has been, as typically at least 10 data points are recommended for a quantitative analysis using the RP Model.

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