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

**FACT SHEET
SYNERGY FACILITY
INDUSTRIAL USER
UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM (UPDES)
PRETREATMENT PERMIT NO. UTP000056**

FACILITY CONTACTS

Contact: Jacque Layton
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Position: Chief Executive Officer
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Permittee Name: The Synergy Company of Utah
Facility Name: Synergy Facility
Phone Number: (435) 259-5366
Mailing and Facility Address: 2279 Resource Blvd.
Moab, Utah 84532

DESCRIPTION OF FACILITY

The Synergy Company of Utah (Synergy) manufactures dietary supplements for retail sale online and in a Moab City (Moab) retail store. Synergy utilizes a variety of botanical dried products packaged as powders, capsules and tablets. The standard industrial classification (SIC) code for this Facility is 2833.

The Facility has one shift per day, working Monday through Thursday from 7:00 AM to 6:00 PM. The operation is continuous throughout the year without seasonal or scheduled closures other than holidays.

Synergy has been classified as a Significant Industrial User (SIU) due to the determination that the Facility is covered by the categorical standard based on Title 40 of the United States Code of Federal Regulations (40 CFR) §439.0 (a). Additional information regarding the categorical standard can be found in 40 CFR §439—Pharmaceutical Manufacturing Point Source Category. Limitations will be based on 40 CFR §439.47 and the specific and general pretreatment standards. Monitoring requirements will be required to determine compliance with the pretreatment standards. At this time, additional limitations will not be required due to the Publicly Owned Treatment Works (POTW) meeting limits for biochemical oxygen demand (BOD), total suspended solids (TSS), and metals. Sampling for these parameters may need to occur in the future based on the needs of the POTW and the development of local limits.

A pretreatment permit is necessary because Synergy is an SIU. Because Moab does not have an

Approved POTW Pretreatment Program (Program), the Division of Water Quality (DWQ) is the Control Authority; therefore, the Permit will be issued by DWQ. If Moab develops a Program, it will issue the pretreatment permit.

PERMIT CHANGES

The Permit language has been modified to be consistent with revisions to the pretreatment permit. These changes are consistent with requirements that the Permittee should already be implementing or added language to clarify the Permit requirement.

DESCRIPTION OF DISCHARGE

The Facility is organic certified and adheres to strict cleaning requirements to meet this standard. Food-grade powders and cleaning chemicals are discharged to the Moab POTW as part of the cleaning process. The equipment is cleaned with chemicals that adhere to the organic production standard.

Outfall 001 is the monitoring location for the Facility. Measures should be taken to ensure that the process wastewater analyzed for compliance with the permit is not mixed with non-process wastewater.

EFFLUENT LIMITATIONS

All Industrial Users must comply with the general and specific prohibitions. These requirements are found in Part I.C. of the permit and ensure the POTW, public, and POTW workers are not impacted by industrial dischargers, which discharge into the POTW. Limits for acetone, n-amyl acetate, ethyl acetate, isopropyl acetate and methylene chloride are based on the categorical standard found in 40 CFR §439.47.

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

The effluent limitations listed in the Effluent Limitations Table in Part I of the Permit will apply to the effluent from the Facility before entering the POTW. The effluent limitations below will apply to the discharge.

| Outfall 001 Effluent Limitations ^{a/} | | | |
|--|---------------------|---------------|---------------|
| Parameter | Maximum Monthly Avg | Daily Minimum | Daily Maximum |
| Acetone, mg/L | 8.2 | NA | 20.7 |
| n-Amyl acetate, mg/L | 8.2 | NA | 20.7 |
| Ethyl acetate, mg/L | 8.2 | NA | 20.7 |
| Isopropyl acetate, mg/L | 8.2 | NA | 20.7 |
| Methylene chloride, mg/L | 8.2 | NA | 20.7 |

NA – Not Applicable

MONITORING AND REPORTING REQUIREMENTS

Monitoring requirements and measurement frequencies are based on the parameter being limited by the Permit. The sample types are based on requirements for the parameter or requirements in 40 CFR §439, 40 CFR 403.12 (g)(3), or 40 CFR 136. The wastewater discharge shall be sampled as specified in the Self-Monitoring and Reporting Requirements Table.

All monitoring results and observations shall be summarized monthly on a Discharge Monitoring Report (DMR) form. The Permit requires reports to be submitted monthly, as applicable, on DMR forms due 28 days after the end of the monitoring period. Monitoring results shall be submitted using NetDMR. DMRs must either be submitted with monitoring data included or indicate no discharge occurred for the monitoring month.

The DWQ will take annual samples to determine compliance with effluent limitations. The cost of the analysis will be billed to the Permittee. The POTW will also be able to sample the effluent and recover expenses for sampling or analyzing any parameters to determine the need to develop local limits or ensure compliance with the Permit.

The wastewater discharge shall be sampled as specified in the following table.

| Self-Monitoring and Reporting Requirements | | | |
|--|-------------------------|-------------|-------|
| Parameter | Frequency | Sample Type | Units |
| Process Flow ^{b/} | Batch | Estimated | gpd |
| Acetone | Yearly ^{c/ d/} | Grab | mg/L |
| n-Amyl acetate | Yearly ^{c/ d/} | Grab | mg/L |
| Ethyl acetate | Yearly ^{c/ d/} | Grab | mg/L |
| Isopropyl acetate | Yearly ^{c/ d/} | Grab | mg/L |
| Methylene chloride | Yearly ^{c/ d/} | Grab | mg/L |

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

b/ Flow measurement of effluent volume shall be made in such a manner that the Permittee can affirmatively demonstrate that representative data is being obtained.

c/ Samples may be taken by DWQ. If a sample is taken by DWQ, the Permittee will not be required to sample for the same parameters sampled by DWQ unless the sample indicates that the parameter is present above the reporting limit. Permittee is responsible for ensuring all other sampling, reporting and analysis requirements of the permit are completed.

d/ If the parameter is present or believed to be present, sampling must be increased to twice a year. This is based on the measurement of a detected value for the parameter listed in the Effluent Limitations Table.

Synergy must notify the DWQ Director and the POTW of any Permit violations, including spills or changes at the Facility. If a sample result violates a Permit requirement, it must be reported within 24 hours of becoming aware of the violation. Also, a resample of the violated Permit requirement must occur, with the results being submitted to DWQ within 30 days of becoming aware of the violation. Also, notification of bypasses of any treatment units utilized to treat the process wastewater from the processing plant must be reported to DWQ and Moab.

If notification must occur to Moab, it must be provided to the Public Works director and the City Manager or Mayor. If the POTW does not have a Public Works Director at the time of notification, the notification must be made to the City Manager or Mayor and the direct responsible charge (DRC) for the wastewater treatment plant or collection system.

BIOMONITORING REQUIREMENTS

As part of a nationwide effort to control toxicity, biomonitoring requirements are included in permits for facilities where effluent toxicity is an existing or potential concern. Synergy discharges to a POTW; therefore, biomonitoring will not be required at this time. Biomonitoring of the effluent will not be necessary unless a potential for toxicity is discovered. Authorization for requiring effluent biomonitoring is provided in Utah Admin. Code R317-8-4.2 and R317-8-5.3.

PRETREATMENT REQUIREMENTS

Any wastewater Synergy discharged into a sanitary sewer, either as a direct discharge or as a hauled waste, must meet the Federal, state of Utah, and local pretreatment regulations. Pursuant to Section 307 of the Clean Water Act, the Permittee shall comply with all applicable Federal General Pretreatment Regulations promulgated in 40 CFR 403, the state of Utah Pretreatment Requirements found in Utah Admin. Code R317-8-8 and any specific local discharge limitations developed by the POTW accepting the waste.

SLUG CONTROL PLAN

Synergy has been evaluated for a slug control plan, which was determined to be unnecessary. DWQ will continue to evaluate the Facility for a slug control plan, per the requirements of Utah Admin. Code R317-8-8. Since issuing the UPDES Permit, a spill has not occurred within the Facility that has been discharged to the POTW.

The Facility must immediately notify the DWQ and the POTW of spill or slug changes or potential changes that could impact the POTW. If changes occur where a slug control plan is needed, DWQ will notify Synergy of the requirement. Following the notification, Synergy will have 90 days to develop a slug control plan as required in the UPDES Permit Part I.F.

STORM WATER

The Permit includes storm water requirements, which require the Permittee to obtain and maintain permits if one is needed due to activities at the Facility. See Part IV of the Permit for requirements.

The standard industrial classification (SIC) code for this facility is 2833. Based on the SIC code, the Permittee is required to obtain coverage under the Multi-Sector General Permit (MSGP) for Storm Water Discharges Associated with Industrial Activities, which is defined by a Facility's Standard Industrial Classification (SIC) Code. The SIC code for this Facility requires coverage. The following link provides additional information regarding the UPDES Industrial Stormwater Permit:

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

Permit coverage under the Construction General Storm Water Permit (CGP) is required for any construction at the Facility that disturbs 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 during construction. The following link provides additional information regarding the UPDES Construction General Storm Water Permit:

<https://deq.utah.gov/water-quality/general-construction-storm-water-updes-permits>

General UPDES Stormwater Permit requirements can be found at:

<http://stormwater.utah.gov>

PERMIT DURATION

It is recommended that this Permit be effective for less than five (5) years. This will allow for an extension, if needed, when the Permit is renewed. This is beneficial as the requirements of 40 CFR 403 do not allow a pretreatment permit to be issued for more than five (5) years.

PUBLIC NOTICE INFORMATION

This information will be added following the public notice.

PERMIT DEVELOPMENT INFORMATION

Permit drafted
by
Jennifer Robinson

*Permit DWQ-2025-
Fact Sheet DWQ-2025-*

Draft Permit DWQ-2025-007439
Draft Fact Sheet DWQ-2025-007438
Permit Application DWQ-2025-006007
Public Notice Document DWQ-2025-007440