

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

UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM (UPDES) PERMITS

Industrial Pretreatment Permit No. UTP000058

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

NUTRISOL, LLC

is hereby authorized to discharge from the

NUTRISOL FACILITY

to the

CORINNE CITY PUBLICLY OWNED TREATMENT WORKS (POTW)

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

This Permit shall become effective on **Month X**, 2026.

This Permit expires at midnight on **Month X, 20XX**.

Signed this **XXth** day of June 2026.

Candice A. Hasenyager, P.E.
Director

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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.

Outfall Number

Location of Discharge Point

001

The Nutrisol Facility discharges to the Corinne City POTW. The sampling location is in the building, following the treatment system, at latitude 41° 32' 20" North and longitude 112° 7' 32" West.

- 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. Prohibited Discharge Requirements.
1. Pollutants, substances, or wastewater prohibited by this Permit shall not be processed or stored in such a manner that the pollutants, substances, or wastewater could be discharged to the POTW.
 2. General Prohibitions: The Permittee shall not introduce pollutants into a POTW which shall not pass through the POTW or interfere with the operation or performance of the POTW.
 3. The Permittee, under no circumstances, shall allow the introduction of the following pollutants into a POTW:
 - a. Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, wastestreams with a closed cup flashpoint of less than sixty (60) degrees Centigrade (140 degrees Fahrenheit) using the test methods specified in 40 Code of Federal Regulations (CFR) 261.21;
 - b. Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0;
 - c. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW, or other Interference with the operation of the POTW;

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- d. Any pollutant, including oxygen demanding pollutants (e.g., biochemical oxygen demand (BOD)), released in a discharge at a flow rate or pollutant concentration which will cause Interference with 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 temperature at the POTW treatment plant exceeds forty (40) degrees Centigrade (104 degrees Fahrenheit);
- f. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or Pass Through;
- g. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems; or
- h. Any trucked or hauled pollutants to a POTW, except at discharge points designated by the POTW.

D. Specific Limitations and Self-Monitoring Requirements.

- 1. This Permit does not extend a right to discharge into a POTW. If the POTW does not allow the discharge, the Permittee must find another disposal method for the process wastewater.
- 2. Samples must be taken in compliance with the monitoring requirements specified in the Self-Monitoring and Reporting Requirements Table. Samples shall be taken after the final pretreatment process and prior to mixing with any other wastestream.
- 3. The Permittee shall not discharge process wastewater into a sanitary sewer line within the Facility, such as a toilet, sink, shower, etc.
- 4. Sludge or screening material generated as part of the manufacturing or treatment process must be disposed of properly based on solid waste requirements. The disposal method and volume must be tracked and provided to the Division of Water Quality Director (Director) and the POTW when requested. Sludge or screening material from the process shall not be discharged to the POTW.
- 5. Hauled waste manifests must be provided and, if required, submitted or viewed by the Director or the POTW of any hauled waste from the Facility. The manifest shall include, at a minimum, the volume of the hauled waste, the date of the hauling and disposal, and the disposal location of the hauled waste.
- 6. Process wastewater shall not be discharged into the POTW if capacity is not available to accept the process wastewater.
- 7. Effective immediately, and lasting the duration of this Permit, the Permittee is authorized to discharge from Outfall 001. Such discharges shall be limited and monitored by the Permittee as specified in the Effluent Limitations and Self-Monitoring and Reporting Requirements tables below:

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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
pH, SU	NA	5.0	11.0

NA - Not Applicable

Outfall 001 Self-Monitoring and Reporting Requirements ^{a/}			
Parameter	Frequency	Sample Type	Units
Process Flow ^{b/}	Daily	Metered/Estimated	gpd
pH ^{c/}	Monthly	Grab	SU
BOD ₅ ^{a/ d/}	Quarterly	Grab	mg/L
TSS ^{a/ d/}	Quarterly	Grab	mg/L
Metals ^{d/ e/}	Quarterly	Grab	mg/L
Acetone ^{c/}	Semiannually	Grab	mg/L
n-Amyl acetate ^{c/}	Semiannually	Grab	mg/L
Ethyl acetate ^{c/}	Semiannually	Grab	mg/L
Isopropyl acetate ^{c/}	Semiannually	Grab	mg/L
Methylene chloride ^{c/}	Semiannually	Grab	mg/L

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

b/ Flow measurement of effluent volume shall be conducted in such a manner that the Permittee can affirmatively demonstrate that representative flow data is being obtained. If the rate of discharge is controlled, the rate and duration of discharge shall be reported.

c/ The grab sample shall be collected as a single grab. The time and date the sample is collected, preserved, and the method of storage and handling must be documented.

d/ The grab sample shall be taken as a grab for each batch on the sampling day. Each grab must be of equal volume and composited per 40 CFR 136. The time and date the samples were collected, preserved, and the method of storage and handling must be documented.

e/ The metals that must be sampled are arsenic, barium, cadmium, chromium, copper, lead, molybdenum, selenium, silver, and zinc.

E. Dilution.

Dilution is prohibited as a substitute for treatment. The Permittee shall never increase the use of water, or in any other way attempt to dilute the discharge as a partial or complete substitute for adequate treatment to achieve compliance with Pretreatment Standards or requirements, to

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include but not limited to the following: the limits stated in Part I.D or the Prohibited Discharge Requirements stated in Part I.C of this Permit.

F. Slug Control Plan.

- a. If determined necessary by the Director, the Permittee must develop and implement a slug control plan. The slug control plan must contain the following:
 - b. Description of discharge practices, including non-routine batch Discharges;
 - c. Description of stored chemicals;
 - d. Procedures for immediately notifying the POTW and Director of Slug Discharges, including any Discharge that would violate a prohibition under Part I.C, with procedures for follow-up written notification within five days;
 - e. If necessary, either by the Director or the Permittee, the following procedures to prevent adverse impact from accidental spills:
 - (1) Inspection and maintenance of storage areas,
 - (2) Handling and transfer of materials,
 - (3) Loading and unloading operations,
 - (4) Control of plant site run-off,
 - (5) Worker training,
 - (6) Building of containment structures or equipment,
 - (7) Measures for containing toxic organic pollutants (including solvents), or
 - (8) Measures and equipment for emergency response.
2. The Permittee will be notified by the Director and provided ninety (90) days to develop the slug control plan.
 - a. If needed, the Permittee may request an extension to develop a slug control plan. The request must justify the additional time and state the date the plan will be submitted to the Director.
 - b. An extension must be approved by the Director.

G. Cost Recovery

The Division of Water Quality (DWQ) will collect effluent samples. These samples will be used to determine compliance with effluent limitations and to assess whether local limits are needed to protect the POTW. The cost of the analysis will be billed to the Permittee. The POTW may sample the effluent and recover costs for analyzing parameters to determine whether to develop local limits.

H. 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 end of the month following the completed reporting period. If requested, a copy of the DMR or summary of the data must be submitted to the POTW. The first report is due on August 28, 2026. If no discharge occurs during a reporting month, “no discharge” shall be reported. Legible copies of these, and all other reports required of this Permit, shall be signed and certified in accordance with the requirements of Signatory Requirements (see Part VII.G), and submitted by NetDMR, or to the Division of Water Quality at the following address:

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

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

II. PRETREATMENT REQUIREMENTS

This section of the Permit applies to wastewater discharged by the Permittee to a POTW other than the Corinne POTW.

A. Definition. For this section, the following definition shall apply:

1. POTW or Publicly Owned Treatment Works means a treatment works as defined by section 212 of the Act, which is owned by a State or municipality (as defined by section 502(4) of the Act). 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 Act, which has jurisdiction over the Indirect Discharges to and the discharges from such a treatment works.
2. POTW Treatment Plant means that portion of the POTW which is designed to provide treatment (including recycling and reclamation) of municipal sewage and industrial waste.
3. Significant Industrial User (SIU) means:
 - a. Except as provided in paragraphs (3)(b) and (3)(c) of this definition, the term Significant Industrial User means:
 - (1) All Industrial Users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N; and
 - (2) Any other Industrial User that: discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW Treatment Plant; or is designated as such by the Control Authority on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or requirement (in accordance with 40 CFR 403.8(f)(6)).
 - b. The Control Authority may determine that an Industrial User subject to categorical Pretreatment Standards under § 403.6 and 40 CFR chapter I, subchapter N is a Non-Significant Categorical Industrial User rather than a Significant Industrial User on a finding that the Industrial User never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:
 - (1) The Industrial User, prior to the Control Authority's finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;
 - (2) The Industrial User annually submits the certification statement required in § 403.12(q) together with any additional information necessary to support the certification statement; and

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- (3) The Industrial User never discharges any untreated concentrated wastewater.
- c. Upon a finding that an Industrial User meeting the criteria in paragraph (1)(a)(2) of this definition has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standards or requirement, the Control Authority may at any time, on its own initiative or in response to a petition received from an Industrial User or POTW, and in accordance with 40 CFR 403.8(f)(6), determine that such Industrial User is not a Significant Industrial User.
- B. Discharge to POTW. Any wastewaters discharged to the sanitary sewer, either as an Indirect Discharge or as a hauled waste, is subject to Federal, State and local pretreatment regulations. Pursuant to Section 307 of the Water Quality Act of 1987, the Permittee shall comply with all applicable Federal General Pretreatment Regulations promulgated at 40 CFR 403, the State Pretreatment Requirements at UAC R317-8-8, and any specific local discharge limitations developed by the Publicly Owned Treatment Works (POTW) accepting the wastewaters. At a minimum, the discharge into a POTW must meet the requirements of Part II. D. and E. of the Permit.
- C. Hauled Waste. Notification must be provided to the DWQ Pretreatment Coordinator 14 days prior to the Permittee discharging to a POTW that does not have an approved pretreatment program.
- D. Hazardous Waste Notification. The Permittee must notify the POTW, the EPA Regional Waste Management Director, the Director and the State hazardous waste authorities, in writing, if the Permittee discharges any substance into a POTW that, if otherwise disposed, would be considered a hazardous waste under 40 CFR 261. This notification must include the name of the hazardous waste, the EPA hazardous waste number, and the type of discharge (continuous or batch).
- E. General and Specific Prohibitions.
1. General Prohibitions. The Permittee may not introduce into a POTW any pollutant(s) which cause Pass Through or Interference. These general prohibitions and the specific prohibitions in paragraph 2. of this section apply to the introducing pollutants into a POTW whether or not the Permittee is subject to other National Pretreatment Standards or any national, State, or local Pretreatment Requirements.
 2. Specific Prohibitions. The following pollutants shall not be introduced into a POTW:
 - a. Pollutants which create a fire or explosion hazard in the Publicly Owned Treatment Works (POTW), including, but not limited to, wastestreams 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;

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- e. Heat in amounts, which will inhibit biological activity in the POTW, resulting in Interference, but in no case, heat in such quantities that the influent to the sewage treatment works exceeds 104°F (40°C));
 - f. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or Pass Through;
 - g. Pollutants, which result in the presence of toxic gases, vapor, or fumes within the POTW in a quantity that may cause worker health or safety problems;
 - h. Any trucked or hauled pollutants, except at discharge points designated by the POTW;
 - i. Any pollutant that causes Pass Through or Interference at the POTW; or
 - j. Any specific pollutant which exceeds any Local Limitation established by the POTW.
- F. Categorical Standards. In addition to the general and specific limitations expressed in Part II. D. of this section, applicable National Categorical Pretreatment Standards must be met by all Industrial Users discharging into a POTW. These standards are published in the federal regulations in 40 CFR 405 through 471.

III. BIOSOLIDS REQUIREMENTS

- A. The State of Utah has adopted the 40 CFR 503 federal regulations for the disposal of sewage sludge (biosolids) by reference. However, this Facility does not receive, generate, treat, or dispose of biosolids. Therefore, 40 CFR 503 does not apply.

PND DRAFT

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STORM WATER REQUIREMENTS

IV. STORM WATER REQUIREMENTS.

- A. Industrial Storm Water Permit. Based on the type of industrial activities occurring at the Facility, the Permittee is 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) for the MSGP or exclusion documentation.
- B. Construction Storm Water Permit. Any construction at the Facility that disturbs an acre or more of land, including construction projects 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 (UTRC000000). 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.

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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 POTW. Samples and measurements shall be representative of the volume and nature of the monitored discharge.
- B. Monitoring Procedures.
1. Monitoring must be conducted according to test procedures approved under Utah Administrative Code ("UAC") R317-8-8.11 (6)(c), UAC R317-2-10 or 40 CFR 136, unless other test procedures have been specified in this Permit or approved by the Director.
 2. The analysis must utilize sufficiently sensitive test methods unless other test procedures have been specified in this Permit. A sufficiently sensitive test method means:
 - a. 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
 - b. 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).
 3. Monitoring and analysis must be conducted according to 40 CFR 136.
- 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 scheduled 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 Part V.B. or as specified in this Permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR. Such increased frequency shall also be indicated.
- 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

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records of all data used to complete the application for this Permit, for a period of at least five years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time. A copy of this UPDES Permit must be maintained on-site during the duration of activity at the permitted location.

H. Twenty-four Hour Notice of Noncompliance Reporting.

1. The Permittee shall (orally) report any noncompliance including violations of Pretreatment Standards, transportation accidents, spills, slugs and uncontrolled runoff from solids transfer or land application sites which may seriously endanger health, the POTW or the 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 Department of Environmental Quality's 24-hour answering service (801) 536-4123 and to the POTW within 24-hours.
2. The following occurrences of noncompliance shall initially be reported by telephone to the POTW and 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 the POTW, the POTW Workers health or the environment or
 - b. Any unanticipated bypass, which exceeds any effluent limitation in the Permit (See Part VI.G, Bypass of Treatment Facilities.)
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 of noncompliance, if not corrected, the anticipated time the noncompliance is expected to continue;
 - 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 POTW, the environment or 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 by DWQ within 24 hours. The Permittee must also contact the POTW, within 24 hours of a violation. If the POTW requires a written report, the report must be submitted to the POTW.
5. If sampling performed by the Permittee indicates a violation or any requirement of this Permit, the Permittee shall notify the Permit Writer and POTW within 24 hours of becoming aware of the violation.
6. Reports shall be submitted to the addresses in Part I.H, Reporting of Monitoring Results.

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I. Resample within 30 days.

1. If a violation occurs for any Pretreatment Standard or Requirement, Prohibited Discharge Requirement in Part I.C, or a requirement in Part I.D, the Permittee shall repeat the sampling and analysis and submit the results of the repeat analysis to the Director within 30 days of becoming aware of the violation.
2. Where the Director has performed the sampling and analysis, the Director will notify the Permittee of the violation. The Permittee will be required to perform the repeat analysis within 30 days of the notification by the Director.
3. Resampling is not required if:
 - a. The Director performs sampling at the Permittee at a frequency of at least once per month; or
 - b. The Director performs sampling at the Facility between the time when the initial sampling was conducted and the time when the Permittee or the Director receives the results of this sampling.

J. Other Noncompliance Reporting.

1. A slug discharge to the POTW, a violation of a Pretreatment Standard or limitation for any of the pollutants listed in the Permit, the following must occur:
 - a. The Permittee must report the violation to the DWQ Permit Writer within 24 hours. This can be done via email; however, if the Permit Writer is unavailable, it must be reported to DWQ at 801-536-4300.
 - b. A resample completed per Part V.I.; and
 - c. If required, a report must be provided per Part V.H.3 and Part V.H.6.
2. Instances of noncompliance not required to be reported as stated in Part V.H. or as stated above in Part V.J.1. shall be reported at the time that monitoring reports for Part I.G. are submitted. The reports shall contain the information listed in Part V.H.3. unless waived by the Director.

K. 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

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not limited to, solids 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 solids before dewatering, dewatered solids, solids transfer or staging areas, any ground or surface waters at the land application sites or solids, 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.

L. Notification to the POTW.

1. Any notification requirements in this Permit that are to be made to the POTW must be made to the lead operator and the mayor.
2. The Permittee must notify the lead operator and the mayor of violations of this Permit including spills, slugs or discharges that could harm the POTW.
3. The Permittee must notify the POTW of changes at the Facility that would cause increases in loading or flow beyond those allowed by this Permit. These changes must be communicated to the POTW and the Director 180 days before the change occurs.

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.
1. 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.
 2. Any person who willfully or negligently violates Permit conditions or the Act is subject to a fine not exceeding \$25,000 per day of violation. Any person convicted under UCA 19-5-115(2) a second time shall be punished by a fine not exceeding \$50,000 per day.
 3. Except as provided at Part VI.G, Bypass of Treatment Facilities, 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 the POTW, human health or the environment.
- E. Proper Operation and Maintenance. The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this Permit. Proper operation and maintenance also includes adequate laboratory controls and quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems, which are installed by a Permittee only when the operation is necessary to achieve compliance with the conditions of the Permit.
- F. Removed Substances. Collected screening, grit, solids, sludge, or other pollutants removed in the course of treatment shall be disposed in such a manner so as to prevent any pollutant from entering the POTW, any waters of the state or creating a health hazard. 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, Pretreatment Standards or Requirements to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to section 2 and 3 of this section.

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COMPLIANCE RESPONSIBILITIES

2. Prohibition of Bypass.

- a. Bypass is prohibited, and the Director may take enforcement action against a Permittee for bypass, unless:
 - (1) Bypass was unavoidable to prevent loss of human life, personal injury, or severe property damage;
 - (2) There were no feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment 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 Part VI.G.2.a (1), (2) and (3).

3. Notice.

- a. Anticipated bypass. Except as provided above in Part VI.G.2 and 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 to the Director. 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 POTW, as soon as it becomes aware of the need to

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bypass and provide to the Director the information in Part VI.G.3.a.(1) through (6) to the extent practicable.

c. Unanticipated bypass.

- (1) The Permittee shall submit notice of an unanticipated bypass to the Director as required under Part V.H, Twenty-Four Hour Reporting. The Permittee shall also immediately notify the POTW, the public and downstream users and shall implement measures to minimize impacts to public health and environment to the extent practicable.
- (2) A written submission shall also be provided within 5 days of the time the Permittee becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Director may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

- H. Changes in Discharge. Notification shall be provided to the Director as soon as the Permittee knows of, or has reason to believe that conditions have changed and are not consistent with the information provided in the application.

PART VII
DISCHARGE PERMIT NO. UTP000058
GENERAL REQUIREMENTS

VII. GENERAL REQUIREMENTS

A. Planned Changes.

1. The Permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted Facility. Notice is required only when the alteration or addition could significantly change the nature or increase the quantity of parameters discharged or pollutant sold or given away. This notification applies to pollutants, which are not subject to effluent limitations in the Permit.
2. If a change will result in a change to this Permit it must be communicated to the Director 180 days before the change occurs. These types of changes must be submitted with the information provided on a permit application.
3. In addition, if there are any planned substantial changes to the Permittee's existing sludge facilities or their manner of operation or to current sludge management practices of storage and disposal, the Permittee shall give notice to the Director of any planned changes at least 30 days prior to their implementation. The Director or POTW has the right to deny the change if the change will impact the POTW.
4. The Permittee shall notify the Director and the POTW immediately of any changes at its Facility that could affect the potential for a slug discharge to the POTW. These should be reported immediately, although no later than 24 hours from the time the Permittee becomes aware of the circumstances.
5. The Director or POTW has the right to deny the change if the change will impact the POTW.

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. This includes the establishment of new or revised limitations to the Federal Pretreatment Regulations, the establishment of new or revised Pretreatment Standards or Requirements in the Pretreatment Regulations or substantial changes in operation or the volume or character of pollutants in the regulated wastewater discharge. 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. The Director may request information periodically to ensure the Permit is representative of current conditions.

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.

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- 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. These documents must be signed by:
1. A responsible corporate officer, 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 initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 2. By a general partner or proprietor if the Permittee is a partnership, or sole proprietorship respectively.
 3. All applications, reports or information 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.
 4. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described above and submitted to the Director, and,
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated Facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. A duly authorized representative may thus be either a named individual or any individual occupying a named position.
 5. Changes to authorization. If an authorization under Part VII.G.4 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 Part VII.G.4 must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.

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- H. Certification. Any person signing a document under this Permit shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

- I. 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.
- J. 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.
- K. 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.
- L. 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.
- M. 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.
- N. 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 permittees 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 section 2 of this section.

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- O. State or Federal Laws. Nothing in this Permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by UCA 19-5-117 and Section 510 of the Act or any applicable Federal or State transportation regulations, such as but not limited to the Department of Transportation regulations.
- P. 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. A load allocation or local limit is developed and approved by the State for incorporation in this Permit.
 2. Revisions to a Pretreatment Standard or Requirement that is either approved by the State or EPA.

VIII. DEFINITIONS

1. The "30-day (and monthly) average" is the arithmetic average of all samples collected during a consecutive 30-day period or calendar month, whichever is applicable. The calendar month shall be used for purposes of reporting self-monitoring data on discharge monitoring report forms.
2. "Act," means the Utah Water Quality Act.
3. "Approved POTW Pretreatment Program or Program or POTW Pretreatment Program" means a program administered by a POTW that meets the criteria established in §40 CFR 403.8 and §40 CFR 403.9 and which has been approved by a Regional Administrator or State Director in accordance with §40 CFR 403.11.
4. "Best Management Practices" ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State or to implement the prohibitions listed in Part I.C. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
5. "BOD" or "Biochemical Oxygen Demand" means a measurement of the amount of oxygen utilized by the decomposition of organic material, over a specified time period (usually 5 days) in a wastewater sample; it is used as a measurement of the readily decomposable organic content of a wastewater.
6. "Bypass," means the diversion of wastestreams from any portion of a treatment Facility.
7. "Composite Samples"

The sampling period should be for 24 hours. If the sampling period is for less than 24 hours, information must be provided regarding why the sampling event was for less than 24 hours.

a. Flow proportioned.

- (1) 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 or more than 24 hours.
- (2) 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;

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- (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.
 - b. Timed proportioned.
 - (1) The composite sample shall, at a minimum, contain at least four (4) samples collected over the compositing period,
 - (2) With an aliquot taken at least every 10 minutes, and
 - (3) With a fixed volume for each aliquot taken for the composite sample.
- 8. "CWA," means The Federal Water Pollution Control Act, as amended, by The Clean Water Act of 1987.
- 9. "Daily Maximum" (Daily Max.) is the maximum value allowable in any single sample or instantaneous measurement.
- 10. "EPA," means the United States Environmental Protection Agency.
- 11. "Director," means Director of the Division of Water Quality.
- 12. A "grab" sample, for monitoring requirements, is defined as a single "dip and take" sample collected at a representative point in the discharge stream. The sample is taken without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.
- 13. "Indirect Discharge" or "Discharge" means the introduction of pollutants into a POTW from any non-domestic source regulated under section 307 (b), (c) or (d) of the CWA.
- 14. "Industrial User" or "User" means a source of Indirect Discharge.
- 15. "Interference" means an Indirect Discharge which, alone or in conjunction with an Indirect Discharge or Indirect Discharges from other sources both:
 - a. Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and
 - b. Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air

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Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

16. An "instantaneous" measurement, for monitoring requirements, is defined as a single reading, observation, or measurement.
17. "Pass Through" means an Indirect Discharge which exits the POTW into waters of the State in quantities or concentrations which, alone or in conjunction with an Indirect Discharge or Indirect Discharges from other sources, is a cause of violation of any requirement of the POTW's UPDES permit (including an increase in the magnitude or duration of violation).
18. "Point Source" means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharges. This term does not include return flows from irrigated agriculture or agriculture storm water runoff.
19. "Pretreatment" means the reduction of the amount of pollutants, the elimination of pollutants or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration may be obtained by physical, chemical or biological processes, process changes or by other means, except as prohibited by 40 CFR 403.6(d). Appropriate pretreatment technology includes control equipment, such as equalization tanks or facilities, for protection against surges or slug loading that might interfere with or otherwise be incompatible with the POTW. However, where wastewater from a regulated process is mixed in an equalization Facility with unregulated wastewater or with wastewater from another regulated process, the effluent from the equalization Facility must meet an adjusted pretreatment limit calculated in accordance with 40 CFR 403.6(e).
20. "Pretreatment Requirements" or "Requirements" means any substantive or procedural requirement related to pretreatment imposed on a User, other than a Pretreatment Standard.
21. "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.
22. "Pretreatment Standards" shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with section 307 (b) and (c) of the Act, which applies to Industrial Users, which includes but is not limit to prohibited discharge standards, categorical Pretreatment Standards, and Local Limits.
23. "Severe Property Damage," means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent

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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.

24. "Slug Discharge" is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, local limits or permit conditions.
25. "Storm water" means storm water runoff, snow melt runoff, and surface runoff and drainage.
26. "TSS" or "Total Suspended Solids" means solids either float on the surface or are suspended in water or wastewater. When referred to as a waterborne constituent, total suspended solids (TSS) is the quantity of material removed from water or wastewater in a standard laboratory test.

Draft Permit DWQ-2026-002637
Draft Fact Sheet DWQ-2026-002634
Permit Application DWQ-2025-005046
Public Notice Document DWQ-2026-002633