Official Draft Public Notice Version **July 1, 2026**
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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. **UT0024732**
Biosolids Permit No. **UTL024732**

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

MOUNTAIN GREEN SEWER IMPROVEMENT DISTRICT

is hereby authorized to discharge from

MOUNTAIN GREEN SEWER IMPROVEMENT DISTRICT WASTEWATER TREATMENT PLANT

to receiving waters named **WEBER RIVER**,

to dispose of biosolids,

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

This Permit shall become effective on **Month 01, 2026**

This Permit expires at midnight on **July 31, 2030.**

Signed this XXth day of Month, 20XX.

Candice A. Hasenyager, P.E.
Director

DWQ-2026-001722

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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 Outfall
001	Located at latitude 41° 08' 17.8" and longitude 111° 48' 51.2", effluent is discharged at the southwest corner of the Facility, enters an 18" steel pipe, crosses underneath I-80, and discharges directly into the Weber 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 Outfall 001 as defined in Part VIII, and determined by test procedures described in Part I. C.4.a of this Permit.

2.

a. 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 below:

Parameter	**Table 1: Effluent Limitations[(a)]**				
	Maximum Monthly Avg	Maximum Weekly Avg	Yearly Average	Daily Minimum	Daily Maximum
Total Flow, MGD	1.5	--	--	--	--
BOD_5, mg/L	25	35	--	--	--
BOD_5 Min. % Removal	85	--	--	--	--
TSS, mg/L	25	35	--	--	--
TSS Min. % Removal	85	--	--	--	--
Dissolved Oxygen, mg/L	--	--	--	5.0	--
Total Ammonia (as N), mg/L					
Summer (Jul-Sep)	94.56	--	--	--	94.56
Fall (Oct-Dec)	49.80	--	--	--	49.80
Winter (Jan-Mar)	63.27	--	--	--	67.78
Spring (Apr-Jun)	89.89	--	--	--	89.89

Total Residual Chlorine (TRC), mg/L					
Summer (Jul-Sep)	0.735	--	--	--	0.747
Fall (Oct-Dec)	0.224	--	--	--	0.233
Winter (Jan-Mar)	0.225	--	--	--	0.234
Spring (Apr-Jun)	0.706	--	--	--	0.718
E. coli, No./100mL	126	158	--	--	--
Total Phosphorus (as P), mg/L[(j)]	--	--	1.0	--	--
WET, Acute Biomonitoring[(i)]	--	--	--	--	LC_{50}> 100% Effluent
Oil & Grease, mg/L	--	--	--	--	10.0
pH, Standard Units	--	--	--	6.5	9

Table 2: Self-Monitoring and Reporting Requirements[(a)]

Parameter	Frequency	Sample Type	Units
Total Flow[(b)(c)]	Continuous	Recorder	MGD
BOD_5, [(d)]			
Influent	Weekly	Composite	mg/L
Effluent	Weekly	Composite	mg/L
BOD_5 % Removal	Monthly	Calculation	%
TSS[(d)]			
Influent	Weekly	Composite	mg/L
Effluent	Weekly	Composite	mg/L
TSS % Removal	Monthly	Calculation	%
E. coli	Weekly	Grab	No./100mL
pH	Weekly	Grab	SU
Total Ammonia (as N)	Weekly	Composite	mg/L
Dissolved Oxygen	Weekly	Grab	mg/L
TRC[(e)(l)]	Daily	Grab	mg/L
Oil & Grease[(g)]	When Sheen Observed	Grab	mg/L
WET – Biomonitoring[(h)(i)]			
Ceriodaphnia - Acute	2nd & 4th Quarter	Composite	Pass/Fail
Fathead Minnows - Acute	1st & 3rd Quarter	Composite	Pass/Fail
Orthophosphate (as P)[(f)]			
Effluent	Monthly	Composite	mg/L
Total Phosphorus (as P)[(d)(j)]			
Influent	Monthly	Composite	mg/L
Effluent	Monthly	Composite	mg/L
Total Kjeldahl Nitrogen, TKN (as N)[(d)(f)]			
Influent	Monthly	Composite	mg/L
Effluent	Monthly	Composite	mg/L
Nitrate, NO3[(f)]	Monthly	Composite	mg/L
Nitrite, NO2[(f)]	Monthly	Composite	mg/L
TDS, mg/L	Monthly	Composite	mg/L

Metals[(d)(k)] Arsenic, Total Cadmium, Total Chromium, Total Copper, Total Cyanide, Total Lead, Total Mercury, Total Molybdenum, Total Nickel, Total Selenium, Total Silver, Total Zinc, Total			
Influent	Semi-annual	Composite	mg/L
Effluent	Semi-annual	Composite	mg/L
Organic Toxic Pollutants[(d)]			
Influent	Yearly	Grab/Composite	mg/L
Effluent	Yearly	Grab/Composite	mg/L

Notes Tables 1 and 2

a. See Definitions, *Part VIII*, 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 discharge, influent samples shall be taken and analyzed for this constituent at the same frequency as required for effluent discharge. During months where a discharge will not occur, influent samples shall be taken and analyzed at the frequency stipulated in Table 2.
e. Analytical results less than 0.06 mg/l will not be considered out of compliance with the Permit. For purposes of calculating averages and reporting on the Discharge Monitoring Report form, the following will apply:
    1. analytical values less than 0.02 mg/L shall be considered zero; and
    2. analytical values less than 0.06 mg/L and equal to or greater than 0.02 mg/L will be recorded as measured.
f. These reflect changes required with the adoption of UAC R317-1-3.3, Technology-based Phosphorus Effluent Limits rule.
g. Oil and grease shall be sampled when sheen is present or visible. If no sheen is present or visible, report NA.
h. Acute Ceriodaphnia will be tested during the 1st and 3rd quarters and acute fathead minnows will be tested during the 2nd and 4th quarters.
i. Final limitations for WET will go into effect on January 1, 2027. See Part I.C.3.b.
j. Final limitations for total phosphorus will go into effect on January 1, 2027. See Part I.C.3.c.
k. Metals will be monitored semi-annually so as to collect enough data to run a reasonable potential analysis.
l. TRC shall be measured daily when used as disinfection method.

3. Compliance Schedules

a. Plant Upgrade Construction Compliance Schedule

Date	Milestone
September 1, 2026	Construction Completed
December 1, 2026	Plant testing and Optimization Complete
January 1, 2027	Final Limitations in Effect

b. Whole Effluent Toxicity (WET) Compliance Schedule

WET	
Date	**Daily Maximum**
Permit Issue – December 31, 2026	Monitor Only
January 1, 2027	IC_{50} > 100% effluent

c. Total Phosphorus Compliance Schedule

Phosphorus	
Date	**Annual Average**
Permit Issue – December 31, 2026	Report Only
January 1, 2027	1.0 mg/L

* Phosphorus annual average for 2026 shall be reported in both loading (pounds per year) and concentration (mg/L).

d. Any violation of a Compliance Schedule is a violation of the UPDES Permit.

4. Chronic Whole Effluent Toxicity (WET) Testing.

a. Whole Effluent Testing – Chronic Toxicity.

Starting immediately, the Permittee shall quarterly, conduct acute static renewal toxicity tests on a composite sample of the final effluent at Outfall 001. 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.4.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 C.F.R. § 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) with solution renewal every 24 hoursBased 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 is achieved. The Permittee shall meet all applicable QA/QC requirements of the acute WET testing method listed in this Permit.

If the Permit contains a total residual chlorine limitation such that it may interfere with WET testing (>0.20 mg/L), the Permittee may dechlorinate the sample in accordance with approved USEPA methods for WET testing the sample. If dechlorination is affecting the test, the Permittee may collect the sample just before chlorination with Director approval.

Quarterly test results shall be reported along with the 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 preliminary toxicity investigation (PTI), toxicity inventory evaluation (TIE), or a toxicity reduction evaluation (TRE). Accelerated testing or the PTI, TIE, or TRE shall 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 shall 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 shall notify the Director in writing within 5 days and begin an evaluation of the possible causes of the toxicity. The Permittee shall 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 shall in part 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 spills 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 Director approval. The control program, as submitted to or revised by the Director, will be incorporated into the Permit. After final implementation, the Permittee shall 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 Part I.C.4(e)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 shall be to establish the cause of the toxicity, locate the source(s) of the toxicity, and the TRE shall control or provide treatment for the toxicity.

A TRE shall 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.

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; and

(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 necessary as determined 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 shall 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 (DMR) Form (EPA No. 3320-1)* or by NetDMR, post-marked or entered into NetDMR no later than the 28th day of the month following the completed reporting period. The first report is due on **September 28, 2025**. 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 DWQ 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

A. Definitions. For Part II 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 CWA, 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 C.F.R. § 403.5(c).

4. Pass Through means a Discharge which exits the POTW into waters of the State or 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 UPDES 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) means:

   a. Except as provided in Parts II.A. (6)(b) and (6)(c) of this definition, the term Significant Industrial User means:

      (1) All Industrial Users subject to Categorical Pretreatment Standards under 40 C.F.R. § 403.6 and 40 C.F.R. § 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 waste stream 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 C.F.R. § 403.8(f)(6)).

b. The Control Authority may determine that an Industrial User subject to categorical Pretreatment Standards under § 403.6 and 40 C.F.R. § 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

(3) The Industrial User never discharges any untreated concentrated wastewater.

c. Upon a finding that an Industrial User meeting the criteria in Part II.A. (6)(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 C.F.R. § 403.8(f)(6), determine that such Industrial User is not a Significant Industrial User.

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 shall 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 shall 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 may 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	0.738	Composite	Semi-annual	mg/L
Total Cadmium	0.162			
Total Chromium	0.621			
Total Copper	1.71			
Total Lead	1.15			
Total Molybdenum	NA			
Total Nickel	11.4			
Total Selenium	0.334			
Total Silver	1.18			
Total Zinc	13.3			
Total Cyanide	0.327	Composite/Grab		
Total Mercury	0.000977			
Organic Toxic Pollutants	NA		Yearly	

a. The minimum detection limit (MDL) of the test method used for analysis shall be below this limit, if a test method is not available the Permittee shall submit documentation to the Director regarding the method that will be used

b. In addition, the Permittee shall analyze the treatment facility influent and effluent for the presence of the toxic pollutants listed in 40 C.F.R. § 122 Appendix D Table II. If expected to be present surfactants and 40 C.F.R. § 122 Appendix D Table V shall be sampled at the frequency stated in the Pretreatment Monitoring Table. The pesticides fraction of Appendix D, Table II is suspended unless pesticides are expected to be present, if present sampling shall occur as stated in the Pretreatment Monitoring Table.

4. The results of the analyses of metals, cyanide and Organic Toxic Pollutants shall be submitted along with the DMR at the end of the earliest possible reporting period. Also, the Permittee shall 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 shall 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 shall report this information to the DWQ Pretreatment Coordinator. If the loading exceeds the allowable headworks load, increase sampling shall occur based on the requirements given by the DWQ Pretreatment Coordinator. 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.

4. 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 an SIU,

b. Determination of the qualitative and quantitative characteristics of each discharge, and

c. Appropriate production data.

5. The IWS shall be maintained and updated with IU information as necessary, to ensure that all IUs are properly Permitted or controlled at all times. Updates shall be submitted to the Director within sixty (60) days following a change to the IWS.

6. Notify all IUs of their obligation to comply with applicable requirements under Subtitles C and D of RCRA.

7. The Permittee shall notify the Director of any new introductions by new or existing IUs or any substantial change in pollutants from any major industrial source. Such notice shall contain the information described in Part II.C., and be forwarded no later than sixty (60) days following the introduction or change.

D. General and Specific Prohibitions. The Permittee shall 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 shall 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.

4. General prohibition Standards. A User shall not introduce into a POTW any pollutant(s) which cause Pass Through or Interference.

5. Specific Prohibited Standards. Developed pursuant to section 307 of the CWA7 require that under no circumstances shall the Permittee allow introduction of the following pollutants into the waste treatment system from any User (40 C.F.R. § 403.5):

a. Pollutants which create a fire or explosion hazard in the 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.

6. 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 CWA). (See 40 C.F.R. §, Subchapter N, Parts 400 through 500, for specific information).

E. Industrial Users Discharging to the POTW. The Permittee shall provide adequate notice to the Director and the Division of Water Quality Pretreatment Coordinator of;

4. 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 CWA if it were directly discharging those pollutants;

5. 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

6. For the purposes of Part II.E., 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.

7. Any IU that must comply with applicable requirements under Subtitles C and D of 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:

4. 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;

5. 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 C.F.R. § 403;

6. 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

7. Require the Permittee to develop an Approved POTW Pretreatment Program.

G. Legal Action. The Director retains 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 shall 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 shall submit limits to DWQ for review and public notice, as required by R317-8-8.5(4)(c). Local Limits shall 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 of 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 as follows.

1. Treatment

a. Biosolids are stabilized by an activated sludge process then goes to an aerobic digester before biosolids are dewatered and landfilled.

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 shall notify the Director at least 30 days in advance if the process/method is specified in 40 C.F.R. § 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 shall notify the Director at least 180 days in advance if the process/method is not specified in 40 C.F.R. § 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 Permittee shall follow the requirements in part 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 shall meet the metals limitations as described below. If these metals limitations are not met, the biosolids shall be landfilled.

Pollutant Limits, (40 C.F.R. § 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], (kg/ha)	Pollutant Conc. Limits [3] (mg/kg)	APLR [4], (kg/ha-yr)
Total Arsenic	75	41	41	2.0

Pollutant Limits, (40 C.F.R. § 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], (kg/ha)	Pollutant Conc. Limits [3] (mg/kg)	APLR [4], (kg/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 shall not be land applied or beneficially reused 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 reclamation site.				
3, If the concentration of any 1 (one) of these parameters exceeds the Table 3 limit, the biosolids shall not be land applied or beneficially used in on a lawn, home garden, or other high potential public contact site (40 C.F.R. § Part 503.31(d)). 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 shall meet the pathogen limitations for Class A. Land applied biosolids shall meet the pathogen limitations for Class B as described below. If the pathogen limitations are not met, the biosolids shall 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 C.F.R. § Part 503.32(a) Sewage Sludge – Class A.

        (1) At this time Mountain Green Sewer Improvement District (MGSID) 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 C.F.R. § Part 503.32(b) Sewage Sludge – Class B.

        (1) At this time MGSID does not intend to distribute bulk biosolids for land application and thus is not required meet Class B Biosolids requirements currently.

    c. In addition, the Permittee shall comply with all applicable site restrictions listed below (40 C.F.R. § 503.32,(b),(5)):

(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.

<table>
<tr><td colspan="2">Pathogen Control Class</td></tr>
<tr><td>503.32 (a)(1) - (5), (7), (8), Class A</td><td>503.32 (b)(1) - (5), Class B</td></tr>
<tr><td>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).</td><td rowspan="3">Fecal Coliforms – less than 2,000,000 MPN or CFU[3] per gram total solids (DWB).</td></tr>
<tr><td>503.32 (a)(6) Class A—Alternative 4</td></tr>
<tr><td>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)</td></tr>
<tr><td colspan="2">1 - MPN – Most Probable Number</td></tr>
<tr><td colspan="2">2 - DWB – Dry Weight Basis</td></tr>
<tr><td colspan="2">3 - CFU – Colony Forming Units</td></tr>
</table>

3. Vector Attraction Reduction Requirements.

   a. The MGSID shall meet vector attraction reduction through use of one of the methods listed in 40 C.F.R. § Part 503.33. Facility is meeting the requirements though the following methods.

      (1) MGSID produces unclassified biosolids. After dewatering, the biosolids are loaded into trucks where possible and transported to one of three landfills in the area.

   If the Permittee intends to use another one of the alternatives, the Director and the EPA shall be informed at least thirty (30) days prior to its use.

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 C.F.R. § Part 503.16(1)(a).

Minimum Frequency of Monitoring (40 C.F.R. § Part 503.16, 503.26. and 503.46)		
Amount of Biosolids Produced, Processed, or Disposed of 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
MGSID is a new biosolids Permit and does not have data yet. They will be required to sample once a year when the new system start treating wastewater.		

   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 shall not 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 shall not 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:

(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 shall also be used for piles used for biosolids treatment. If a treatment pile is considered to have caused a problem, best management practices may 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 C.F.R. § 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 shall 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)

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 shall be developed in cooperation with the local agricultural extension office or university.

(c) Deep soil monitoring for nitrate-nitrogen shall be 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 shall be collected. These samples shall 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 shall 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). shall be performed. At a minimum, this additional monitoring shall involve a collection of more samples in the affected area and possibly more frequent sampling. The exact number of samples to be collected shall 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.

(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 shall 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 shall 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 DWQ and 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 shall not be 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** shall keep the following information for at least 5 years:

a. Concentration of each heavy metal in Table 3 (Part III.B.1).

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 shall 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). MSGP coverage is required for Treatment Works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including lands dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of 1.0 million gallons per day (MGD) or more, or required to have an approved pretreatment program under 40 C.F.R. § Part 403. 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 less than an acre if it is part of a common plan of development or sale, is required to obtain coverage under the UPDES Construction General Storm Water Permit (UTRC00000). Permit coverage must be obtained prior to land disturbance. If the site qualifies, a Low Erosivity Waiver (LEW) Certification may be submitted instead of Permit coverage.

V. MONITORING, RECORDING & GENERAL REPORTING REQUIREMENTS

A. Representative Sampling. Samples taken in compliance with the monitoring requirements established under Part I shall be collected from the effluent stream prior to discharge into the receiving waters. Samples and measurements shall be representative of the volume and nature of the monitored discharge. Samples of biosolids shall be collected at a location representative of the quality of biosolids immediately prior to the use-disposal practice.

B. Monitoring Procedures. Monitoring shall 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 C.F.R. § 503 utilizing sufficiently sensitive test methods unless other test procedures have been specified in this Permit. Monitoring shall be conducted according to the test procedures specified in this Permit unless another method is required under 40 C.F.R. § 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 C.F.R. § part 136 or required under 40 C.F.R. § chapter I, subchapter N or O for the measured pollutant or pollutant parameter as per 40 C.F.R. § 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 two years, 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 shall be maintained on site during the duration of activity at the Permitted location

H. Twenty-four Hour Notice of Noncompliance Reporting.

1. The Permittee shall (orally) report any noncompliance including transportation accidents, spills, and uncontrolled runoff from biosolids transfer or land application sites which may 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 DWQ via the 24-hour answering service (801) 536-4123.

2. The following occurrences of noncompliance shall initially be reported by telephone to the DWQ via the 24-hour answering service as soon as possible but no later than 24 hours from the time the Permittee becomes aware of the circumstances:

   a. Any noncompliance which may endanger health or the environment;

   b. Any unanticipated bypass, which exceeds any effluent limitation in the Permit (See Part VI.G, Bypass of Treatment Facilities.);

   c. Any upset which exceeds any effluent limitation in the Permit (See Part VI.H, Upset Conditions.);

   d. Violation of a daily discharge limitation for any of the pollutants listed in the Permit. For other Permit violations which will not endanger health or the environment, DWQ may otherwise be notified during business hours (801) 536-4300; or,

   e. Violation of any of the Table 3 metals limits, the pathogen limits, the vector attraction reduction limits or the management practices for biosolids that have been sold or given away.

3. A written submission shall also be provided within five days of the time that the Permittee becomes aware of the circumstances. The written submission shall contain:

   a. A description of the noncompliance and its cause;

   b. The period of noncompliance, including exact dates and times;

   c. The estimated time noncompliance is expected to continue if it has not been corrected;

   d. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance; and,

   e. Steps taken, if any, to mitigate the adverse impacts on the environment and human health during the noncompliance period.

4. The Director may waive the written report on a case-by-case basis if the oral report has been received within 24 hours by the Division of Water Quality, (801) 536-4300.

5. Reports shall be submitted to the addresses in Part I.D, Reporting of Monitoring Results.

I. Other Noncompliance Reporting. Instances of noncompliance not required to be reported within 24 hours shall be reported at the time that monitoring reports for Part I.D are submitted. The reports shall contain the information listed in Part V.H.3

J. Inspection and Entry The Permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the Permit;

2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;

3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit, including but not limited to, biosolids treatment, collection, storage facilities or area, transport vehicles and containers, and land application sites;

4. Sample or monitor at reasonable times, for the purpose of assuring Permit compliance or as otherwise authorized by the Act, any substances or parameters at any location, including, but not limited to, digested biosolids before dewatering, dewatered biosolids, biosolids transfer or staging areas, any ground or surface waters at the land application sites or biosolids, soils, or vegetation on the land application sites; and,

5. The Permittee shall make the necessary arrangements with the landowner or leaseholder to obtain permission or clearance, the Director, or authorized representative, upon the presentation of credentials and other documents as may be required by law, will be Permitted to enter without delay for the purposes of performing their responsibilities.

VI. COMPLIANCE RESPONSIBILITIES

A. Duty to Comply. The Permittee shall 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 $25,000 per day for each 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 Parts II.G. 2 and 3 of this Permit.

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 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 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. 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 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 Part VI.H. 2 of this Permit are met. Director's administrative determination regarding a claim of upset shall not 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:

a. The authorization is made in writing by a person described in Part VII.G.1. 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 perfoms 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 in Part VII.G.1. or by a duly authorized representative of that person.

3. Changes to authorization. If an authorization under Part 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 Part VII.G.2. shall be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.

4. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of 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 Part VII.M.2.

N. State or Federal Laws. Nothing in this Permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by

sections 19-5-117 and 510 of the CWA 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 C.F.R. § 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 of federal regulations.

Q. Toxicity Limitation - Reopener Provision. Use the following paragraph if WET testing is required at the facility:

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.4.a and/or b (depending on whether or not the Permit requires both acute and chronic WET testing) 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.

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.

VIII. DEFINITIONS

A. Wastewater and Biosolids.

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 "LC_{50}").

5. "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.

6. "Animals" for the purpose of this Permit means domestic livestock.

7. "Annual Loading Cap" is the highest allowable phosphorus loading discharged over a calendar year, calculated as the sum of all the monthly loading discharges measured during a calendar year divided by the number of monthly discharges measured during that year.

8. "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.

9. "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.

10. "Application Site or Land Application Site" means all contiguous areas of a users' property intended for sludge application.

11. "Average annual discharge limit" means maximum allowable average of monthly discharges over a calendar year, calculated as the sum of all monthly discharges measured during a calendar year divided by the number of monthly discharges measured during the year. The timeframe is defined as from January 1st to December 31st

12. “Biosolids” means any material or material derived from sewage solids that have been biologically treated.

13. “Bypass” means the diversion of waste streams from any portion of a treatment facility.

14. “C.F.R. §,” means Code of Federal Regulations Section(s).

15. “Chronic toxicity” occurs when the IC_{25}< XX% effluent. The XX% effluent is the concentration of the effluent in the receiving water, at the end of the mixing zone expressed as per cent effluent.

16. "IC_{25}" is the concentration of toxicant (given in % effluent) that would cause a 25% reduction in mean young per female, or a 25% reduction in overall growth for the test population.

17. “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.

18. “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.

19. “CWA” means The Federal Water Pollution Control Act, as amended, by The Clean Water Act of 1987.

20. “Daily Maximum” (Daily Max.) is the maximum value allowable in any single sample or instantaneous measurement.

21. “DWQ” means the Division of water Quality.

22. “Director” means Director of the Division of Water Quality.

23. “Dry Weight-Basis” means 100 percent solids (i.e. zero percent moisture).

24. "EPA" means the United States Environmental Protection Agency.

25. A "grab" sample, for monitoring requirements, is defined as a single 'dip and take' sample collected at a representative point in the discharge stream.

26. "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 C.F.R. § 258.

27. "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.

28. An "instantaneous" measurement, for monitoring requirements, is defined as a single reading, observation, or measurement.

29. "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).

30. "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.

31. "Monthly Average" is the arithmetic mean of all measurements taken during the month.

32. "Pathogen" means an organism that is capable of producing an infection or disease in a susceptible host.

33. "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, 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.

34. "Runoff" is rainwater, leachate, or other liquid that drains over any part of a land surface and runs off the land surface.

35. "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.

36. "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.

37. "Total Solids" are the materials in the biosolids that remain as a residue if the biosolids are dried at 103° or 105° Celsius.

38. "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.

39. "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.

40. "Vector Attraction" is the characteristic of biosolids that attracts rodents, flies, mosquito's or other organisms capable of transporting infectious agents.

41. "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.