Pretreatment Audit Report

Jordan Basin Improvement District Pretreatment Audit Report

UT0025852

Bluffdale, Utah

August 19, 2025 to August 20, 2025

Prepared by:

Al Garcia, Pretreatment Coordinator
U.S. Environmental Protection Agency, Region 8
Wastewater Section (8WD-CWW)

1595 Wynkoop
Denver, CO 80202
303.312.6382
garcia.al@epa.gov

Report Review and Signature		
Drafter Name	Address/Phone Number	Date
Al Garcia	U.S. EPA Region 8 1595 Wynkoop Street 8WD-CWW Denver, Colorado 80202 303-312-6382	**10/20/2025**
Reviewer Name	Address/Phone Number	Date
Jennifer Strong Robinson	Utah Division of Water Quality E-mail: jenrobinson@utah.gov Phone: (385) 501-9585	**10/29/2025**
Lyndsay Cowles	Utah Division of Water Quality E-mail: lcowles@utah.gov Phone: (385) 414-0311	**10/29/2025**
Supervisor Signature/Name	Address/Phone Number	Date
MICHAEL BOEGLIN Digitally signed by MICHAEL BOEGLIN Date: 2025.11.03 14:03:10 -07'00'	U.S. EPA Region 8 1595 Wynkoop Street 8WD-CWW Denver, Colorado 80202 303-312-6250	**11/3/2025**

Acronyms/Abbreviations

C.F.R.	Code of Federal Regulations
CIU	Categorical Industrial User
CROMERR	Cross-Media Electronic Reporting Rule
CWA	Clean Water Act
District	Jordan Basin Improvement District
ELG	Effluent Limitations Guideline
ERP	Enforcement Response Plan
EPA	Environmental Protection Agency
FOG	Fats, Oils and Greases
FSE	Food Service Establishments
IGA	Intergovernmental Agreement
IU	Industrial User
IWS	Industrial Waste Survey
MAHL	Maximum Allowable Headworks Loading
MAIL	Maximum Allowable Industrial Loading
MGD	Million Gallons per Day
NCSIU	Non-Categorial Significant Industrial User
NOV	Notice of Violation
NPDES	National Pollutant Discharge Elimination System
O+M	Operation and Maintenance
PCR	Periodic Compliance Report
POG	Petroleum-based oil and grease
PFAS	Per- and Poly-Fluorinated Substances
POTW	Publicly Owned Treatment Works
QA/QC	Quality Assurance/Quality Control
SIU	Significant Industrial User
TOMP	Toxic Organics Management Plan
TTO	Total Toxic Organics
UTDEQ	Utah Department of Environmental Quality

Pretreatment Audit Summary Table

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Pretreatment Audit Findings	Pretreatment Requirement and Corrective Action
Section 4.0 – Pretreatment Legal Authority in the District's Rules and Regulations and Intergovernmental Agreements	
1. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1) states, "The POTW [publicly owned treatment works] shall operate pursuant to legal authority enforceable in Federal, State, or local courts, which authorizes or enables the POTW to apply and to enforce the requirements of sections 307 (b) and (c), and 402(b)(8) of the Clean Water Act (Act) and any regulations implementing those sections. Such authority may be contained in a statute, ordinance, or series of contracts or joint powers agreements which the POTW is authorized to enact, enter into or implement, and which are authorized by State law." The District provided its Pretreatment legal authority found in its Rules and Regulations prior to the audit. Based on the EPA's review, the Pretreatment Regulations established in its Rules and Regulations provide the District with the framework to implement the Pretreatment Regulations in the POTW's service area, with the following exceptions summarized below: • The Rules and Regulations need to be updated to replace South Valley Sanitation District with Jordan Basin Improvement District, including the Control Authority definition in section 2.1.4(Q). • Definitions (2.1.4 of the Rules and Regulations) o The Indirect Discharge definition in section 2.1.4(HH) needs to be modified to be equivalent to the Pretreatment Regulations definition found at 40 CFR 403.3(l). o Pretreatment definition in section 2.1.4(ZZ) needs to be modified to be equivalent with the Federal Pretreatment definition in 40	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(1) **Corrective Action Item** Update the District's Rules and Regulations to align with the Federal Pretreatment Regulations. In addition, update the Rules and Regulations to establish the authority to issue administrative penalties. **Recommendation** • Pretreatment Standard definition – section 4.1.4(EEE) – recommend adding BMPs as Pretreatment Standards in the definition. • Medical Waste prohibition in section 2.2.1(B)(11) – It does not appear that the District intends to inspect and control every medical clinic or point source in the service area with the potential for discharging medical waste. The EPA recommends adding "in amounts that cause or contribute to pass through or interference." • Local Limits reference – The District provides a reference to its applicable local limits in 2.2.4(F) of the Rules and Regulations: "The current Local Limits and supporting documents for JBWRF and SVWRF are kept on file in SVSD Pretreatment Coordinator's office and are hereby incorporated." For public transparency, the EPA recommends the District include the date of approval and revision number for the current local

CFR 403.3(s). • The District implements Administrative Penalties in its program in the established SOP and its ERP. However, Administrative Penalty Authority is not established in the Rules and Regulations.	limits applicable to the service area in the reference. At a minimum, the EPA recommends the District post the applicable local limits on its website. • The EPA recommends Jordan Basin add the use of digital photos as information gathering in the Right of Entry provisions found in section 2.7.1.
2. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1) states, "The POTW shall operate pursuant to legal authority enforceable in Federal, State, or local courts, which authorizes or enables the POTW to apply and to enforce the requirements of sections 307 (b) and (c), and 402(b)(8) of the Clean Water Act (Act) and any regulations implementing those sections. Such authority may be contained in a statute, ordinance, or series of contracts or joint powers agreements which the POTW is authorized to enact, enter into or implement, and which are authorized by State law." The Jordan Basin Improvement District has a shared service area with the South Valley Sewer District to address treatment for the wastewater discharged to the Jordan Basin wastewater collection system but conveyed to the South Valley POTW. Jordan Basin and the South Valley Sewer District entered into a Interlocal Cooperation Agreement (Agreement) on August 22, 2023 to address the conveyance of this wastewater to either the South Valley POTW or the Jordan Basin POTW and the appropriate Pretreatment Standards on such wastewater. Based on the EPA's review of the Agreement, the following comments are provided: • Item #4 of the Agreement states that the "The District will enforce local limits that are at least as stringent as the local limits enacted by the Facility on all industrial users." • The section further states that "The District will then include the most stringent of the District's or Facility local limits in every applicable SIU permit and give public notice of each such permit…" According to narrative information gathered during the opening interview, the District also has an	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(1) **Corrective Action Item** Provide clarification in the Jordan Basin-South Valley interlocal agreement regarding the applicability of the local limits to the IUs in the service area. Submit any modifications to the interlocal agreement to UTDEQ for their approval. The District should public notice permits that establish the most stringent permit limit using SVWRF local limits. This is to ensure the District has the legal authority to take action if violations occur of the SVWRF Local Limits. **Recommendation** The EPA recommends the Jordan Basin Improvement District update their IU inventory to ensure the Timpanogos Sanitation District does not have IUs that discharge non-domestic wastewater to its POTW. In addition, the EPA recommends the Jordan Basin Improvement District provide the Timpanogos intergovernmental agreement to the UTDEQ for review.

outside contributing jurisdiction, the Timpanogos Sanitation District that only discharges domestic wastewater to the POTW. The District has established an IGA with the Timpanogos Sanitation District, but the IGA does not delegate authority to implement the Pretreatment program.	
Section 7.0 – Industrial User Inventory and Characterization	
3. The Pretreatment Regulations at 40 C.F.R. §403.8(f)(2)(i-iii) states, "The POTW shall *develop and implement* procedures to ensure compliance with the requirements of a Pretreatment Program. At a minimum, these procedures shall enable the POTW to: • "Identify and locate all possible Industrial Users which might be subject to the POTW Pretreatment Program. Any compilation, index or inventory of Industrial Users made under this paragraph shall be made available to the Regional Administrator or Director upon request." This requires a POTW to develop and maintain an inventory of IUs in the service area. • "Identify the character and volume of pollutants contributed to the POTW by the Industrial Users identified under paragraph (f)(2)(i) of this section. This information shall be made available to the Regional Administrator or Director upon request." This requires a POTW to characterize the IUs in the inventory of the service area. • "Notify Industrial Users identified under paragraph (f)(2)(i) of this section, of applicable Pretreatment Standards and any applicable requirements under sections 204(b) and 405 of the Act and subtitles C and D of the Resource Conservation and Recovery Act. Within 30 days of approval pursuant to 40 C.F.R. 403.8(f)(6), of a list of significant industrial users, notify each significant industrial user of its status as such and of all requirements applicable to it as a result of such status." These procedures must include the notification of IUs of applicable Pretreatment Standards and other applicable	**<u>Pretreatment Requirements</u>** 40 C.F.R. § 403.8(f)(2)(i-iii) Jordan Basin Improvement District Pretreatment Procedures Manual, Chapter 1-Industrial Waste Survey and Chapter 2-User Classification **<u>Corrective Action Item</u>** Modify Chapters 1 and 2 of the Pretreatment Procedures Manual to include the correct Pretreatment Regulations as its legal authority to implement the industrial user inventory and characterization procedures. The District's Procedures Manual needs to be modified to include notification of industrial users of applicable Pretreatment Standards.

requirements. The Pretreatment Regulations at 40 C.F.R. §403.8(f)(2) require the District to "develop and implement procedures" that "enable the POTW" to comply with these Pretreatment Program requirements. The District developed an Industrial User Inventory and Characterization Procedure in Chapter 1-Industrial Waste Survey and Chapter 2-User Classification of its Pretreatment Procedures Manual. These chapters describe the procedures the District uses to identify IUs in its service area, characterize these IUs and the procedures the District uses to update or maintain existing IUs on the inventory and gather information on new IUs to its service area and determine adequate control based on the applicable Pretreatment Standards. Based on the EPA's review of Chapters 1 and 2, the following comments are provided: • Chapter 1 references 40 C.F.R. § 403.8(f)(2)(*v*) of the Pretreatment Regulations as the District's legal authority to implement the Industrial Waste Survey. The reference should be 40 C.F.R. § 403.8(f)(2)(*i-iii*). • Chapters 1 and 2 adequately describe the identification and characterization procedures required by the Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(*i-ii*). However, 40 C.F.R. § 403.8(f)(2)(*iii*) requires the District to "Notify Industrial Users identified under paragraph (f)(2)(i) of this section, of applicable Pretreatment Standards and any applicable requirements under sections 204(b) and 405 of the Act." The District's Procedures Manual needs to be modified to include notification of industrial users of applicable Pretreatment Standards.	
4. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(i-iii) require the District to identify and locate all IUs in its service area, identify the character and volume of pollutants contributed by these IUs based on current information, and notify these IUs of applicable Pretreatment Standards and Requirements. The District provided a current IU inventory of the IUs in its service area for the EPA to review. Based	**<u>Pretreatment Requirements</u>** 40 C.F.R. § 403.8(f)(2)(i-iii) **<u>Corrective Action Item</u>** Maintain the IU inventory to include characterization of IUs in its service area, based on current conditions. Provide characterization of the two identified

on the EPA's review, the District's IU inventory appears to be current of the POTW's service area, which includes about 3,030 IUs. The inventory is developed and updated by collaborative relationships with community development and building departments for the six cities in the service area. Although it appears that the District has a current IU inventory, it appears that IU inventory has not been adequately maintained to provide a current characterization of IUs on the inventory. Based on the EPA's evaluation of IWS Pretreatment records for IUs in the service area, Jordan Basin is required to provide updates to the following IUs to ensure they are not subject to Pretreatment Standards (Categorical, prohibitions, local limits or BMPs): • Airframe Manufacturing; 11257 South Trent Drive • Ulman Manufacturing; 2372 West Meyers Lane	IUs, based on current conditions and provide the inspection reports/characterization to the EPA: • Airframe Manufacturing; 11257 South Trent Drive • Ulman Manufacturing; 2372 West Meyers Lane **Recommendations** The EPA recommends the District maximize the use of its resources by prioritizing IU sectors or IUs to gather information through surveys/questionnaires or inspections on a more frequent basis, such as machine shops or metal fabricators. The District can also determine which other IUs are priority based on its pollutants of concern. The EPA recommends the District establish a working relationship with all building departments in the service area, including the Cities of Draper and Bluffdale to ensure the District can review building plans for new IUs coming into the service area and existing tenant finishes. The EPA recommends the District develop a working collaborative relationship with municipal Fire departments in their service area. The municipal Fire departments are in businesses in the District's service for compliance with fire regulations and may collaborate with the District on observations during their inspections such as spills or improper chemical storage.
Section 8.0 –Evaluation of Pretreatment Records and Permit Specific Issues	
8.4.1 – Pretreatment Records Overview	
5. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(ii) require the District to "Identify the character and volume of pollutants contributed to the POTW." Based on the review of the District's Pretreatment records, the District is inspecting the SIUs annually. However, the District needs to provide adequate detail and descriptions of the SIU's chemical storage/handling/transfer, process/unit	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(2)(ii) **Corrective Action Item** Provide adequate detail and descriptions in inspection reports of the SIU's chemical storage/handling/transfer, process/unit

operations, waste stream generation from these unit operations, waste stream management or wastewater treatment, and sampling procedures to provide a current characterization of the SIU's current conditions, including an evaluation of slug discharge potential and process or treatment plant changes.	operations, waste stream generation from these unit operations, waste stream management or wastewater treatment, and sampling procedures to provide a current characterization of the SIU's current conditions, including an evaluation of slug discharge potential and process or treatment plant changes. **Recommendation** The EPA recommends the District include digital photos in the facility inspection reports to provide additional supporting evidence for the narrative descriptions.
6. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements." The EPA evaluated The District's permit template and is providing the following required action items: (Note: EPA comments are submitted in the enclosed Jordan Basin Permit Template Review.pdf and embedded in the SVSD IPP Form #8 - SIU Permit Template-EPA.pdf) Page 1 of the permit template states the following: "If the Permittee wishes to continue to discharge beyond the expiration date of this Permit, an application must be submitted to SVSD in accordance with the requirements of applicable SVSD Pretreatment Rules and Regulations." • The District currently issues permits for five years. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii)(B)(*1*) does not allow for permit to be issued past five years. • In addition, the District has not established the authority to administratively extend permits in its Rules and Regulations. The District has adopted the provisions for Non-Significant Categorical Industrial Users (NSCIU) and the Pollutants Not Present in its Rules and Regulations. However, the current permit template does not implement these optional provisions.	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(1)(iii) **Corrective Action Item** The administratively extension language needs to be removed from the permit template and any issued permits for five years. **Recommendation** The EPA recommends the District include the process for seeking a waiver for Pollutants Not Present and the certification statements for NSCIUs. These provisions may be bracketed as case-specific provisions.

7. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements." Based on the EPA's review, the District did not have fact sheets that provide adequate detail and process descriptions to capture current conditions at the facility during permit issuance/renewal, identifies applicable Pretreatment Standards and establishes appropriate permit conditions (pollutants of concern, most stringent permit limit, monitoring, reporting, notification), including control plans such as slug discharge control plans, TOMPs, and BMPs. In addition to a fact sheet adequately justifying permit conditions based on the current conditions at the facility and the applicable Pretreatment Standards, a well-developed and timely fact sheet helps to retain institutional knowledge regarding the history of the permitted SIU.	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(1)(iii) **Corrective Action Item** Develop fact sheets that provide adequate detail and process descriptions to capture current conditions at the facility during permit issuance/renewal, identifies applicable Pretreatment Standards and establishes appropriate permit conditions (pollutants of concern, most stringent permit limit, monitoring, reporting, notification), including control plans such as slug discharge control plans, TOMPs, and BMPs. **Recommendation** The EPA recommends the District include digital photos in the fact sheets to provide additional supporting evidence for the narrative descriptions.
Specific Permit Issues	
Powerline Industries	
8. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements." The current Powerline Industries zero-discharge permit was issued on June 15, 2022 and expires on November 5, 2026. The zero-discharge permit for the facility prohibits the discharge of wastewater generated from the soap and detergent manufacturing and allows discharge of domestic waste and other non-regulated industrial wastewater. However, the fact sheet and permit do not identify the non-regulated industrial wastewater and includes references to discharge allowance such as the most stringent limits between the District and South Valley Water Reclamation, general/specific prohibitions, spills/accidental discharge reporting requirements, dilution prohibition, representative	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(1)(iii) **Corrective Action Item** • Establish a zero-discharge permit that expressly prohibits discharge of the regulated wastestreams and clearly does not include permit conditions that infer a discharge is allowed. • Ensure the facility verifies its zero-discharge management of reuse of the generated wastewater in the next manufacturing batch by requiring the facility to submit adequate records or logs to quantify the wastewater management.

sampling of the discharge, etc. Fact sheet states that the facility asserts that generated wastewater from the soap and detergent manufacturing is placed in the next batch of soaps/detergents to maintain its zero-discharge status.	
9. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(iv) require the District to "Receive and analyze self-monitoring reports and other notices submitted by Industrial Users in accordance with the self-monitoring requirements…" The permit establishes periodic compliance reporting for the reporting period of January through June with a due date of July 28 and July through December with a due date of January 28. The District date stamps the periodic compliance report when received to ensure they are received by the due date, with the following exception: the facility submitted a periodic compliance report for the 1st 6 months of 2025. Based on the EPA's review, the District did not date stamp the report, and the EPA was not able to determine if this report was received by the July 28, 2025 due date.	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(2)(iv) **Corrective Action Item** Consistently date stamp every received periodic compliance report.
Ortho Development	
10. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(ii) require the District to "Identify the character and volume of pollutants contributed to the POTW." The District conducted the annual SIU inspection of the facility on November 11, 2024. The inspection report provides information regarding the hours of operation, number of employees, contact information, production rates and general information on chemical storage. However, the inspection report contains minimal information on the unit operations, chemical storage handling/transfer to the operations, wastewater generation from the machining, heat treatment, ultrasonic and passivation operations and management/treatment for the wastewater generated from these unit operations. The 2024 inspection report states that the facility needs a slug discharge control plan, however, a slug discharge plan does not appear to be developed by	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(2)(ii) **Corrective Action Item** • Include detailed information on the inspection report to characterize the facility, based on current conditions. • Based on the observations from the inspection report and the EPA facility inspection report conducted on August 20. 2025, the facility is required to develop a slug discharge control plan to address the non-routine discharges of spent Micro 90 soap tanks and citric acid tanks, as well as the flush from the reverse osmosis treatment.

the facility.	
11. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements." The permit is effective from October 10, 2024 through October 9, 2029. As described in section 2.0 of this audit report, the facility may have the potential to discharge to the SVWRF, in addition to discharging to the District. The fact sheet does not adequately determine if the facility has the potential to discharge to SVWRF and if the South Valley local limits are applicable Pretreatment Standards. The fact sheet does not identify all applicable Pretreatment Standards such as SVWRF and Jordan Basin local limits and does not establish the most stringent permit limit, applicable to the facility. Based on the EPA's review of the permit, it appears that the District's local limits for Cd, Pb and Ni are more stringent than the metal finishing categorical Pretreatment Standards found in 40 C.F.R. § 433.17 and needs to be established in the permit. As stated previously, the EPA is uncertain if the SVWRF local limits are also applicable Pretreatment Standards to determine the most stringent limit.	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(1)(iii) **Corrective Action Item** • Provide information in the fact sheet that addresses if the facility has the potential to discharge to SVWRF and if the South Valley local limits are applicable Pretreatment Standards. • Identify all applicable Pretreatment Standards such as SVWRF and Jordan Basin local limits in the fact sheet • Establish the most stringent permit limit, such as the District's local limits for Cu, Pb, and Ni that are applicable to the facility.
12. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(iv) require the District to "Receive and analyze self-monitoring reports and other notices submitted by Industrial Users in accordance with the self-monitoring requirements…" In addition, the Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(vii) require the District to "Investigate instances of noncompliance with Pretreatment Standards and Requirements, as indicated in the reports and notices required under § 403.12." The Metal Finishing categorical Pretreatment Standards at 40 C.F.R. § 433.12(a) allows IUs to certify for TTOs defined in 40 C.F.R. § 433.11(e). The facility submitted a toxic organic management plan that was approved by the District. The District	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(2)(iv) **Corrective Action Item** Provide an enforcement action to the facility for failure to sample for bis-2ethylhexyl phthalate during the January through June 2024 reporting period.

allows the facility to certify for total toxic organics with the exception of bis-2-ethylhexyl phthalate. The District, in its capacity of conducting self-monitoring for the facility collected samples for EPA Method 624 instead of EPA Method 625. Bis-2-ethylhexyl phthalate is analyzed using EPA Method 625. As a result, the facility failed to sample for bis-2ethylhexyl phthalate on April 12, 2024 for the January through June 2024 reporting period. The sampling event on January 20, 2025 resulted in reporting levels for 625 in excess of 500 ppb. The EPA considers the data from this sampling event to not be valid for compliance purposes due to the elevated reporting levels. The District should have resampled due to interference with the detection levels.	
13. The EPA conducted a facility inspection on August 20, 2025. Based on the observations from the inspection, the EPA is concerned with the District's sampling methods for the metal finishing regulated wastewaters generated from rinsewater tank and citric acid tank on the citric acid passivation line. It appears that the District is only taking a grab sample from the discharge of the citric acid tank and not taking samples from the continuous overflow discharge from the rinse tanks. The rinsewater tank discharges at 1.5 gpm for the production day consisting of two 10-hour shifts and a representative sample from the rinsewater tank needs to consist of aliquots throughout the production day. Based on this observation, the District is not taking representative samples of the regulated wastewater generated at the citric acid passivation line.	**Pretreatment Requirements** 40 C.F.R. § 403.12(g)(3). **Corrective Action Item** Evaluate the sampling protocol for this facility to ensure the District is taking representative samples, as required in the Pretreatment Regulations at 40 C.F.R. § 403.12(g)(3).
Zero Discharge General Permit IUs	
Jewelry by You	
14. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(ii) require the District to "Identify the character and volume of pollutants contributed to the POTW." The District conducted the annual SIU inspection of Jewelry by You on June 17, 2025. The inspection report provides information regarding the hours of operation, number of employees, contact information, and general information on chemical	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(2)(ii) **Corrective Action Item** Include detailed information on the inspection report to characterize the facility such as size of the plating and ultrasonic cleaning tanks,

storage. However, the inspection report contains minimal information on the rhodium plating and ultrasonic cleaning operations, chemical storage/handling/transfer to the operations and wastewater generation.	based on current conditions.
Fast Fix Jewelry	
15. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(ii) require the District to "Identify the character and volume of pollutants contributed to the POTW." The District conducted the annual SIU inspection of Fast Fix Jewelry on May 22, 2025. The inspection report provides information regarding the hours of operation, number of employees, contact information, and general information on chemical storage. However, the inspection report contains minimal information on the precious metal plating and ultrasonic cleaning operations, chemical storage/handling/transfer to the operations and wastewater generation.	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(2)(ii) **Corrective Action Item** Include detailed information on the inspection report to characterize the facility such as size of the plating and ultrasonic cleaning tanks, based on current conditions.
JP Lee Fine Jewelry	
16. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(ii) require the District to "Identify the character and volume of pollutants contributed to the POTW." The District conducted the annual SIU inspection of JP Lee Fine Jewelry on January 30, 2024. The inspection report provides information regarding the hours of operation, number of employees, contact information, and general information on chemical storage. However, the inspection report contains minimal information on the rhodium plating and ultrasonic cleaning operations, chemical storage/handling/transfer to the operations and wastewater generation.	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(2)(ii) **Corrective Action Item** Include detailed information on the inspection report to characterize the facility such as size of the rhodium plating and ultrasonic cleaning tanks, based on current conditions.
Ryan's Diamonds	
17. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(ii) require the District to "Identify the character and volume of pollutants contributed to the POTW." The District conducted the annual SIU inspection of Ryan's Diamonds on January 11, 2024. The inspection report provides information regarding the hours of operation, number of employees, contact information, and general	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(2)(ii) **Corrective Action Item** Include detailed information on the inspection report to characterize the facility such as size of the plating and ultrasonic cleaning tanks,

information on chemical storage. However, the inspection report contains minimal information on cleaning, repair and plating of jewelry, chemical storage/handling/transfer to the operations and wastewater generation. The inspection report provides information on the hot plate evaporation method of the ultrasonic solution to maintain its zero-discharge information, but the report should include detailed information to characterize the facility such as size of the plating and ultrasonic cleaning tanks, based on current conditions. In addition, the inspection report states that "Electroplating solutions are allowed to accumulate and then evaporated. The residue sludge is moved to Ryan's other location outside of service area, where it is shipped for recycling".	based on current conditions. **Recommendation** The EPA recommends the District require the facility to maintain logs or records of waste transferred to Ryan's other locations outside the service area.
Merit Medical	
18. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements." Section A.3.a of the permit indicates that flow from the facility is directed to SVWRF and as such, the Permittee is subject to all SVWRF local limits. Permit limitations for Monitoring Point A, listed in Permit Section A.3.b reflect categorical standards found in 40 C.F.R. § 433.17. SVWRF local limits for daily maximum cadmium, copper, and cyanide are more stringent than those found in 40 CFR 433.17.	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(1)(iii) **Corrective Action Item** The most stringent limits between the Metal Finishing Categorical Pretreatment Standards found in 40 C.F.R. § 433.17 and the Jordan Basin District's local limits or SVWRF local limits needs to be applied in the permit. The District should public notice the Merit Medical Permit if it establishes the most stringent permit limit based on SVWRF local limits. This is to ensure the District has the legal authority to take action if violations occur of the SVWRF Local Limits.
19. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(vi) require the District to evaluate the facility to determine if it needs a slug discharge control plan. It is unclear from the Permit and inspection reports if a slug discharge control plan is required; however, a slug discharge control plan from 2016 is included in the Pretreatment records.	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(2)(vi) **Corrective Action Item** Require Merit Medical to update the slug discharge control plan to incorporate changes from 2016 and address spill potential in all buildings at the facility.
20. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(iv) require the District to "Receive and	**Pretreatment Requirements**

analyze self-monitoring reports and other notices submitted by Industrial Users in accordance with the self-monitoring requirements…" In addition, the Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(vii) require the District to "Investigate instances of noncompliance with Pretreatment Standards and Requirements, as indicated in the reports and notices required under § 403.12." • Samples collected by the District on October 25, 2024 report a field pH of 1.3 standard units (SU). This is a violation of pretreatment standards and the potential for the discharge of hazardous waste. No follow up or enforcement was found in the file for this violation. • Section B.1 of the permit establishes semiannual reporting periods of December through May and June through November. The June 17, 2025 samples collected by the District for the first 2025 semiannual monitoring period is outside the reporting period. The District is required to provide an enforcement action for the failure to sample for the 1st 2025 semiannual reporting period, according to its ERP. • The chain of custody from the October 25, 2024 sample event indicate two different sample points A-1 and A-2. This is not identified or explained in the permit or fact sheet. Jordan Basin stated that these two sample points were from two different tanks in two different rooms doing the same process.	40 C.F.R. § 403.8(f)(2)(iv) 40 C.F.R. § 403.8(f)(2)(vii) **Corrective Action Item** • Provide an enforcement action for the pH violation on October 25, 2024, according to the District's ERP. • Provide an enforcement action for the failure to sample for the 1st 2025 semiannual reporting period, according to the District's ERP. • Modify the permit to identify A-1 and A-2 as two separate compliance monitoring points.
21. The Metal Finishing Categorical Pretreatment Standards at 40 C.F.R. § 433.12(a) state the following: "In lieu of requiring monitoring for TTO, the control authority may allow dischargers to make the following certification statement: "Based on my inquiry of the person or persons directly responsible for managing compliance with the permit limitation [or pretreatment standard] for total toxic organics (TTO), I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewaters has occurred since filing of the last discharge monitoring report. I further certify that this facility is implementing the toxic organic management plan submitted to the permitting [or control] authority." For indirect	**Pretreatment Requirements** 40 C.F.R. § 433.12(a) 40 C.F.R. § 469.13(c) 40 C.F.R. § 403.12(e) **Corrective Action Item** Update the TOMP and solvent management plans to include changes that have occurred since 2007. Each plan should be evaluated to ensure it meets the requirements for the different building where the processes are occurring. **Recommendation**

dischargers, the statement is to be included as a comment to the periodic reports required by 40 C.F.R. § 403.12(e). If monitoring is necessary to measure compliance with the TTO standard, the industrial discharger need analyse for only those pollutants which would reasonably be expected to be present." The facility submitted a TOMP on January 11, 2007. The Electrical and Electronic Components Categorical Pretreatment Standards at 40 C.F.R. § 469.13(c) state the following: "In lieu of monitoring for TTO, the control authority may allow industrial users of POTWs to make the following certification as a comment to the periodic reports required by 40 C.F.R.§ 403.12(e): "Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standard for total toxic organics (TTO), I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewaters has occurred since filing the last discharge monitoring report. I further certify that this facility is implementing the solvent management plan submitted to the control authority." The facility submitted a solvent management plan on October 23, 2013. The TOMP and solvent management plan use similar certification language and should be evaluated to ensure they meet requirements stipulated in the Metal Finishing Categorical Pretreatment Standards at 40 C.F.R. § 433.12 and Electrical and Electronic Components Categorical Pretreatment Standards at 40 C.F.R. § 469.13 respectively, during reporting on the periodic compliance reports.	Evaluate the certification language submitted in the compliance monitoring periods for the TOMP and solvent management plan to ensure they meet requirements stipulated in the Metal Finishing Categorical Pretreatment Standards at 40 C.F.R. § 433.12 and Electrical and Electronic Components Categorical Pretreatment Standards at 40 C.F.R. § 469.13 respectively.
Wasatch Product Development	
22. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements." Permit limits for Monitoring Point A outlined in Permit Section A.3.b are unclear which limits are being enforced. The Permit should be modified to	**<u>Pretreatment Requirements</u>** 40 C.F.R. § 403.8(f)(1)(iii) **<u>Corrective Action Item</u>** Modify or update the permit and fact sheet to clearly establish permit limits and compliance monitoring report due dates. Modify or update the permit and fact sheet to

make permit limits clear for the Permittee. Permit Part II Section B.1 states that periodic compliance reports (PCR) are due in January and July with the first report for this Permit due December 2021. The Fact Sheet indicates that periodic compliance reports are due in December and June. The control authority should be clear and consistent in stipulating when periodic compliance reports are due. The Permit and Fact Sheet classify the Permittee as having a discharge under 40 CFR 417 Subpart H - Liquid Soap manufacturing; however, there are no categorical standards associated with liquid soap manufacturing.	clearly establish that the permit limits are not based on categorical limitations due to the 40 CFR 417 not having pretreatment standards for this section of the categorical standard.
23. The Pretreatment Regulations at 40 C.F.R. § 403.12(j) require "All Industrial Users shall promptly notify the Control Authority in advance of any substantial change in the volume or character of pollutants in their Discharge, including the listed or characteristic hazardous wastes for which the Industrial User has submitted initial notification under paragraph (p) of this section." The 2025 inspection indicated an increase in water consumption and discharge almost double what was indicated in the 2024 inspection report. The 2025 inspection report indicated that no changes had occurred at the facility, however it was noted that the Permittee had installed a reverse osmosis (RO system and a deionized water system. There was no indication that the Permittee had notified the CA of these changes as stipulated in Permit Part II Section B.4.	**Pretreatment Requirements** 40 C.F.R. § 403.12(j) Wasatch Products Development permit, Part II Section B.4 **Corrective Action Item** Evaluate the IU's failure to notify of changes and determine if an enforcement action is warranted, in accordance with the District's ERP.
Ultradent Products	
24. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements." The effective date of the permit is January 10, 2025, and the expiration date of the permit is January 9, 2030, or five years. The permit goes on to say, "If the Permittee wishes to continue to discharge beyond the expiration date	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(1)(iii) **Corrective Action Item** The administratively extension language needs to be removed from the Ultradent Products permit. Update the slug discharge control plan to provide descriptions of thoroughly draining

of this Permit, an application must be submitted to SVSD in accordance with the requirements of applicable SVSD Pretreatment Rules and Regulations." Permits are not allowed to be extended past five years. This language could be considered confusing, potentially giving the IU the idea that the permit could be extended past 5 years. The permit does not include the requirement to submit self-monitoring reports with a certification statement, as required in 40 CFR 403.12, and set forth in 403.6(a)(2)(ii). As stated in 403.12(g)(1), where the POTW performs the sampling and analysis in lieu of the Industrial User, the User will not be required to submit the certification statement. However, Part II.B.2 of the Permit, the permittee may choose to conduct any additional monitoring and sampling of their waste stream. The fact sheet states that wastewater could be generated from the process of cleaning batch mixing tanks, transportation tanks, and equipment that has come into contact with pharmaceutical ingredients and/or conveyed product into consumer store bought products. The slug discharge control plan has language of "when a drum has been thoroughly drained…" however, the slug discharge control plan does not provide any description of this practice or the measures that are in place to prevent spills during this practice.	drums and the measures that are in place to prevent spills during this practice. **<u>Recommendation</u>** Permit language should be established that ensures any sampling submitted to the POTW includes this certification statement.
25. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(iv) require the District to "Receive and analyze self-monitoring reports and other notices submitted by Industrial Users in accordance with the self-monitoring requirements…" In addition, the Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(vii) require the District to "Investigate instances of noncompliance with Pretreatment Standards and Requirements, as indicated in the reports and notices required under § 403.12." Part II.A.1of the permit requires Total Recoverable Petroleum Hydrocarbon (TRPH) to be sampled semiannually. Based on the EPA's review of the sample records provided by the District, TRPH was not sampled in 2024. TRPH is crossed out on the chain of custody for the April 4th, 2024 sample	**<u>Pretreatment Requirements</u>** 40 C.F.R. § 403.8(f)(2)(iv) 40 C.F.R. § 403.8(f)(2)(vii) **<u>Corrective Action Item</u>** • Provide an enforcement action for the failure to sample for TRPH in 2024, according to the District's ERP. • Ensure the samples are collected per permit conditions and provide an enforcement action for incorrect sampling methods for COD and TSS on November 7, 2024, according to the District's ERP.

event. Part II.A.1 of the permit requires chemical oxygen demand (COD) and total suspended solids (TSS) to be collected as time-proportional composites. According to the CoC for the sample event on November 7, 2024, COD was collected as a grab sample.	
Oratech Products	
26. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements." The effective date of the permit is September 28, 2021, and the expiration date of the permit is September 27, 2026, or five years. The permit goes on to say, "If the Permittee wishes to continue to discharge beyond the expiration date of this Permit, an application must be submitted to SVSD in accordance with the requirements of applicable SVSD Pretreatment Rules and Regulations." Permits are not allowed to be extended past five years. This language could be considered confusing, potentially giving the IU the idea that the permit could be extended past 5 years. Part II.B.5 of the permit states, "…the Permittee will be evaluated for its potential to discharge Slug Loads, and the need for the development and implementation of a Slug Discharge Control Plan." This permit goes on to list the requirements of a Slug Discharge Control Plan, if required. The fact sheet for this facility says that a Slug Discharge Control Plan was determined to be necessary. The permit does not include the requirement to submit self-monitoring reports with a certification statement, as required in 40 CFR 403.12, and set forth in 403.6(a)(2)(ii). As stated in 403.12(g)(1), where the POTW performs the sampling and analysis in lieu of the Industrial User, the User will not be required to submit the certification statement. However, Part II.B.2 of the Permit, the permittee may choose to conduct any additional monitoring	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(1)(iii) Oratech Products Permit, Part II.B.5 **Corrective Action Item** Modify the Oratech Products permit to remove the administratively extension language and to clarify that a slug discharge control plan is required. Ensure the District samples the facility on a semiannual frequency, as required by the permit or change the permit sample frequency requirement to twice per year. **Recommendation** Permit language should be established that ensures any sampling submitted to the POTW includes this certification statement.

and sampling of their waste stream. Language should be included that ensures any sampling submitted to the POTW includes this certification statement. Part II.A.1 of the permit requires semiannual sampling for acetone, n-Amyl Acetate, Ethyl Acetate, Isopropyl Acetate, Methylene Chloride, Total Recoverable Petroleum Hydrocarbon (TRPH), Chemical Oxygen Demand (COD), Total Suspended Solids (TSS), and pH. According to the sample records provided by Jordan Basin, samples were collected on April 5, 2024, and again on June 19, 2025. Although the facility was sampled twice in 2024, the sample dates do not technically meet the requirement of semiannual sampling.	
Lashbrook Designs	
27. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements." The permit developed for Lashbrook Designs indicates the permittee engages in certain industrial processes that are considered Categorical "however have elected to use other lawful methods for disposal of their regulated wastes". The District has indicated the facility would be permitted as a significant industrial due to potential to discharge to the POTW and includes permit conditions. The fact sheet completed in July 2024 indicates a slug discharge evaluation was completed and the user has developed a slug discharge control plan with procedures in place for notifying the District in the event of a slug discharge. Additionally, the inspection conducted on June 12, 2025 indicates a plan is in place and was reviewed during the inspection. The EPA was unable to locate this document in the records provided for review, and unable to confirm the need for a Slug Plan as the facility indicates there are no floor drains and no potential for a slug.	**<u>Pretreatment Requirements</u>** 40 C.F.R. § 403.8(f)(1)(iii) **<u>Corrective Action Item</u>** Update the Lashbrook Designs zero-discharge permit that expressly prohibits discharge of the regulated wastestreams and clearly does not include permit conditions that infer a discharge is allowed. Require Lashbrook Designs to develop a slug discharge control plan.
28. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(iv) require the District to "Receive and	**<u>Pretreatment Requirements</u>**

analyze self-monitoring reports and other notices submitted by Industrial Users in accordance with the self-monitoring requirements…" In addition, the Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(vii) require the District to "Investigate instances of noncompliance with Pretreatment Standards and Requirements, as indicated in the reports and notices required under § 403.12." Section B.1 of the permit requires a periodic compliance report for the preceding six-month period certified by the authorized representative. A periodic compliance report was submitted for the January and June 2024 reporting period indicating no discharge. However, the report was certified on May 21, 2024, prior to the end of the reporting period. This periodic compliance report needs to be certified for the full reporting period.	40 C.F.R. § 403.8(f)(2)(iv) 40 C.F.R. § 403.8(f)(2)(vii) Lashbrook Designs Permit, Section B.1 **Corrective Action Item** Require the facility to provide a certification for the entire reporting period or provide an enforcement action for the failure to provide adequate certification, according to its ERP.
29. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(ii) require the District to "Identify the character and volume of pollutants contributed to the POTW." The facility inspections conducted on August 22, 2024 and June 12, 2025 provide limited explanation of processes conducted on-site including categorical wastestreams produced.	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(2)(ii) **Corrective Action Item** Provide detailed explanations and descriptive photo logs in the inspection reports to produce an accurate and current representation of the facility.
Ferreus Industries	
30. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements." The permit for Ferrous Industries indicates the permittee engages in certain industrial processes that are considered Categorical "however have elected to use other lawful methods for disposal of their regulated wastes". The facility is permitted as a significant industrial due to potential to discharge to the POTW. The District has indicated the facility would be permitted as a significant industrial due to potential to discharge to the POTW and includes permit conditions.	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(1)(iii) **Corrective Action Item** Update the Ferreus Industries zero-discharge permit to expressly prohibit discharge of the regulated wastestreams and to remove permit conditions that infer a discharge is allowed.

31. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(ii) require the District to "Identify the character and volume of pollutants contributed to the POTW." The facility inspections conducted on September 26, 2024 and June 12, 2025 provide descriptions on the location of categorical processes conducted on site, but no information on the wastestreams or process operations.	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(2)(ii) **Corrective Action Item** Provide detailed explanations and descriptive photo logs in the inspection reports to produce an accurate and current representation of the facility.
Edwards Lifesciences	
32. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements." The permit limitations for Monitoring Point A and B, listed in Permit Section A.3.b reflect categorical standards found in 40 C.F.R. § 433.17. However, the District's local limits for daily maximum cadmium and nickel are more stringent than those found in 40 CFR 433.17.	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(1)(iii) **Corrective Action Item** The most stringent limits between the Metal Finishing Categorical Pretreatment Standards found in 40 C.F.R. § 433.17 and the Jordan Basin District's local limits need to be applied in the permit.
33. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements." The permit limitations for Monitoring Point A and B, listed in Permit Section A.3.b reflect an upper limit for pH which is not supported by the Jordan Basin Local Limit document.	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(1)(iii) **Corrective Action Item** The District should public notice the Edwards Lifesciences Permit. This is to ensure the District has the legal authority to take action if violations occur for a limit which is not supported by the Jordan Basin Local Limit document.
34. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements." The effective date of the permit is December 2, 2023, and the expiration date of the permit is December 1, 2028, or five years. The permit goes on to say, "If the Permittee wishes to continue to discharge beyond the expiration date	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(1)(iii)(B) **Corrective Action Item** Remove the language regarding extending the permit beyond the expiration date of the permit.

of this Permit, an application must be submitted to SVSD in accordance with the requirements of applicable SVSD Pretreatment Rules and Regulations." Permits are not allowed to be extended past five years. This language could be considered confusing, potentially giving the IU the idea that the permit could be extended past 5 years.	
35. Samples are being taken as grab; however, justification for the sampling procedure was not stated in the file.	**Pretreatment Requirements** 40 C.F.R. § 403.12 (g) **Corrective Action Item** Provide justification for utilizing grab for collecting the sample. The justification should state why the District believes the sample method is representative of the discharge.
36. Edwards Lifesciences did not provide information in the application regarding pollutants being discharged to the POTW.	**Pretreatment Requirements** 40 C.F.R. § 403.8 (f)(1)(i) **Corrective Action Item** Ensure permittees are completing the application. The permittee should provide information regarding new and increased contributions of pollutants or changes in the nature of pollutants as part of the application. This is to ensure the District has information from the permittee that has been certified regarding the pollutants being discharged.
37. Flow was not provided regarding the discharge. This is required to be submitted every six months.	**Pretreatment Requirements** 40 C.F.R. § 403.12 (e)(1) **Corrective Action Item** Require the permittee to provide flow every six months.
38. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(iv) require the District to "Receive and analyze self-monitoring reports and other notices	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(2)(iv)

submitted by Industrial Users in accordance with the self-monitoring requirements…" In addition, the Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(vii) require the District to "Investigate instances of noncompliance with Pretreatment Standards and Requirements, as indicated in the reports and notices required under § 403.12." Samples collected by the District on March 26, 2024, report a violation of the monthly and daily limit of 10.3 mg/L for copper and a violation of the monthly limit of 1.97 for zinc. No follow up or enforcement was found in the file for these violations.	40 C.F.R. § 403.8(f)(2)(vii) **Corrective Action Item** • Provide an enforcement action for the violations on March 26, 2024, according to the District's ERP. • Provide an enforcement action and the response from the permittee for the copper and zinc permit violations.
eBay	
39. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements." Section A.3.a of the permit indicates that flow from the facility is directed to SVWRF and as such, the Permittee is subject to the SVWRF local limits; therefore, the permittee is being limited by the SVWRF for selenium.	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(1)(viii) 40 C.F.R. §25 **Corrective Action Item** The District should public notice the eBay Permit. This is to ensure the District has the legal authority to take action if violations occur of the SVWRF Local Limits.
40. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements." The permit was originally issued on January 23, 2023 it was modified on October 20, 2024, and expires on January 22, 2028. The permit states, "If the Permittee wishes to continue to discharge beyond the expiration date of this Permit, an application must be submitted to SVSD in accordance with the requirements of applicable SVSD Pretreatment Rules and Regulations." Permits are not allowed to be extended past five years. This language could be considered confusing, potentially giving the IU the idea that the permit could be extended past 5 years.	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(1)(iii)(B) **Corrective Action Item** Remove the language regarding extending the permit beyond the expiration date of the permit.

41. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements." The permit was modified on October 20, 2024. However, information was not provided regarding the reasons for the modification in the documents provided.	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(1)(iii)(B) **Corrective Action Item** Provide information on modifications within the fact sheet. Also, the originally issued permit and the previously issued permits should be retained in the permit file. This will assist with information regarding requirements that may have changed from permit to permit or modifications to the permit requirements.
42. The inspection that occurred on October 17, 2024, states that a slug control plan is needed. The inspection also states that eBay has an up-to-date slug control plan. However, the permit states, "if needed," regarding the need for a slug control plan. Also, a plan was not provided with the documents for eBay. The permit should be modified to clarify that a slug control plan is required and require the submittal of the plan. The fact sheet completed in January 2023 did not provide information regarding an evaluation of the facility for a slug discharge plan.	**Pretreatment Requirements** 40 C.F.R. § 403.8(f)(1)(iii) **Corrective Action Item** Require eBay to develop a slug discharge control plan. Also, update the permit to require the development of a slug control plan.
43. eBay did not provide information in the application regarding pollutants being discharged to the POTW.	**Pretreatment Requirements** 40 C.F.R. § 403.8 (f)(1)(i) **Corrective Action Item** Ensure permittees are completing the application. The permittee should provide information regarding new and increased contributions of pollutants or changes in the nature of pollutants as part of the application. This is to ensure the District has information from the permittee that has been certified regarding the pollutants being discharged.
44. Flow was not provided regarding the discharge. This is required to be submitted every six months.	**Pretreatment Requirements** 40 C.F.R. § 403.12 (h) **Corrective Action Item** Require the permittee to provide flow every six

	months.
Section 10.0 – Control Authority Compliance Monitoring	
45. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(v) require the District to "Randomly sample and analyze the effluent from Industrial Users and conduct surveillance activities in order to identify, independent of information supplied by Industrial Users, occasional and continuing noncompliance with Pretreatment Standards. Inspect and sample the effluent from each Significant Industrial User at least once a year." In addition, the Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(vii) state "Sample taking and analysis and the collection of other information shall be performed with sufficient care to produce evidence admissible in enforcement proceedings or in judicial actions.". Based on the EPA and the UTDEQ's evaluation of the District's sampling program, the District is sampling the permitted SIUs at least twice per year in its capacity as the Control Authority, which meets the Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(v). The District also conducts the self-monitoring for the permitted SIUs, as allowed in 40 C.F.R. § 403.12(g)(1). It appears that the twice annual sampling of the SIUs serves as the District's self-monitoring for the SIUs and the District control authority sampling. The District's sampling and monitoring SOP found in the Chapter 4 of its Pretreatment Program Procedures address QA/QC, but it does not appear that the District is implementing the QA/QC during sampling activities. Based on information gathered during the audit, it appears the District is adequately cleaning and calibrating its sampling/monitoring equipment; however, these procedures are not adequately documented. Based on the EPA's inspection of the Ortho Development facility inspection, the SIU-specific sampling protocol is not representative of current conditions at the facility.	**<u>Pretreatment Requirements</u>** 40 C.F.R. § 403.8(f)(2)(v) 40 C.F.R. § 403.8(f)(2)(vii) 40 C.F.R. § 403.12(g)(1). **<u>Corrective Action Item</u>** Integrate QA/QC procedures and techniques in its sampling program such as equipment blanks, field blanks, duplicates to ensure the sample collection meets 40 C.F.R. 136 requirements. In addition, integrate QA/QC such as standards, blanks, matrix spikes to ensure the laboratory is meeting 40 C.F.R. 136 requirements. Ensure the SIU-specific sampling protocols are representative of current conditions at the SIU. **<u>Recommendation</u>** The EPA recommends the District document the cleaning and calibration events of its sampling/monitoring equipment. The EPA recommends the District evaluate its SIU-specific sampling protocols after permit renewals, modifications and potentially, after SIU inspections to ensure these adequately address current conditions at the SIU.

Section 11.3 – Enforcement Response Plan

46. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(5)(iv) require the District to develop and implement an ERP to "Adequately reflect the POTW's primary responsibility to enforce all applicable pretreatment requirements and standards. This plan shall contain detailed procedures indicating how a POTW will investigate and respond to instances of industrial user noncompliance. The plan shall, at a minimum:

    - Describe how the POTW will investigate instances of noncompliance.
    - Describe the types of escalating enforcement responses the POTW will take in response to all anticipated types of industrial user violations and the time periods within which responses will take place.
    - Identify (by title) the official(s) responsible for each type of response."

    The District submitted its ERP, found in Chapter 7 of the District's SOPs titled "20191010 Pretreatment Procedures Manual - final draft" to the EPA for review, prior to the audit. Based on the EPA/s review, the following comments are provided to ensure the ERP aligns with the Federal Regulations: (the EPA's review is included in the Jordan Basin ERP Review.pdf. In addition, the EPA's comments are embedded in 20191010 Pretreatment Procedures Manual - final draft-EPA.pdf).

    - The following methods on how Jordan Basin investigates noncompliance is absent and needs to be established or referenced in the District's ERP:
        - IU Inventory/Inspection Procedures
        - Permitting Procedures
        - Self-Monitoring Reporting/Notification
        - Control Authority Monitoring
        - Compliance Evaluation/SNC procedures
    - The following anticipated types of violations are either absent or need to be modified in the District's ERP:
        - Failure to Notify for 24-hour of becoming aware of a violation,

Pretreatment Requirements

40 C.F.R. § 403.8(f)(5)(iv)

Corrective Action Item

Establish or reference the following methods to determine non-compliance in the ERP:

- IU Inventory/Inspection Procedures
- Permitting Procedures
- Self-Monitoring Reporting/Notification
- Control Authority Monitoring
- Compliance Evaluation and SNC procedures

Establish anticipated types of violations of Pretreatment Standards and SNC criteria listed in section 11.3 of this audit report.

Recommendation

The EPA recommends the District establish administrative penalties up to $10,000 per violation per day in its Rules and Regulations.

- Failure to notify of hazardous waste
- Failure to notify for upset
- Failure to notify for bypass
- Analytical deficiencies
- Tampering
- Sector control programs

- The following significant non-compliance violations are either absent or need to be modified in the District's ERP:
  - Chronic violations of wastewater discharge limits, defined here are those in which 66 percent or more of all the measurements taken for the same pollutant during a six-month period exceeded (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Section 2.2.
  - Technical Review Criteria (TRC) violations, defined here are those in which 33 percent or more of wastewater measurements taken for the same pollutant parameter during a six-month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Section 2.2 multiplied by the applicable TRC criteria (TRC=1.4 for BOD, TSS, fats, oil, and grease, 1.2 for all other pollutants except pH);
  - Any other violation of a Pretreatment Standard or Requirement as defined by Section 2.2 (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the Treatment Facility Manager determines had caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public.
  - Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment or has resulted in SVSD's exercise of its emergency authority to halt or prevent such discharge.

○ Failure to meet, within 90-calendar days after the scheduled date, a compliance schedule milestone contained in an individual and general wastewater discharge permit or enforcement order for starting construction, completing construction or attaining final compliance. ○ Failure to provide within 45-calendar days after the due date, required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules. ○ Failure to accurately report noncompliance; or ○ Any other violation or group of violations, which may include a violation of BMPs, which the Treatment Facility Manager determines will adversely affect the operation or implementation of the local Pretreatment Program. • The District states in its ERP that it can assess administrative penalties up to $10,000 per violation per day but has not established this authority in the Rules and Regulations.	
Section 13.3 – Best Management Practices – Dental Amalgam Rule	
47. The Dental Amalgam Rule, found in 40 C.F.R. Part 441, was promulgated as a final rule with new source dental facilities required to be in compliance with the Pretreatment Standards as of July 14, 2017, and existing source dental facilities required to be in compliance as of June 14, 2020. Compliance with the rule requires the installation of an ISO1143 amalgam separator or equivalent device, and compliance with the following two BMPs: • Prohibition on the use of oxidizing or chlorine-containing line cleaners; and • Ensuring all amalgam process wastewater including chair-side traps, screens, vacuum pump filters, dental tools, cuspidors or collection devices are treated through the amalgam separator.	**Pretreatment Requirements** 40 C.F.R. § 441.50 **Corrective Action Item** Ensure the dental offices identified in section 13.3 of this audit report submit complete One-Time Compliance Reports, as required by the Dental Amalgam Rule.

In addition, the new and existing dental facilities are required in 40 C.F.R. § 441.50 of the Dental Amalgam Rule to provide a report that characterizes the dental facility and certifies compliance. The new source dental facilities are required to be in compliance upon discharge and submit a one-time compliance report within 90 days of startup.

The District has identified 59 dental facilities in its service area and has received one-time compliance reports within the deadline required by the Rule. The EPA reviewed the one-time compliance reports to ensure compliance with the reporting requirements of the Dental Amalgam Rule in 40 C.F.R. § 441.50.

Based on the EPA's review, most of the reports are complete and comply with the reporting requirements with the following exceptions identified below. The District is required to follow up with the following dental offices to ensure the dental facilities comply with the Dental Amalgam Rule:

- Apex Merit Dental Care – O+M information absent
- Aspen Ridge – # of chairs, O+M and BMP information absent
- Burg Dental – # of chairs, amalgam separator, O+M, BMP information absent
- CDA Practice – # of chairs, amalgam separator info, BMP information absent
- Dr Jerry Magnu – O+M information crossed out and absent
- Herriman Hills – O+M information absent
- James D Johnson – # of chairs, amalgam separator info absent
- Smith Dental – O+M information absent
- South Town Endodontics – O+M, BMP information absent
- Stone Haven – BMP information and affirmative initials absent
- Wilden Family Dental – NA listed in O+M and BMP information sections. Report is incomplete as a result.

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1.0 Introduction

The UTDEQ approved the District's Pretreatment program on March 27, 2013. The U.S. Environmental Protection Agency, Region 8 (EPA) and the UTDEQ conducted an audit of the Pretreatment program, administered by the Jordan Basin Improvement District (District) in Bluffdale, UT from August 19, 2025 to August 20, 2025. The Pretreatment audit started on August 19, 2025 at 8:00 a.m. with an opening interview. The closing conference was held on August 20, 2025 at 2:00 p.m. during which the EPA and the UTDEQ presented the preliminary observations, conclusions, and findings from the audit.

Participants in the audit included:

Jordan Basin Improvement District:

Adam Butterfield	Pretreatment Coordinator
Rob Craycraft	Pretreatment Inspector/Sampler
Drew Kilpatrick	Pretreatment Inspector/Sampler
Andre Yatta	Pretreatment Inspector/Sampler
Matt Garn	District Engineer (Closing Conference only)

UTDEQ:

Jennifer Robinson	Pretreatment Coordinator
Lindsay Cowles	NPDES Permitting Unit

EPA:

Al Garcia	Region 8 Pretreatment Coordinator
Monica Crosby	ECAD NPDES Unit
Stephanie Passarelli	ECAD NPDES Unit

The primary purpose of the EPA audit was to evaluate the Pretreatment program administered and implemented by the District. In addition, the audit served as a forum for the EPA, the UTDEQ and the District to discuss issues related to the implementation of the Pretreatment program and for the EPA and the UTDEQ to provide outreach and training to the District.

The EPA Pretreatment audit consisted of an evaluation of the following:

- The District's legal authority codified in the South Valley Pretreatment Rules and Regulations.
- Development and implementation of the District's local limits.
- The District's resources to implement the Pretreatment program in its service area.
- Implementation policies and templates developed by the District.
- Review and evaluation of the Pretreatment programmatic activities and records

maintained for the permitted Significant Industrial Users (SIUs).
- Site inspection of selected SIU in the service area to ensure the Pretreatment records reflect current conditions at the facilities.
- Discussion of the Pretreatment Regulations and implementation.

The following sections of the report highlight the findings, corrective actions, and recommended actions of the audit. The action items to correct program deficiencies and meet regulatory requirements are identified in the Pretreatment Audit Summary Table, beginning on page 3 of this report. Specific actions to clarify and strengthen program implementation are provided as recommendations within the body of the audit report.

2.0 Publicly Owned Treatment Works (POTW) Information

The District owns, maintains and operates a POTW located at 13826 S Jordan Basin Ln, Bluffdale, UT 84065. The POTW serves the boundary of the District and an outside contributing jurisdiction, Timpanogos Sanitary Sewer District. The service area for the POTW is shown in Figure 1, a POTW process diagram is shown in Figure 2, and the Google Earth view of the District's POTW is shown in Figure 3.

A site visit of the POTW was conducted by the EPA during the audit to develop an overview of the District's POTW processes and operations. The POTW information and site visit was provided by Mr. Adam Butterfield.

Service Area –

The Jordan Basin owns the collection system within the boundaries within the service area shown in Figure 1. However, the POTW does not service the northern portion (about 1/3) of the service area; the wastewater from the northern service area flows to the South Valley Water Reclamation Facility, located north of the District's service area in West Jordan, UT. This is primarily due to the engineering and cost infeasibility of pumping the wastewater in the northern portion of the service area to the Jordan Basin POTW through a main trunk interceptor.

In addition, the central portion of the POTW's service area may be discharged to the South Valley POTW or the Jordan Basin POTW through the South Jordan lift station, depending on capacity issues. During normal operations, a mechanical weir in the South Jordan lift station is set to rout half the wastewater volume in the lift station to the Jordan Basin POTW and half the wastewater volume to the South Valley POTW. The flow routed to the South Valley POTW is pumped to the South Valley main trunk interceptor line. The flow routed to the Jordan Basin POTW is pumped to the South Jordan main trunk interceptor. Note: the South Valley POTW also has established a Pretreatment program, approved by the State of Utah with enforceable local limits.

The southern portion of the service area flows to the POTW through the Jordan Basin main trunk interceptor. The wastewater in the southern portion also is collected in the Bluffdale main trunk interceptor and the Draper main trunk interceptor. The Bluffdale and Draper interceptors flow into the Jordan Basin interceptor and combine before entering the POTW.

POTW –

The wastewater from the service area enter through three channels leading to grinders to ensure large objects or materials are ground up prior to entering the bar screens. The POTW currently uses two channels that contain grinders with one additional channel without a grinder that was constructed in the event of expansion and used if bypass is necessary. The channels from the grinders are collected in a 100,000-gallon equalization tank. The equalization tank provides equalization and normalization of the wastewater flow and feeds the bar step screens through three channels of which two are currently used. The bar screens are used to screen organic material, rags and other material; the screens are automatically raked, and the materials is washed and transported via a screw conveyor to a large dumpster. The dumpster is transported about three time per week to the landfill. The wastewater from the screens is sent to a pista grit system that uses centripetal force to collect grit, gravel and sand from the wastewater. The grit material is washed and collected in the bar screen dumpster. The wastewater then flows through fine screens as the final headworks treatment. The air in the headworks complex is collected and filtered through an outside pit that contains lava rock and douglas fir chips for odor control.

The effluent from the headworks flows to a splitter box at the front of the activated basins to equalize and to be distributed in one of four parallel activated basins. The activated basins consist of the following zones:

- Deoxygenation or anoxic zone to facilitate denitrification.
- Anaerobic zone to create oxygen-deprived conditions that allow specific bacteria, such as phosphorus accumulating organisms, to remove phosphorus from the wastewater.
- Swing zones that can be operated as either an aerobic zone or an anoxic zone.
- Aerobic zone to promote nitrification and phosphorus removal.
- Sludge accumulated in the activated basins is skimmed off, collected in a separate basin and treated with bleach to remove foam. The wastewater from this process is sent back to headworks.

The wastewater from the activated basins is sent through the membrane filtration system consisting of four parallel trains; each train has twelve cassettes of membrane filter cassettes. The solids generated from the membranes are either returned to the activated basins as return activated sludge or wasted to the centrifuge where flocculants are added, and the solids are concentrated from 1% to about 18-19% solids. The solids are sent to a thermal dryer and heated for pathogen control and dried to about 90%. The solids are land applied to farmland weekly as a Class A biosolid.

The wastewater from the membrane filtration system is sent to the UV disinfection through three channels of which two are currently used. The UV disinfected effluent flows through a constructed step aeration structure and is discharged to the Jordan River through outfall 001.

2.1 NPDES Permit

The District's NPDES permit #UT0025852, issued by the Utah Department of Environmental Quality (UTDEQ), contains provisions for an Approved Pretreatment

program in Part II. The permit was issued and effective on July 1, 2022 and will expire on March 9, 2027.

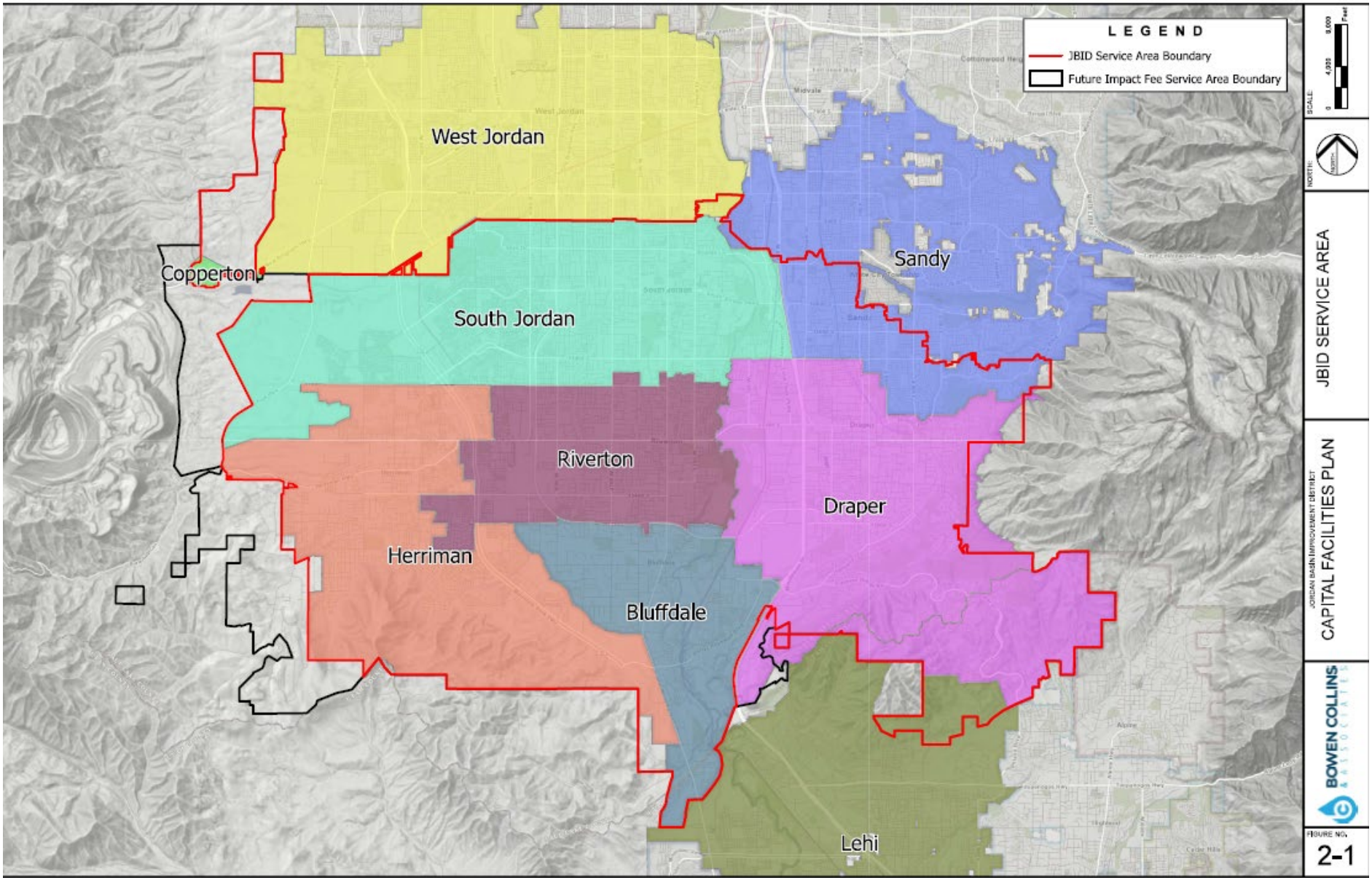

Figure 1 –Jordan Basin POTW Service Area

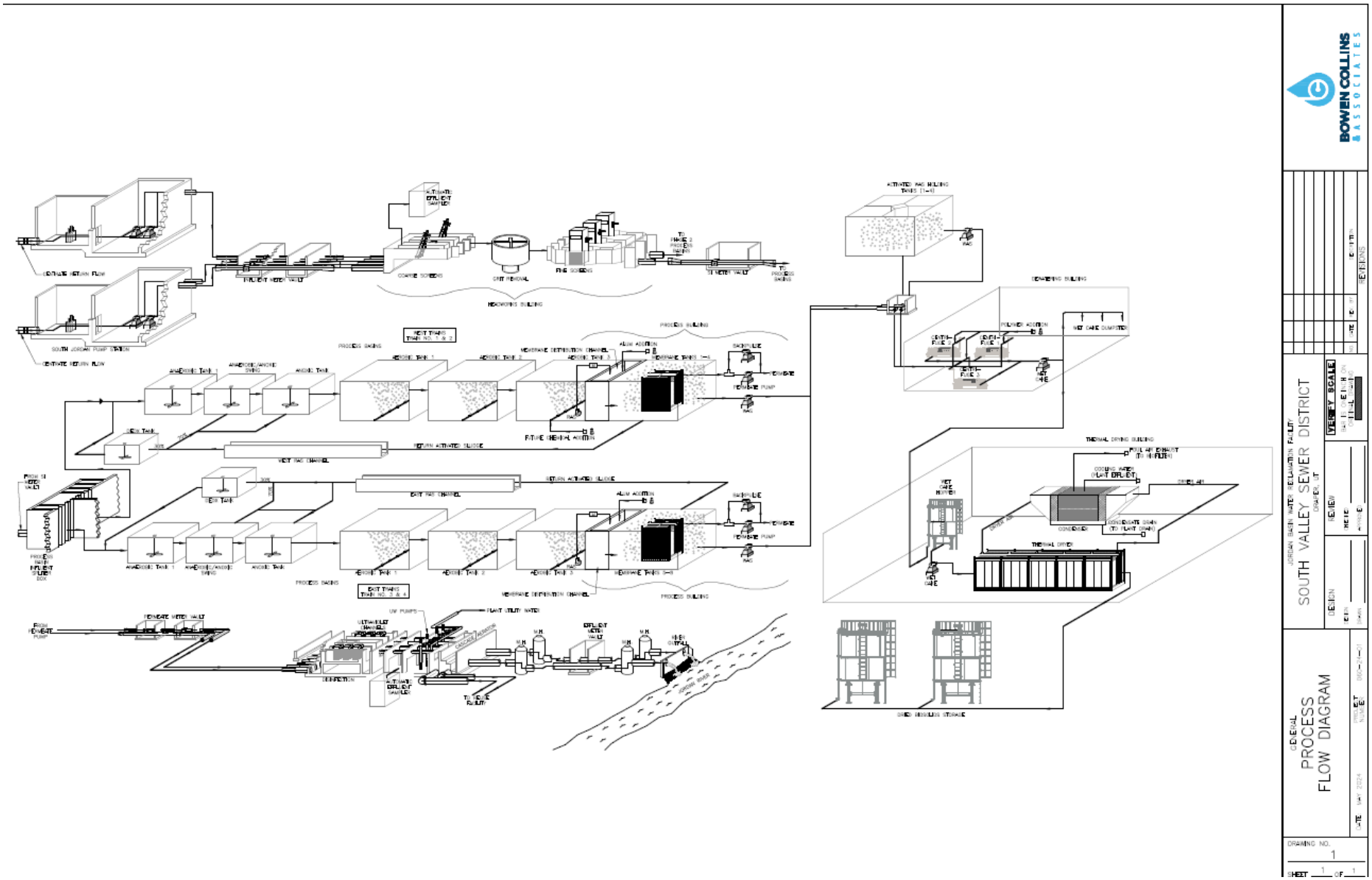

Figure 2 – Jordan Basin POTW Process Diagram

Figure 3 – Jordan Basin POTW - Google Maps View

3.0 Resources

3.1 Resources Regulatory Background

The Pretreatment Regulations found in 40 C.F.R. § 403.8(f)(1-6) include POTW Pretreatment requirements and procedures to implement an approved Pretreatment program. These requirements and procedures include the legal authority and the implementation procedures of the Pretreatment program (permitting, inspections, sampling, industrial waste survey, receipt of IU reporting and notification, record-keeping, slug discharge control, compliance evaluation, and enforcement for non-compliance). In addition, the Pretreatment Regulations found in 40 C.F.R. § 403.8(f)(3) state that the POTW shall have sufficient resources and qualified personnel to carry out the authorities and implementation procedures of the Pretreatment program.

A Pretreatment program, in compliance with the criteria listed in the Pretreatment Regulations, requires adequate and qualified staffing to implement the Pretreatment program in its service area. The resources required for each implementation activity depend largely on the size of the service area, the number of IUs/SIUs/sector control programs, and Pretreatment program policies. A compliant program also requires a consistent funding mechanism to ensure the program is adequately funded and equipped to fully implement the program.

3.2 Evaluation of The District's Resources and Funding

According to the CY24 Pretreatment Annual Report, the District's resource commitment to the Pretreatment program is 6.0 FTE. The 6.0 FTE includes a Pretreatment Administrator (Pretreatment Coordinator), four sampler/inspectors and an office administrative assistant. According to information gathered during the audit, the staff each are a full-time FTE with 100% duties dedicated to implementation of the Pretreatment program.

The Pretreatment Coordinator issues permits to SIU/CIUs and IUs subject to the FOG and POG programs such as FSEs, car washes and garages. The Pretreatment Coordinator also conducts inspections of the permitted SIUs and conducts compliance evaluation and enforcement. The inspectors/samplers conduct the sampling of the Pretreatment program for the SIUs and FOG/POG sector control program. In addition, the inspector/samplers inspect the IUs subject to the FOG and POG sector control programs and participate in the SIU inspections.

The Pretreatment Coordinator reports to the District Engineer, who reports to the District Manager. The District Manager reports to the District Board which consists of members from the City Managers of Herriman, Riverton, Bluffdale, South Jordan and Sandy, as well as an elected member from Draper. The District collaborates with the Collections department to identify issues in the service area and also collaborates with the local Health department. The EPA recommends the District collaborate or cross train with the Fire departments within the service area to gather additional information from the Fire department's facility inspections. The Fire department personnel are typically in the IU's facilities throughout the service area and can notify the District if it observes spills, non-compliant chemical storage or other areas of concern to the Pretreatment program.

The District reported in its CY24 Pretreatment Annual Report that its Pretreatment program has a budget of $810,362 that is self-funded by generated permitting and sampling fees of IUs in its service area. The District appears to be well-equipped to implement the field activities of the Pretreatment program and has three dedicated sampling vans, two sampling trucks, about 25 Sigma automatic samplers with pH probe modules, field pH meters, manhole hooks, PPE and other consumable materials. The Pretreatment program also has dedicated space to store, clean, maintain and calibrate the sampling and field equipment.

Based on the EPA's review of the District's implementation of its Pretreatment program, it appears that the District's current resources and budget is adequate to implement all programmatic activities of the Pretreatment program, in compliance with 40 C.F.R. § 403.8(f)(3). The District's Pretreatment Coordinator has a significant amount of Pretreatment experience, and the inspector/sampler staff have a mix of significant experience implementing the program and new staff that appear enthusiastic at learning program implementation. The Pretreatment Coordinator is tasked with issuing, renewing and managing a significant number of individual permits for SIUs and IUs subject to the FOG and POG sector control programs and the inspector/samplers primarily implement the field sampling and inspections of the SIUs and the FSEs in the FOG program and inspections of the auto repair and car washes in the POG program.

The EPA recommends the District consider the resources necessary for the permit issuance and renewals and evaluate cross training its sampler/inspectors to help the Pretreatment Coordinator with permitting and permit management such as receiving reports, notices and compliance evaluation of these submitted documents. In addition, the EPA recommends Jordan Basin evaluate its current use of resources and devote resources to the maintenance and update of the industrial waste inventory and characterization program. It does not appear the District has conducted inspections or sent out surveys to gather characterization information on IUs in its service area.

3.3 Examples of Available Pretreatment Training/Resources

The EPA recommends District continues to engage in available Pretreatment training opportunities to acquire the necessary training to ensure its personnel is qualified to implement the Pretreatment program. This is not a comprehensive list of all Pretreatment related training/resources available. District is encouraged to seek out training and resources that will support its Pretreatment program implementation. The UTDEQ is also available to District for Pretreatment training opportunities, and during the Pretreatment audit, EPA provided training on right of entry procedures, gathering information and characterizing IUs during facility inspections.

The Region 8 Pretreatment workshop, provided by the Region 8 Pretreatment Association, provides training sessions directly related to Pretreatment implementation, updates to upcoming regulations and policies, and networking opportunities.

The EPA provides "Pretreatment 101" webinar training designed to provide consistent national training to local and state Pretreatment programs. The webinar series is located at https://www.epa.gov/npdes/national-pretreatment-program-training-and-webinars. Archived presentations may be downloaded, and a schedule of future training opportunities

is located at the website.

An additional resource available is the Pretreatment Coordinators Group discussion forum, found at the following website:

https://groups.io/g/Pretreatment/topics

4.0 Pretreatment Legal Authority in the District's Rules and Regulations and Intergovernmental Agreements

4.1 Legal Authority Background

The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1) states:

"The POTW shall operate pursuant to legal authority enforceable in Federal, State, or local courts, which authorizes or enables the POTW to apply and to enforce the requirements of sections 307 (b) and (c), and 402(b)(8) of the Clean Water Act (Act) and any regulations implementing those sections. Such authority may be contained in a statute, ordinance, or series of contracts or joint powers agreements which the POTW is authorized to enact, enter into or implement, and which are authorized by State law.

At a minimum, this legal authority shall enable the POTW to:

i. Deny or condition new or increased contributions of pollutants, or changes in the nature of pollutants, to the POTW by Industrial Users where such contributions do not meet applicable Pretreatment Standards and Requirements or where such contributions would cause the POTW to violate its NPDES permit.

ii. Require compliance with applicable Pretreatment Standards and Requirements by Industrial Users.

iii. Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements. In the case of Industrial Users identified as significant under §403.3(v), this control shall be achieved through individual permits or equivalent individual control mechanisms issued to each such User.

iv. Require (A) the development of a compliance schedule by each Industrial User for the installation of technology required to meet applicable Pretreatment Standards and Requirements and (B) the submission of all notices and self-monitoring reports from Industrial Users as are necessary to assess and assure compliance by Industrial Users with Pretreatment Standards and Requirements, including but not limited to the reports required in §403.12.

v. Carry out all inspection, surveillance and monitoring procedures necessary to determine, independent of information supplied by Industrial Users, compliance or noncompliance with applicable Pretreatment Standards and Requirements by Industrial Users. Representatives of the POTW shall be authorized to enter any premises of any Industrial User in which a Discharge source or treatment system is located or in which records are required to be kept under §403.12(o) to assure

compliance with Pretreatment Standards. Such authority shall be at least as extensive as the authority provided under section 308 of the Act.

vi. (A) Obtain remedies for noncompliance by any Industrial User with any Pretreatment Standard and Requirement. All POTW's shall be able to seek injunctive relief for noncompliance by Industrial Users with Pretreatment Standards and Requirements. All POTWs shall also have authority to seek or assess civil or criminal penalties in at least the amount of $1,000 a day for each violation by Industrial Users of Pretreatment Standards and Requirements.

(B) Pretreatment requirements which will be enforced through the remedies set forth in paragraph (f)(1)(vi)(A) of this section, will include but not be limited to, the duty to allow or carry out inspections, entry, or monitoring activities; any rules, regulations, or orders issued by the POTW; any requirements set forth in control mechanisms issued by the POTW; or any reporting requirements imposed by the POTW or these regulations in this part. The POTW shall have authority and procedures (after informal notice to the discharger) immediately and effectively to halt or prevent any discharge of pollutants to the POTW which reasonably appears to present an imminent endangerment to the health or welfare of persons. The POTW shall also have authority and procedures (which shall include notice to the affected industrial users and an opportunity to respond) to halt or prevent any discharge to the POTW which presents or may present an endangerment to the environment or which threatens to interfere with the operation of the POTW. The Approval Authority shall have authority to seek judicial relief and may also use administrative penalty authority when the POTW has sought a monetary penalty which the Approval Authority believes to be insufficient.

vii. Comply with the confidentiality requirements set forth in §403.14."

The provisions in 40 C.F.R. § 403.8(f)(1)(i-vii) do not provide local Pretreatment programs with legal authority, but they do establish the minimum requirements for the local municipality to implement the Pretreatment program. A POTW's legal authority is derived from state law. Therefore, state law must confer the minimum legal authority required by the Pretreatment Regulations on a POTW.

To apply the regulatory authority provided by state law, it is necessary for the POTW to establish local regulations to legally implement and enforce pretreatment requirements. A POTW's legal authority is typically established in a sewer use ordinance as part of the municipality's code, or in the case of a sanitation district, its Rules and Regulations. The EPA's 2007 *Model Pretreatment Ordinance* provides a template for POTWs that are required to develop pretreatment programs and can be found at the following website:

https://www3.epa.gov/npdes/pubs/pretreatment_model_suo.pdf

Also, UTDEQ has utilized and modified the model sewer use ordinance. This can be requested by emailing Jennifer Robinson at jenrobinson@utah.gov

4.2 The EPA Evaluation of the District's Rules and Regulations

The District provided its Pretreatment legal authority found in its Rules and Regulations prior to the audit. Based on the EPA's review, the Pretreatment Regulations established in its Rules and Regulations provide the District with the framework to implement the Pretreatment Regulations in the POTW's service area, with the following exceptions summarized below: (*In addition to the summary below, the EPA's comments are included in the Jordan Basin Legal Authority Review.pdf and 20200825 SVSD Rules and Regulations - FINAL- EPA.pdf, enclosed with this audit report.*)

- The Rules and Regulations need to be updated to replace South Valley Sanitation District with Jordan Basin Improvement District, including the Control Authority definition in section 2.1.4(Q)
- Definitions (2.1.4 of the Rules and Regulations)
  - The Indirect Discharge definition in section 2.1.4(HH) needs to be modified to be equivalent to the Pretreatment Regulations definition found at 40 CFR 403.3(l).
  - Pretreatment Standard definition – section 2.1.4(E) – recommend adding BMPs as Pretreatment Standards in the definition
  - Pretreatment definition in section 2.1.4(ZZ) needs to be modified to be equivalent with the Federal Pretreatment definition in 40 CFR 403.3(s).
- Medical Waste prohibition in section 2.2.1(B)(11) – It does not appear that the District intends to inspect and control every medical clinic or point source in the service area with the potential for discharging medical waste. The EPA recommends adding "in amounts that cause or contribute to pass through or interference."
- Local Limits reference – The District provides a reference to its applicable local limits in 2.2.4(F) of the Rules and Regulations: "The current Local Limits and supporting documents for JBWRF and SVWRF are kept on file in SVSD Pretreatment Coordinator's office and are hereby incorporated." For public transparency, the EPA recommends the District include the date of approval and revision number for the current local limits applicable to the service area in the reference. At a minimum, the EPA recommends the District post the applicable local limits on its website.
- The EPA recommends Jordan Basin add the use of digital photos as information gathering the Right of Entry provisions found in section 2.7.1.
- The District implements Administrative Penalties in its program in the established SOP and its ERP. However, Administrative Penalty Authority is not established in the Rules and Regulations. The District needs to establish the authority to issue administrative penalties.

4.3 Inter-Jurisdictional or Governmental Agreements (IGA)

4.3.1 IGA Regulatory Background

A POTW's authority to implement and enforce its approved Pretreatment program is directly related to its regulatory jurisdiction. The POTW's authority is established in its

ordinance or Rules and Regulations, which are in effect for its service area. Local entities with connectors, or outside jurisdictions to the service area that contribute wastewater, must establish legally binding mechanisms to ensure that all IUs in these outside contributing jurisdictions are subject to enforceable Pretreatment standards and requirements, as required in §403.8(f)(1).

40 C.F.R. § 403.8(f)(1)(i) states, "The POTW shall operate pursuant to legal authority enforceable in Federal, State or local courts, which authorizes or enables the POTW to apply and to enforce the requirements of sections 307 (b) and (c), and 402(b)(8) of the Act and any regulations implementing those sections. *Such authority may be contained in a statute, ordinance, or series of contracts or joint powers agreements which the POTW is authorized to enact, enter into or implement, and which are authorized by State law.*" [*Emphasis added*]

The local entity that implements the Pretreatment program must either obtain this authority for itself through an IGA or ensure that the outside contributing jurisdiction has both the authority and the obligation to implement and enforce the Pretreatment Standards and Requirements against every IU that discharges to the POTW.

4.3.2 Evaluation of the District's IGAs with Outside Contributing Jurisdictions

As mentioned in section 2.0 of this audit report, Jordan Basin has a shared service area with the South Valley Sewer District to address treatment for the wastewater discharged to the Jordan Basin wastewater collection system but conveyed to the South Valley POTW. Jordan Basin and the South Valley Sewer District entered into a Interlocal Cooperation Agreement (Agreement) on August 22, 2023 to address the conveyance of this wastewater to either the South Valley POTW or the Jordan Basin POTW and the appropriate Pretreatment Standards on such wastewater. Based on the EPA's review of the Agreement, the following comment is provided:

- Item #4 of the Agreement states that the "The District will enforce local limits that are at least as stringent as the local limits enacted by the Facility on all industrial users." This statement needs to be clarified to only be applicable to IUs in the portion of the service area that will discharge to South Valley's POTW.
- The section further states that "The District will then include the most stringent of the District's or Facility local limits in every applicable SIU permit and give public notice of each such permit…" This statement needs to be clarified to only be applicable to SIUs that may discharge to either South Valley or the Jordan Basin POTW.

According to narrative information gathered during the opening interview, the District also has an outside contributing jurisdiction, the Timpanogos Sanitation District that only discharges domestic wastewater to the POTW. The District has established an IGA with the Timpanogos Sanitation District, but the IGA does not delegate authority to implement the Pretreatment program. The EPA recommends the District update its IU inventory in this outside contributing jurisdiction to ensure the Timpanogos Sanitation District does not

have IUs that discharge non-domestic wastewater to the POTW. In addition, the EPA recommends the District provide the Timpanogos IGA for review.

5.0 Local Limits

5.1 Local Limits Regulatory Background

The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(4) require POTWs that are developing pretreatment programs to develop and enforce specific limits on prohibited discharges or demonstrate that the limits are not necessary. 40 C.F.R. § 403.5(c)(1) states, "Each POTW developing a POTW Pretreatment Program pursuant to §403.8 shall develop and enforce specific limits to implement the prohibitions listed in paragraphs (a)(1) and (b) of this section [*general and specific prohibitions*]. Each POTW with an approved pretreatment program shall continue to develop these limits as necessary and effectively enforce such limits." [*Clarification and emphasis added*].

The National Pretreatment Program consists of three types of national pretreatment standards established by regulation that apply to industrial users. These include prohibited discharge standards, categorical standards, and local limits. Prohibited discharge and categorical standards are developed by the EPA to establish nationwide Pretreatment Standards. Prohibited discharge standards, comprised of general and specific prohibitions found in the Pretreatment Regulations at 40 C.F.R. 403.5(a) and (b), apply to all IUs regardless of the size or type of operation. Categorical standards are uniform, technology-based standards that apply to specific process wastewater discharges from industrial categories. These categorical standards are found at 40 C.F.R. Parts 405 through 471.

The EPA's promulgation of categorical standards does not relieve a POTW from its obligation to evaluate the need for and to develop local limits to meet the general and specific prohibitions in the Pretreatment Regulations. Because specific prohibitions and categorical standards provide only general protections against pass through and interference, local limits based on POTW-specific conditions may be necessary. Local limits are developed by POTWs to enforce the specific and general prohibitions, as well as any state and local regulations.

An Approved Pretreatment program is required to develop technically based local limits that are protective of the POTW, the collection system, and the POTW's site-specific standards. These site-specific standards may be NPDES permit effluent limits, biosolids limits, environmental criterion, worker health and safety standards, or other local standards.

The EPA recommends that POTWs establish their technically based local limits based on the maximum allowable headworks loading (MAHL) calculated for each pollutant of concern. The MAHL approach enables the POTW to calculate local limits considering the portion of the MAHL that is controllable (non-domestic discharges from IUs) from the uncontrollable portion (domestic sources, background concentrations, etc.). A pollutant's MAHL is determined by first calculating its Allowable Headworks Loading (AHL) for each POTW's site-specific standard or environmental criterion. Local limit development uses a mass-balance approach to determine the AHLs for a POTW based on the environmental and treatment plant criteria.

An AHL is the estimated maximum loading of a pollutant that can be received at a POTW's headworks, that should not cause a POTW to violate a treatment plant limit or environmental criterion. An AHL is developed to prevent interference or pass-through. An AHL is calculated for each applicable POTW site-specific standard: pass-through, sludge contamination, air quality standards, and the various forms of interference (i.e., biological treatment inhibition, sludge digestion inhibition). The AHLs for each pollutant of concern (POC) are calculated based on the various suitable environmental criteria, plant flow rates, and plant removal efficiency. After calculating a series of AHLs for each POC, the lowest AHL is chosen as the MAHL.

MAHLs estimate the maximum combined loadings that can be received at the POTW's headworks from all sources. Maximum allowable industrial loadings (MAIL), developed by the POTW, represent the amount of pollutant loadings the POTW can receive from controlled sources (i.e., industrial users, some commercial sources, and some hauled waste) that the POTW chooses to control through local limits. Local limits can take many forms based on how MAILs are allocated by the POTW. The designation and implementation of these MAILs, including the allocation of loadings to SIUs, are left to each POTW. The POTW should provide a reasonable method of allocating the MAIL to the SIUs while ensuring the implementation procedures do not exceed the calculated MAHL. Typically, the POTWs allocate the MAIL as a uniform concentration-based or a mass limit to each SIU.

The local limits should be based on the following:

- Sampling of the service area to develop a representative data set collected for local limits (e.g., influent, effluent, biosolids, commercial, residential, industrial, trucked/hauled waste),
- Evaluation of the current POTW standards/criteria (including, but not limited to: NPDES permit limits/conditions, water quality standards, biosolids standards),
- Identification of the POTW removal efficiency and pollutant partitioning,
- Evaluation of data to ensure it is current and representative of current conditions,
- Identification of pollutants of concern,
- Calculations of loadings and determination of MAHL, and
- Development of local limits and allocation methods.

5.2 The EPA Evaluation of The District's current Local Limits

5.2.1 Technically based Local Limits

According to the FY24 Pretreatment Annual Report, the District current local limits were approved by the UTDEQ on December 20, 2017and are referenced in section 2.2.4(F) of the Rules and Regulations:

> "The current Local Limits and supporting documents for JBWRF and SVWRF are kept on file in SVSD Pretreatment Coordinator's office and are hereby incorporated."

The EPA recommends Jordan Basin incorporate its local limits into its Rules and Regulations, alternatively, the District should post the current local limits on its Pretreatment website. to provide public transparency. At a minimum, Jordan Basin needs to include the date of approval and revision number of the current local limits.

The applicability language for the District's local limits is as follows:

"No Significant Industrial User or another permitted industrial user designated by the Treatment Plant Manager issued a permit pursuant to Section 2.4.2 shall discharge or cause to be discharged wastewater that exceeds the following limits"

Table 1 – District Local Limits referenced in section 2.2.4(F) of the Rules and Regulations

Pollutant	Symbol	Daily Maximum (mg/L)
Arsenic, Total	As	0.336
Cadmium, Total	Cd	0.102
Chromium	Cr	5.44
Copper, Total	Cu	3.66
Lead, Total	Pb	1.47
Mercury, Total	Hg	0.0041
Molybdenum, Total	Mo	1.16
Nickel, Total	Ni	3.68
Selenium, Total	Se	0.50
Silver, Total	Ag	4.39
Zinc, Total	Zn	6.35
Biochemical Oxygen Demand	BOD	4,691 lbs/day
Total Suspended Solids	TSS	11,009 lbs/day

The District incorporated the authority to implement local limits through the allocation of the MAIL in section 2.2.4(4) of the local limits submittal document:

"The Treatment Facility Manager may, at his/her sole discretion, implement local limits through allocation of the Maximum Allowable Industrial Load (MAIL) to industrial users. The MAIL is the total load available to be allocated to Significant Industrial Users and other designated non-SIUs and corresponds to the uniform concentration local limits shown in the table above. The MAILs that correspond to the Daily Maximum Discharge Limits shown in the Local Limits Report dated October 17, 2017, are hereby incorporated by reference."

5.2.2 South Valley Water Reclamation Facility Local Limits

As discussed in section 2.0 of this audit report, the District owns the collection system within its service area. However, the POTW does not provide treatment to the northern portion (about 1/3) of the service area; the wastewater from the northern service area flows to the South Valley Water Reclamation facility located north of the District's service area in West Jordan, UT. In additon, certain IUs located within the central portion of its service area that discharge wastewater to the Jordan Basin lift station may discharge to the South Valley POTW or the Jordan Basin POTW, depending on the adjustments to the weir located within this lift station.

As a result, the IUs in the northern portion of the District's service area are subject to South Valley's local limits and the IUs in the central portion of the District's service area are subject to the most stringent of the District's and South Valley's local limits because of the potential to be discharged to either the District's or South Valley's POTW. The South Valley local limits are shown in Table 2:

Table 2 – South Valley Water Reclamation Facility Local Limits

Pollutant	Symbol	Daily Maximum (mg/L)
Arsenic, Total	As	0.71
Cadmium, Total	Cd	0.0634
Chromium	Cr	28.7
Copper, Total	Cu	2.58
Cyanide (Total)	CN	0.66
Lead, Total	Pb	1.10

Pollutant	Symbol	Daily Maximum (mg/L)
Mercury, Total	Hg	0.022
Molybdenum, Total	Mo	0.224
Nickel, Total	Ni	3.98
Selenium, Total	Se	0.149
Silver, Total	Ag	6.89
Zinc, Total	Zn	11.07

5.2.3 Other Numeric Limits

In addition to the developed and technically based limits, the District has incorporated the following numeric limits in its Rules and Regulations by adoption:

- Upper pH limit [2.2.19(B)(2)] – no greater than 12.0 std. units
- Polar fats, oil or grease that exceeds 1000 mg/L
- Non-polar hydrocarbons that exceed 100 mg/L.
- BTEX at 0.750 mg/L
- Benzene at 0.050 mg/L

During the upcoming update to the local limits, the EPA recommends the District develop a basis for the incorporation of adopted numeric limit in its Rules and Regulations for upper pH, polar fats, oil or grease, and non-polar hydrocarbons, and Benzene/BTEX. The EPA will provide the District guidance for BTEX/benzene in the 1989-June - Model NPDES Permit for Discharges-UST guidance manual and oil/grease and total petroleum hydrocarbons in the 1975-April - Treatability of Oil and Grease Discharged to POTWs - EPA 440--1-75-066 guidance manual.

5.2.4 Dilution Prohibition

The District has incorporated a prohibition on dilution in section 2.2.6 of its Rules and Regulations to ensure the IUs are appropriately managing their regulated waste streams to meet compliance with an applicable Pretreatment Standard or Requirement:

“No User shall increase the use of water or in any way dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless allowed by an applicable Pretreatment Standard or Requirement. The Treatment Facility Manager may impose mass limitations when appropriate in order to

monitor compliance."

The dilution prohibition language in the District's Rules and Regulations meets the Pretreatment requirement in 40 C.F.R. Part 403.6(d).

5.3 Local Limits Technical Evaluation-Regulatory Background

40 C.F.R.§ 122.44(j)(2)(ii) of the NPDES regulations require POTWs to provide a written technical evaluation of the need to revise local limits following permit issuance or reissuance. The technical evaluation is a detailed re-evaluation of data, criteria, conditions, and assumptions on which local limits are based to determine whether any significant changes affecting the local limits have occurred. Chapter 7 of the *Local Limits Development Guidance Manual*, EPA-833-R-04-002A, July 2004 provides guidance on completing the technical evaluation of local limits.

The Annual Pretreatment Reports submitted to the UTDEQ provide the POTW with an opportunity to perform reviews for exceedances of the established MAHL for the POCs on an annual basis. The POTW compares both the maximum and average influent data for the reporting year against the MAHL to determine if there were any exceedances. In addition, the POTW is required to report biosolids data to determine if there were any changes or concerns with the biosolids loadings. An exceedance of the established MAHL may be indicative of a change in the service area, changes to the POTW operations, or changes to domestic or non-domestic loadings and may indicate a need to recalculate the local limits. However, the annual review may not have addressed conditions that can change over time, such as operating conditions, environmental criteria/standards, data, or assumptions that may make local limits no longer appropriate, protective, or legally defensible.

As a follow-up to MAHL exceedances listed on the annual report and as required during a permit reissuance, a POTW should compare its current conditions and requirements with those that existed when the local limits were developed. The EPA recommends that POTWs determine if re-calculating existing local limits or developing MAHLs for new pollutants of concern is necessary in response to the following criteria:

1. Removal Efficiencies
    a. Modification to the POTW or new POTW brought online.
    b. Changes in POTW processes or operations that have affected the POTW removal efficiencies.
2. Total POTW or IU Loading
    a. Significant changes to flow to the POTW.
    b. Significant changes to loadings to the POTW due to new IUs, changes in loadings at existing IUs, or significant growth in the service area.
    c. Significant changes in loadings from SIUs in the service area.
3. Limiting Criteria
    a. New or revised NPDES permit limits.
    b. New or revised biosolids standards.
    c. Changes in EPA or State Criteria (acute and chronic water quality standards for the receiving waters, reuse water quality criteria) at the time of local limit development to existing criteria.

4. Sludge Characteristics or Method of Disposal
    a. Changes in loadings to biosolids.
    b. Changes in biosolids disposal methods.
5. Background Concentrations of Pollutants in Receiving Water

5.4 Technical Evaluation of The District's Local Limits

The District's NDPES permit renewed and effective on July 1, 2022 requires the District in Part II(F)(4) to conduct the following:

"In accordance with the requirements of 40 CFR Part 403.5(c), the permittee shall determine if there is a need to develop or revise its local limits in order to implement the general and specific prohibitions of 40 CFR Part 403.5 (a) and Part 403.5 (b). A technical evaluation of the need to develop or revise local limits shall be submitted to the Division within 12 months of the effective date of this permit. This evaluation should be conducted in accordance with the latest revision of the EPA Local Limits Development Guidance. If a technical evaluation, reveals that development or revision of local limits is necessary, the permittee shall submit the proposed local limits revision to the Division of Water Quality for approval, and after approval implement the new local limits, within 12 months of the Division's determination that a revision is necessary. "

It appears that the District has submitted a technical evaluation of its local limits to the UTDEQ for approval, in compliance with Part II(F)(4) of its NPDES permit. The EPA did not evaluate the submittal of the District's draft local limits to the UTDEQ as part of the audit. However, the EPA will be notified during the public notice of UTDEQ's intent to approve the draft local limits.

5.5 Permit or Site-Specific Limits

Local municipalities implementing the Pretreatment program should have the ability to establish site- or permit-specific limits as deemed necessary to be protective of the POTW. This is a beneficial authority because situations or projects may occur in the service area that the municipality may want to provide control to protect the POTW in which the current limits in the ordinance may not address the pollutant of concern.

Permit-specific limits need to be developed in accordance with 40 CFR 403.5(c) to ensure these limits are Pretreatment Standards for the purposes of CWA Section 307(d). The permit-specific limit needs to be developed with the equivalent criteria and rigor established for technically-based local limits in the municipal ordinance or Rules and Regulations, that is, they should be developed with appropriate considerations for current POTW standards, POTW/service area data, economics/feasibility of achieving the developed limit, and following administrative procedures for public participation and approval by the UTDEQ in its Approval Authority capacity. This rigor establishes the permit-specific limits as Pretreatment Standards and ensures the EPA can also take enforcement actions for violations by the IU. Affected third parties also may sue IUs or POTWs with approved Pretreatment programs for violations of local limits under the CWA's citizen suit provisions.

The EPA and UTDEQ considers the development of any local limit, whether codified in the municipal ordinance/rules and regulations or developed on a site-specific situation (i.e., permits-specific limit), to be a program modification under 40 C.F.R §403.18 (53 FR 40579, Final Rule, General Pretreatment Regulations for Existing and New Sources, October 17, 1988). The development of any local limit is required to follow the approval and public notice provisions, both at the local level and by submitting to the UTDEQ.

The Pretreatment Regulations at 40 C.F.R §403.5(c)(3) states, "Specific effluent limits shall not be developed and enforced without individual notice to persons or groups who have requested such notice and an opportunity to respond." The EPA and UTDEQ recommend that POTWs conduct public participation in the local limits process (whether codified in the municipal ordinances/rules and regulations or new limits developed in a permit) as openly as possible. This may involve notifying the SIUs/IUs and other affected parties of the proposed limits or announcing a 30-day public comment period. This would allow sufficient time for the public to participate, which is a fundamental goal of the Clean Water Act in Section 101(e).

The District has established the ability to develop site- or permit-specific limits in section 2.2.5 of the Rules and Regulations:

"SVSD reserves the right to establish, by rules and regulations or in individual and general wastewater discharge permits, more stringent Standards or Requirements on discharges to the POTW consistent with these Pretreatment Rules and Regulations."

6.0 Pretreatment Operating Procedures

6.1 Regulatory Background

The Pretreatment Regulations at 40 C.F.R. §403.8(f)(2) states, "The POTW shall *develop and implement* procedures to ensure compliance with the requirements of a Pretreatment Program." [*emphasis added*] The Pretreatment Regulations identify these minimum procedures in 40 C.F.R. §403.8(f)(2)(i-viii) to include the following **implementation** activities, summarized below:

- Identify and locate all possible IUs that might be subject to the Pretreatment program,
- Obtain information describing the character and volume of wastes discharged by IUs,
- Notify IUs of all applicable Pretreatment standards and other applicable State or Federal standards or requirements,
- Review self-monitoring reports and other notices submitted by IUs,
- Randomly sample and analyze effluents from IUs,
- Evaluate whether each SIU needs a slug discharge control plan,
- Investigate instances of noncompliance with Pretreatment standards and requirements,
- Comply with public participation requirements.

The requirements listed in 40 C.F.R. §403.8(f)(2) include the **development** of procedures. Adequate and updated standard operating procedures (SOPs) provide the following benefits to a Pretreatment program:

- Develop the baseline knowledge of the Pretreatment Regulations and establish the framework for program implementation,
- Adequately implement the authorities established in the municipal ordinance and ensure consistency in program implementation,
- Retain institutional and historical knowledge developed within the POTW's program, and
- Provide a valuable training resource for new or inexperienced staff members.

Ultimately, the benefits of valid SOPs to the Pretreatment program are increased efficiency, along with improved data comparability, credibility, and legal defensibility. In addition, the development of written SOPs and templates allow the EPA and UTDEQ to determine if the procedures adequately implement the legal authority developed in the municipal ordinance/rules and regulations as required in 40 C.F.R. §403.8(f):

"A POTW Pretreatment program must be based on the following legal authority and include the following procedures. These authorities and procedures shall at all times be fully and effectively exercised and implemented."

6.2 Standard Operating Procedures (SOPs)

The EPA evaluated The District's procedures and templates during the audit to ensure these meet the requirements listed in 40 C.F.R.§ 403.8(f)(2). As previously discussed, developing SOPs is beneficial for the District's Pretreatment program, but most importantly, it ensures adequate implementation of the authorities established in the municipal ordinance and ensures consistency in program implementation. The District has developed a Pretreatment Procedures Manual that provides an outline on implementation of the Pretreatment program. The Manual includes the following procedures:

- Industrial Waste Inventory and Characterization
- Permitting
- Sampling and Monitoring
- Inspections
- Slug Discharge Control and Response
- Enforcement
- Notification
- Confidential Business Information
- Pollutants Not Present Optional Sampling Waivers
- Education and Reference Materials

Based on the EPA's review, these developed procedures meet the Pretreatment requirements in 40 C.F.R. §403.8(f)(2) to "*develop and implement* procedures to ensure compliance with the requirements of a Pretreatment Program."

The EPA considers the Industrial User Inventory and Characterization, Sampling Plan/QA-QC, and the Enforcement Response Plan to be priority and required SOPs to ensure consistent implementation of The District's legal authority. The EPA evaluated these priority SOPs and provided comments in the following sections within this audit report:

- Industrial User Inventory and Characterization Procedures (*discussed in §7.0*),
- Sampling Plan, Site-Specific Sampling Protocol, Quality Assurance and Quality Control (*discussed in §10.0*), and
- Enforcement Response Plan and Data Compliance Evaluation (*discussed in §11.0*).

6.3 Templates

Templates and checklists are also critical to a Pretreatment program to ensure consistent and appropriate implementation of the Pretreatment regulations. The Procedures Manual also includes the following templates and checklists:

- Industrial Waste Survey
- Inspection forms
- IU application/BMR
- Dental One-Time Compliance Report
- Sector Control Permit Application
- Permittee Tracking Checklist
- Waiver Request Review Form
- Slug Discharge Control Plan Checklist
- Enforcement Incidence Form

Based on the EPA's review, these templates and checklists benefit and are essential tools for the District to implement the Pretreatment program and meet the Pretreatment requirement at 40 C.F.R. §403.8(f)(2) to "*develop and implement* procedures to ensure compliance with the requirements of a Pretreatment Program."

6.4 Records and Data Management

6.4.1 Regulatory Background

The recordkeeping requirements of the Pretreatment program are established in 40 C.F.R. §403.12(o)(1-3):

"(1) Any Industrial User and POTW subject to the reporting requirements established in this section shall maintain records of all information resulting from any monitoring activities required by this section, including documentation associated with Best Management Practices. Such records shall include for all samples:

(i) The date, exact place, method, and time of sampling and the names of the person or persons taking the samples.

(ii) The dates analyses were performed.

(iii) Who performed the analyses.

(iv) The analytical techniques/methods use; and

(v) The results of such analyses.

(2) Any Industrial User or POTW subject to the reporting requirements established in this section (including documentation associated with Best Management Practices) shall be required to retain for a minimum of 3 years, any records of monitoring activities and results (whether or not such monitoring activities are required by this section) and shall make such records available for inspection and copying by the Director and the Regional Administrator (and POTW in the case of an Industrial User). This period of retention shall be extended during the course of any unresolved litigation regarding the Industrial User or POTW or when requested by the Director or the Regional Administrator.

(3) Any POTW to which reports are submitted by an Industrial User pursuant to paragraphs (b), [baseline monitoring reports] (d), [90-day compliance reports] (e), [categorical industrial user monitoring reports] and (h) [significant industrial user monitoring reports] of this section shall retain such reports for a minimum of 3 years and shall make such reports available for inspection and copying by the Director and the Regional Administrator. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Industrial User or the operation of the POTW Pretreatment Program or when requested by the Director or the Regional Administrator."

6.4.2 Recordkeeping and Data Management

Based on information gathered during the audit, the Pretreatment records for the SIUs are kept in binders maintained within the Pretreatment Coordinator's office. The SIU binders include the following sections:

- Permit
- Correspondence
- Periodic compliance reports
- Inspections
- IU questionnaires/permit applications
- Enforcement
- Slug control/Toxic Organic Management Plans
- Sample results

The Pretreatment records for the sector control program are maintained in binders within the office space for the inspector/samplers and include the following sections:

- Application
- Permit
- Inspections
- Sample results

Based on the EPA's review of the Pretreatment records, it appears that the District has a framework for establishing appropriate file/record management and adequately maintains

its Pretreatment records.

6.5 Receipt of Discharge Monitoring Reports and Notifications

The Pretreatment regulations in 40 C.F.R. §403.8(f)(2)(vii) require a POTW to "Investigate instances of noncompliance with Pretreatment Standards and Requirements, as indicated in the reports and notices required under §403.12 [IU compliance reports], or indicated by analysis, inspection, and surveillance activities [control authority monitoring]." This requires the POTW to ensure adequate receipt and tracking of self-monitoring reports and notifications, have procedures to evaluate the data and information contained within these reports and notices, and determine compliance with the Pretreatment Standards (e.g., permit limits and conditions).

The SIU self-monitoring reports, notifications, and other reports hand delivered or submitted by mail are date-stamped by hand by the office technician when received. The Pretreatment Coordinator verifies that the compliance reports and other notices are submitted by the due date and are complete. The District conducts the self-monitoring for the SIUs and these data are evaluated when received for compliance with the permit limits and entered into a Linko Pretreatment database.

The sector control permitted IUs such as FSEs, car washes, garages reports are date stamped when received. The sample results from the District monitoring program are evaluated for compliance and entered into a Linko Pretreatment database.

6.6 Management of Confidential Records

The Pretreatment Regulations at 40 C.F.R. § 403.14 establish the public availability of the Pretreatment records and the provisions to establish confidential business information (CBI). The District has incorporated the public availability and confidentiality requirements in §2.9 of the Rules and Regulations:

"User information and data obtained from surveys, individual or general wastewater discharge permit applications, reports, and monitoring activities shall be made available to the public unless the User specifically requests confidentiality, and is able to demonstrate to the satisfaction of the General Manager and/or SVSD Attorney that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any confidentiality request must be asserted at the time of submission of the information or collection of the data.

When sufficiently demonstrated by the User that certain information and data should be held confidential, the portions of documents which contain trade secrets, etc. shall not be made available for inspection by the public.

Any and all information and data shall be made available immediately upon request to a bona fide government agency for uses related to the IPP or a UPDES permit, and in enforcement proceedings involving the User.

Wastewater constituents and characteristics and other effluent data, as defined in 40 CFR § 2.302 shall not be recognized as confidential information and shall be made available to the public without restriction.

Only finalized Compliance Orders and/or penalty documents are to be made available to the public. All draft documents related to enforcement action negotiations and penalty calculations are to remain confidential to the public."

According to information gathered during the audit, the District maintains CBI in a controlled and locked records cabinet located in the Pretreatment Coordinator's office.

7.0 Industrial User Inventory and Characterization

7.1 Regulatory Background

The Pretreatment Regulations state in 40 C.F.R. § 403.8(f)(2)(*i-iii*) that a POTW shall develop and implement procedures to ensure compliance with requirements of a Pretreatment Program. [These requirements are summarized after the regulation language in **bold** and *italics* font].

i. "Identify and locate all possible Industrial Users which might be subject to the POTW Pretreatment Program. Any compilation, index or inventory of Industrial Users made under this paragraph shall be made available to the Regional Administrator or Director upon request." ***This requires a POTW to develop and maintain an inventory of IUs in the service area***.

ii. "Identify the character and volume of pollutants contributed to the POTW by the Industrial Users identified under paragraph (f)(2)(i) of this section. This information shall be made available to the Regional Administrator or Director upon request." ***This requires a POTW to characterize the IUs in the inventory of the service area.***

iii. "Notify Industrial Users identified under paragraph (f)(2)(i) of this section, of applicable Pretreatment Standards and any applicable requirements under sections 204(b) and 405 of the Act and subtitles C and D of the Resource Conservation and Recovery Act. Within 30 days of approval pursuant to 40 C.F.R. 403.8(f)(6), of a list of significant industrial users, notify each significant industrial user of its status as such and of all requirements applicable to it as a result of such status." ***These procedures must include the notification of IUs of applicable Pretreatment Standards and other applicable requirements.***

The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(6) state, "The POTW shall prepare and maintain a list of its non-domestic or Industrial Users meeting the criteria in §403.3(v)(1). The list shall identify the criteria in §403.3(v)(1) applicable to each Industrial User and, where applicable, shall also indicate whether the POTW has made a determination pursuant to §403.3(v)(2) that such Industrial User should not be considered a Significant Industrial User. The initial list shall be submitted to the Approval Authority pursuant to §403.9 or as a non-substantial modification pursuant to §403.18(d)."

Approved Pretreatment programs are required by the Pretreatment Regulations to understand their service area and outside contributing jurisdictions, by developing and maintaining an inventory of IUs. In addition, the Pretreatment Regulations require a Pretreatment program to characterize the IUs listed on the inventory and notify the IU of their status under the Pretreatment program. For example, the following characterizations may apply to an IU, based on information received from questionnaires, drive-by or facility inspections:

- The IU is not characterized as significant, based on volume and characteristic of the discharged wastewater.
- The IU is characterized as significant and is issued a permit.
- The IU is not characterized as significant, but loadings need to be controlled using best management practices in a source control program such as a FOG program.
- The IU is generating wastewaters that are significant but does not discharge to the POTW and is characterized as a zero-discharging facility.

The **Industrial Waste Inventory and Characterization,** or industrial waste survey (IWS)/IU inventory procedures are an important component of an effective Pretreatment program because this is a POTW's first exposure to the IUs, allows the POTW to determine if an IU is significant, notifies the IU of its status under the Pretreatment regulations, and determines the appropriate type of control mechanisms for these facilities to protect the POTW and collection system.

7.2 Industrial User Identification and Characterization Procedure

The Pretreatment Regulations at 40 C.F.R. §403.8(f)(2) require the District to "develop and implement procedures" that "enable the POTW" to comply with these Pretreatment Program requirements. The District developed an Industrial User Inventory and Characterization Procedure in Chapter 1-Industrial Waste Survey and Chapter 2-User Classification of its Pretreatment Procedures Manual. These chapters describe the procedures the District uses to identify IUs in its service area, characterize these IUs and the procedures the District uses to update or maintain existing IUs on the inventory and gather information on new IUs to its service area and determine adequate control based on the applicable Pretreatment Standards.

Based on the EPA's review of Chapters 1 and 2, the following comments are provided:

- Chapter 1 references 40 C.F.R. § 403.8(f)(2)(*v*) of the Pretreatment Regulations as the District's legal authority to implement the Industrial Waste Survey. The reference should be 40 C.F.R. § 403.8(f)(2)(*i-iii*).
- Chapters 1 and 2 adequately describe the identification and characterization procedures required by the Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(*i-ii*). However, 40 C.F.R. § 403.8(f)(2)(*iii*) requires the District to "Notify Industrial Users identified under paragraph (f)(2)(i) of this section, of applicable Pretreatment Standards and any applicable requirements under sections 204(b) and 405 of the Act." The District's Procedures Manual needs to be modified to include notification of industrial users of applicable Pretreatment Standards.

The EPA's comments identified above are provided in the 20191010 Pretreatment Procedures Manual-Final Draft-EPA.pdf, attached to the audit report.

7.3 Industrial User Inventory of The District's Service Area

The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(*i-iii*) require the District to identify and locate all IUs in its service area, identify the character and volume of pollutants contributed by these IUs based on current information, and notify these IUs of applicable Pretreatment Standards and Requirements.

The District provided its current IU inventory of the IUs in its service area for the EPA to review. Based on the EPA's review, the District's IU inventory, it appears to be relatively current of the POTW's service area, which includes about 3,030 IUs. The inventory is developed and updated by collaborative relationships with community development and building departments for the six cities in the service area. Based on information gathered during the audit, it appears the District has a collaborative relationship with the six cities within its service area except for the Draper and Bluffdale building departments for tenant finishes of existing IUs. The EPA recommends the District establish a stronger relationship with the Cities of Draper and Bluffdale to ensure the District is notified of tenant finishes of IUs that may affect the District's Pretreatment program.

The District needs to ensure the IU inventory is adequately maintained or updated to provide a current characterization of the IUs. The EPA recommends the District maximize the use of its resources by prioritizing IU sectors or IUs to gather information through surveys/questionnaires or inspections on a more frequent basis, such as machine shops or metal fabricators. The District can also determine which other IUs are priority based on its pollutants of concern.

Based on the EPA's evaluation of IWS Pretreatment records for IUs in the service area, Jordan Basin is required to provide updates to the following IUs to ensure they are not subject to Pretreatment Standards (Categorical, prohibitions, local limits or BMPs):

- Airframe Manufacturing; 11257 South Trent Drive
- Ulman Manufacturing; 2372 West Meyers Lane

The EPA recommends the District establish a working relationship with all building departments in the service area to ensure the District can review building plans for new IUs coming into the service area and existing tenant finishes. The EPA also recommends the District develop a working collaborative relationship with municipal Fire departments in their service area. The municipal Fire departments are in businesses in the District's service for compliance with fire regulations and may collaborate with the District on observations during their inspections such as spills or improper chemical storage.

7.4 Pretreatment 101 Training – including IU Inventory and Characterization

The EPA currently provides "Pretreatment 101" webinar training, and a training for "Industrial User Inventory and Characterization Procedures," provided in September 2010, is archived at the following website:

https://www.epa.gov/npdes/national-pretreatment-program-events-training-and-publications#pretreat101

8.0 Evaluation of Pretreatment Records and Permit Specific Issues

8.1 Regulatory Background

POTWs are required to issue control mechanisms to IUs identified as SIUs through IU Inventory and Characterization procedures. Individual permits or general control mechanisms authorize the discharge of wastewater to a POTW upon condition that the discharger complies with the permit limitations and conditions. An SIU permit is effective for only a limited period and should be revocable by the issuing authority at any time for just cause. In addition, the POTW's legal authority will typically include a provision that forbids the discharge of industrial wastewater from a SIU without a current permit.

The Pretreatment Regulations establish the required permit conditions in 40 C.F.R. § 403.8(f)(1)(iii)(B)(1-6) that include the following minimum elements:

1. Statement of duration (in no case more than five years).
2. Statement of non-transferability without, at a minimum, prior notification to the POTW and provision of a copy of the existing control mechanism to the new owner or operator.
3. Effluent limits, including Best Management Practices, based on applicable general Pretreatment Standards, categorical Pretreatment Standards, local limits, and state and local law.
4. Self-monitoring, sampling, reporting, notification and recordkeeping requirements, including an identification of the pollutants to be monitored, sampling location, sampling frequency, and sample type, based on the applicable general Pretreatment Standards, categorical Pretreatment Standards, local limits, and state and local law.
5. Statement of applicable civil and criminal penalties for violation of Pretreatment Standards and requirements, and any applicable compliance schedule. Such schedules may not extend the compliance date beyond applicable federal deadlines.
6. Requirements to control Slug Discharges, if determined by the POTW to be necessary.

The reporting and notification requirements in permit condition #4 above are found in 40 C.F.R. § 403.12 of the Pretreatment Regulations and include the following:

- Baseline Monitoring Reports – 403.12(b)
- Compliance Schedule Progress Reports – 403.12(c)
- 90-Day Compliance Reports – 403.12(d)
- CIU Periodic Compliance Reports – 403.12(e)
- Notice of Potential Problems, including Slug Loading – 403.12(f)
- Notification of Changes Affecting Slug Discharge Potential – 403.8(f)(2)(vi)
- 24-Hour Non-Compliance Notification – 403.12(g)
- SIU Periodic Compliance Reports – 403.12(h)
- Notification of Changed Discharge – 403.12(j)

- Notification of Hazardous Waste Discharge – 403.12(p)
- Notification of Bypass – 403.17

Under general principles of administrative law, permit applicants and other interested parties may challenge the POTW's permit decisions, including the permit limitations and conditions and the POTW's authority to issue the permit. The POTW must ensure that it has the requisite legal authority to impose Pretreatment Standards and Requirements in SIU permits and that it exercises its authority in a consistent and non-arbitrary manner. The local ordinance or Rules and Regulations must clearly provide the POTW with the following authorities to support the permit requirements found in 40 C.F.R. § 403.8(f)(1)(iii):

- Authority to regulate all Industrial Users contributing wastewater to the POTW.
- Authority to require and issue permits, orders, or other control mechanisms, including:
  - Authority to require Industrial Users to submit all data that the POTW deems relevant to permit decisions and provisions for public access to data.
  - Authority to enter, inspect, and sample to verify information supplied by the Industrial User as well as to assess the Industrial User's compliance status.
  - Authority to incorporate local limits, including BMPs (if applicable).
  - Authority to incorporate federal and state Pretreatment Standards and Requirements.
  - Authority to require self-monitoring, record keeping, reporting, and notifications by the permittee.
  - Authority to develop other appropriate permit conditions.
- Authority to enforce sewer use ordinance and discharge permit violations.
- Authority to require the development of a slug discharge control plan.

The POTW is required to establish the legal authority to require an IU to complete and file a permit application, with current information, to receive an initial or reissued permit. A permit application enables the POTW to obtain the information necessary to characterize the facility, to evaluate the quality and quantity of wastewater discharged or projected to be discharged for a new facility, and to determine the applicable Pretreatment Standards and controls. The permit application serves as the formal request from the IU to discharge to the POTW and is required to be signed by a responsible corporate officer of the IU, as defined in 40 C.F.R. § 403.12(l) of the Pretreatment Regulations. In addition to the permit application, the POTW should evaluate, if available, historic IU effluent data, compliance reports, previous inspection reports, Safety Data Sheets, etc.

The permit writer should create a permanent record of the procedures followed and the basis for the decisions made during the permitting process. Although such documentation might initially seem an unnecessary and a time-consuming task, it will inevitably play a critical role in any permit challenge, and, in the long run, it can save the permit writer a great deal of time and effort.

Throughout the permit drafting process, the POTW should carefully and thoroughly document each step in a fact sheet, sometimes also referred to as a permit rationale or

statement of basis. The statement of basis sets forth the significant factual, legal, procedural, and policy questions considered in preparing the permit. In addition, the statement of basis should summarize the findings of review of the application, inspections, and other materials necessary to describe the rationale for the conditions imposed in the control mechanism.

A statement of basis is a document that provides a justification of the permit conditions and limits based on a characterization of the IU, its wastewater discharge, and the applicable Pretreatment Standards and Requirements. A well-developed statement of basis includes a description of the facility's production, process(es), wastewater generation/management, and discharge locations to adequately characterize the facility. The statement of basis also identifies the appropriate federal, state, and local Pretreatment Standards, based on the IU's characterization and provides justification for permit conditions and requirements, such as pollutants of concern, monitoring/reporting frequencies, representative sampling types, notification requirements, slug discharge control, operation and maintenance requirements, etc.

The statement of basis facilitates defending any challenges that the permit terms and conditions were developed arbitrarily or capriciously and provides the required documentation in the permit record of any relief from otherwise applicable requirements (i.e., pollutants not expected to be present, equivalent limits, decisions on general control mechanisms, decisions on Non-Significant Categorical Industrial User (NSCIU) classification, and decisions on reduced monitoring requirements). In addition, the statement of basis can serve as a resident document to preserve institutional knowledge and continuity for new or different staff members.

The EPA updated the IU Permitting Guidance Manual, 833-R-12-0001A, in September 2012. This guidance manual supports the implementation of the permit conditions found in 40 C.F. R. § 403.8(f)(1)(iii)(B)(1-6) of the Pretreatment Regulations. The guidance manual is intended to provide both new and experienced permit writers with conceptual support and specific examples to strengthen their permit development expertise. The guidance manual references technical guidance developed by the EPA regarding local limits, enforcing Pretreatment Standards and Requirements, controlling hauled waste, information regarding compliance inspections and sampling, and BMPs.

The IU Permitting Guidance Manual can be found at the following website:

https://www.epa.gov/sites/production/files/2015-10/documents/industrial_user_permitting_manual_full.pdf

8.2 The EPA's Evaluation of The District's Permitting Legal Authority

The EPA evaluated the District's legal authority to ensure it provides an adequate framework to require permit coverage, to deny or condition non-domestic wastewater contributions and to establish adequate permit conditions.

- Rules and Regulations at §2.4 – establishes the requirement for SIUs and CIUs to obtain a wastewater discharge permit.

- Rules and Regulations at §2.4.5 – contains the permit application contents.
- Rules and Regulations at §§2.2.5, 2.3.2 and 2.4.7 -– establishes the authority for the District to deny or conditions wastewaters discharged to the public sewers.
- Rules and Regulations at §2.5.2(A) – establishes the permit conditions to prevent Passthrough or Interference and to protect the POTW, worker health and safety, biosolids and the receiving stream water quality.

8.3 Permit Template Overview

The EPA evaluated the District's permit template to ensure the District is incorporating the required permit conditions found in 40 C.F.R. § 403.8(f)(1)(iii)(B)(1-6) of the Pretreatment Regulations and in District's Rules and Regulations. The EPA's review of the District's permit template is found in Section 8.4.2.

8.4 Specific Permit Record Findings

The District has identified ten IUs in the service area that are determined to be SIUs and that have been issued a permit under the Pretreatment program. In addition, the District has developed a general permit for zero-discharging IUs and have identified five IUs in the POTW's service area that would be subject to the Metal Finishing Categorical Pretreatment Standards if they discharged regulated wastewater to the POTW but maintain a zero-discharge status for the generated regulated wastewater. The EPA and the UTDEQ reviewed the Pretreatment records from a representative number of SIUs, CIUs and zero discharge permittees. Findings and observations from the review of the Pretreatment records, including the facility inspection report, statement of basis, permit, compliance evaluation, and enforcement records are listed below:

8.4.1 Permit records Overview

1. SIU Facility Inspection Reports: The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(ii) require the District to "Identify the character and volume of pollutants contributed to the POTW." Based on the review of the District's Pretreatment records, the District is inspecting the SIUs annually. However, the District needs to provide adequate detail and descriptions of the SIU's chemical storage/handling/transfer, process/unit operations, waste stream generation from these unit operations, waste stream management or wastewater treatment, and sampling procedures to provide a current characterization of the SIU's current conditions, including an evaluation of slug discharge potential and process or treatment plant changes.
    a. In addition, the EPA recommends the District include digital photos in the facility inspection reports to provide additional supporting evidence for the narrative descriptions.
    b. During the audit, the EPA provided compliance assistance and training on conducting facility inspections, gathering data/information, and generating inspection reports that provide current facility conditions that may impact categorical determinations, permit conditions, or control documents such as the slug discharge control plan or toxic organic management plans. The

EPA Region 8 inspection form is included as an attachment to the audit report.

2. Permit Template: The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements." The EPA evaluated The District's permit template and is providing the following required action items: (Note: EPA comments are submitted in the Jordan Basin Permit Template Review.pdf and embedded in the SVSD IPP Form #8 - SIU Permit Template-EPA.pdf)

   a. Page 1 of the permit template states the following: "If the Permittee wishes to continue to discharge beyond the expiration date of this Permit, an application must be submitted to SVSD in accordance with the requirements of applicable SVSD Pretreatment Rules and Regulations."

      i. The District currently issues permits for five years. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii)(B)(*1*) does not allow for a permit to be issued past five years.

      ii. In addition, the District has not established the authority to administratively extend permits in its Rules and Regulations.

      iii. This administratively extension language needs to be removed from the permit template and any issued permits, if permits are issued for five years.

   b. The District has adopted the provisions for Non-Significant Categorical Industrial Users (NSCIU) and the Pollutants Not Present in its Rules and Regulations. However, the current permit template does not implement these optional provisions. The EPA recommends the District include the process for seeking a waiver for Pollutants Not Present and the certification statements for NSCIUs. These provisions may be bracketed as case-specific provisions.

3. Zero Discharge General Permit-Metal Finisher: Based on the EPA's evaluation of the zero-discharge general permit issued to zero-discharging metal finishers in the service area, the permit adequately prohibits the discharge of wastewaters subject to the core and ancillary metal finishing operations. The permit allows discharge of domestic and non-regulated wastewaters not subject to the Metal Finishing Categorical Pretreatment Standards.

   However, the permit is not clear regarding the zero-discharge status for the metal finishing regulated wastewaters. The permit establishes local limits and general/specific discharge prohibitions but does not specify if these limits and prohibitions are applicable to identified non-regulated wastewaters. The permit also establishes spill and slug discharge requirements that may be applicable to an SIU but not a zero-discharging IU.

   The EPA recommends the District evaluate its current general permit and ensure the requirements to operate and maintain the zero discharge management

method are clear and additionally, the zero-discharge permit does not contain language that appears a discharge of metal finishing regulated wastewaters are allowed. The EPA Region 8 Zero Discharge Permit Template is attached to this audit report for the District to evaluate.

4. Fact Sheet: Based on the EPA's review, the District needs to develop fact sheets that provide adequate detail and process descriptions to capture current conditions at the facility during permit issuance/renewal, identifies applicable Pretreatment Standards and establishes appropriate permit conditions (pollutants of concern, most stringent permit limit, monitoring, reporting, notification), including control plans such as slug discharge control plans, TOMPs, and BMPs.

    a. In addition to a fact sheet adequately justifying permit conditions based on the current conditions at the facility and the applicable Pretreatment Standards, a well-developed and timely fact sheet helps to retain institutional knowledge regarding the history of the permitted SIU.

5. Compliance Evaluation Checklists: The EPA recommends the District develop compliance evaluation checklists specific to the SIU and the permit reporting conditions to ensure the report is received on time, is complete with the permit conditions and is in compliance with permit conditions and limits.

8.4.2 Powerline Industries

1. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(ii) require the District to "Identify the character and volume of pollutants contributed to the POTW." The District conducted the annual SIU inspection of the facility on May 28, 2025. The inspection report provides information regarding the hours of operation, number of employees, contact information, production rates and general information on chemical storage. However, the inspection report contains minimal information on the unit operations, chemical storage/handling/transfer to the operations, wastewater generation from the power washing assembly /soap and detergent manufacturing operations and management or treatment method to maintain its zero-discharge status. The inspection report needs to include detailed information to characterize the facility, based on current conditions.

2. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements." The current Powerline Industries zero-discharge permit was issued on June 15, 2022 and expires on November 5, 2026.

    a. As described in section 8.4.1(3) of this audit report, the zero-discharge permit for the facility prohibits the discharge of wastewater generated from the soap and detergent manufacturing and allows discharge of domestic waste and other non-regulated industrial wastewater. However, the fact sheet and permit does not identify the non-regulated industrial wastewater and includes references to discharge allowance such as the most stringent

limits between the District and South Valley Water Reclamation, general/specific prohibitions, spills/accidental discharge reporting requirements, dilution prohibition, representative sampling of the discharge, etc. The EPA recommends the District establish a clear zero discharge permit that expressly prohibits discharge of the regulated wastestreams and does not include permit conditions that infer a discharge is allowed.

   b. Fact sheet states that the facility asserts that generated wastewater from the soap and detergent manufacturing is placed in the next batch of soaps/detergents to maintain its zero-discharge status. The District needs to verify this zero-discharge management and should require the facility to submit adequate records or logs to quantify the wastewater management.

3. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(iv) require the District to "Receive and analyze self-monitoring reports and other notices submitted by Industrial Users in accordance with the self-monitoring requirements…" The permit establishes periodic compliance reporting for the reporting period of January through June with a due date of July 28 and July through December with a due date of January 28. The District date stamps the periodic compliance report when received to ensure they are received by the due date, with the following exception: the facility submitted a periodic compliance report for the 1st 6 months of 2025. Based on the EPA's review, the District did not date stamp the report, and the EPA was not able to determine if this report was received by the July 28, 2025 due date. The District is required to consistently date stamp every received periodic compliance report.

8.4.3 Ortho Development

1. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(ii) require the District to "Identify the character and volume of pollutants contributed to the POTW." The District conducted the annual SIU inspection of the facility on November 11, 2024. The inspection report provides information regarding the hours of operation, number of employees, contact information, production rates and general information on chemical storage. However, the inspection report contains minimal information on the unit operations, chemical storage/handling/transfer to the operations, wastewater generation from the machining, heat treatment, ultrasonic and passivation operations and management/treatment for the wastewater generated from these unit operations. The inspection report needs to include detailed information to characterize the facility, based on current conditions.

   a. The 2024 inspection report states that the facility needs a slug discharge control plan, however, a slug discharge plan does not appear to be developed by the facility.

2. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements." The permit is effective from October 10, 2024 through October 9, 2029.

a. As described in section 2.0 of this audit report, the facility may have the potential to discharge to the SVWRF, in addition to discharging to the District. The fact sheet does not adequately determine if the facility has the potential to discharge to SVWRF and if the South Valley local limits are applicable Pretreatment Standards.

b. The fact sheet does not identify all applicable Pretreatment Standards such as SVWRF and Jordan Basin local limits and does not establish the most stringent permit limit, applicable to the facility.

c. Based on the EPA's review of the permit, it appears that the District's local limits for Cd, Pb and Ni are more stringent than the metal finishing categorical Pretreatment Standards found in 40 C.F.R. § 433.17 and needs to be established in the permit. As stated previously, the EPA is uncertain if the SVWRF local limits are also applicable Pretreatment Standards to determine the most stringent limit.

3. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(iv) require the District to "Receive and analyze self-monitoring reports and other notices submitted by Industrial Users in accordance with the self-monitoring requirements…" In addition, the Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(vii) require the District to "Investigate instances of noncompliance with Pretreatment Standards and Requirements, as indicated in the reports and notices required under § 403.12."

   a. The Metal Finishing categorical Pretreatment Standards at 40 C.F.R. § 433.12(a) allows IUs to certify for TTOs defined in 40 C.F.R. § 433.11(e). The facility submitted a toxic organic management plan that was approved by the District. The District allows the facility to certify for total toxic organics with the exception of bis-2-ethylhexyl phthalate. The District, in its capacity of conducting self-monitoring for the facility collected samples for EPA Method 624 instead of EPA Method 625. Bis-2-ethylhexyl phthalate is analyzed using EPA Method 625. As a result, the facility failed to sample for bis-2ethylhexyl phthalate on April 12, 2024 for the January through June 2024 reporting period. The District is required to provide an enforcement action to the facility for failure to sample for bis-2ethylhexyl phthalate during the January through June 2024 reporting period.

   b. The sampling event on January 20, 2025 resulted in reporting levels for 625 in excess of 500 ppb. The EPA considers the data from this sampling event to not be valid for compliance purposes due to the elevated reporting levels. The District should have resampled due to interference with the detection levels.

4. The EPA conducted a facility inspection on August 20, 2025. The inspection report was submitted to the facility and the District on September 2, 2025. Based on the observations from the inspection, the EPA is concerned with the District's sampling methods for the metal finishing regulated wastewaters generated from rinsewater tank and citric acid tank on the citric acid passivation line. It appears that the District is only taking a grab sample from the discharge of the citric acid tank and not taking samples from the continuous overflow

discharge from the rinse tanks. The rinsewater tank discharges at 1.5 gpm for the production day consisting of two 10-hour shifts and a representative sample from the rinsewater tank needs to consist of aliquots throughout the production day. Based on this observation, the District is not taking representative samples of the regulated wastewater generated at the citric acid passivation line.

a. The District needs to evaluate its sampling protocol for this facility to ensure it is taking representative samples, as required in the Pretreatment Regulations at 40 C.F.R. § 403.12(g)(3).

b. Based on the observations of the facility inspection, the facility needs to develop a slug discharge control plan to address the non-routine discharges of spent Micro 90 soap tanks and citric acid tanks, as well as the flush from the reverse osmosis treatment.

8.4.4 Zero Discharge Metal Finishing General Permit and Zero Discharging IUs

1. Jewelry by You

   a. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(ii) require the District to "Identify the character and volume of pollutants contributed to the POTW." The District conducted the annual SIU inspection of Jewelry by You on June 17, 2025. The inspection report provides information regarding the hours of operation, number of employees, contact information, and general information on chemical storage. However, the inspection report contains minimal information on the rhodium plating and ultrasonic cleaning operations, chemical storage/handling/transfer to the operations and wastewater generation. The inspection report needs to include detailed information to characterize the facility such as size of the plating and ultrasonic cleaning tanks, based on current conditions.

   b. Based on the EPA's review of the Pretreatment records, the permit application sections C through K are not completed and therefore, the permit application is incomplete.

2. Fast Fix Jewelry

   a. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(ii) require the District to "Identify the character and volume of pollutants contributed to the POTW." The District conducted the annual SIU inspection of Fast Fix Jewelry on May 22, 2025. The inspection report provides information regarding the hours of operation, number of employees, contact information, and general information on chemical storage. However, the inspection report contains minimal information on the precious metal plating and ultrasonic cleaning operations, chemical storage/handling/transfer to the operations and wastewater generation. The inspection report needs to include detailed information to characterize the facility such as size of the plating and ultrasonic cleaning tanks, based on current conditions.

3. JP Lee Fine Jewelry

a. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(ii) require the District to "Identify the character and volume of pollutants contributed to the POTW." The District conducted the annual SIU inspection of JP Lee Fine Jewelry on January 30, 2024. The inspection report provides information regarding the hours of operation, number of employees, contact information, and general information on chemical storage. However, the inspection report contains minimal information on the rhodium plating and ultrasonic cleaning operations, chemical storage/handling/transfer to the operations and wastewater generation. The inspection report needs to include detailed information to characterize the facility such as size of the plating and ultrasonic cleaning tanks, based on current conditions.

4. Ryan's Diamonds

a. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(ii) require the District to "Identify the character and volume of pollutants contributed to the POTW." The District conducted the annual SIU inspection of Ryan's Diamonds on January 11, 2024. The inspection report provides information regarding the hours of operation, number of employees, contact information, and general information on chemical storage. However, the inspection report contains information on cleaning, repair and plating of jewelry, chemical storage/handling/transfer to the operations and wastewater generation. The inspection report provides information on the hot plate evaporation method of the ultrasonic solution to maintain its zero-discharge information, but the report should include detailed information to characterize the facility such as size of the plating and ultrasonic cleaning tanks, based on current conditions.

b. In addition, the inspection report states that "Electroplating solutions are allowed to accumulate and then evaporated. The residue sludge is moved to Ryan's other location outside of service area, where it is shipped for recycling". The District should require the facility to maintain logs or records of this transferred waste.

8.4.5 Merit Medical

1. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements."

a. Section A.3.a of the permit indicates that flow from the facility is directed to SVWRF and as such, the Permittee is subject to all SVWRF local limits. Permit limitations for Monitoring Point A, listed in Permit Section A.3.b reflect categorical standards found in 40 CFR 433.17. SVWRF local limits for daily maximum cadmium, copper, and cyanide are more stringent than those found in 40 CFR 433.17. The District needs to apply the most stringent limits in the permit.

2. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(vi) require the District to evaluate the facility to determine if it needs a slug discharge control plan. It

is unclear from the Permit and inspection reports if a slug discharge control plan is required; however, a slug discharge control plan from 2016 is included in the Pretreatment records. The facility needs to update the slug discharge control plan to incorporate changes from 2016 and address spill potential in all buildings at the facility.

3. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(iv) require the District to "Receive and analyze self-monitoring reports and other notices submitted by Industrial Users in accordance with the self-monitoring requirements…" In addition, the Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(vii) require the District to "Investigate instances of noncompliance with Pretreatment Standards and Requirements, as indicated in the reports and notices required under § 403.12."

    a. Samples collected by the District on October 25, 2024 report a field pH of 1.3 standard units (SU). This is a violation of pretreatment standards and the potential for the discharge of hazardous waste. No follow up or enforcement was found in the file for this violation. The District is required to provide an enforcement action for the pH violation, according to its ERP.

    b. Section B.1 of the permit establishes semiannual reporting periods of December through May and June through November. The June 17, 2025 samples collected by the District for the first 2025 semiannual monitoring period is outside the reporting period. The District is required to provide an enforcement action for the failure to sample for the 1st 2025 semiannual reporting period, according to its ERP.

    c. The chain of custody from the October 25, 2024 sample event indicate two different sample points A-1 and A-2. This is not identified or explained in the permit or fact sheet. Jordan Basin stated that these two sample points were from two different tanks in two different rooms doing the same process. The District is required to modify the permit to identify these as two separate monitoring points.

4. The Metal Finishing Categorical Pretreatment Standards at 40 C.F.R. § 433.12(a) state the following: "In lieu of requiring monitoring for TTO, the control authority may allow dischargers to make the following certification statement: "Based on my inquiry of the person or persons directly responsible for managing compliance with the permit limitation [or pretreatment standard] for total toxic organics (TTO), I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewaters has occurred since filing of the last discharge monitoring report. I further certify that this facility is implementing the toxic organic management plan submitted to the permitting [or control] authority." For indirect dischargers, the statement is to be included as a comment to the periodic reports required by 40 C.F.R. § 403.12(e). If monitoring is necessary to measure compliance with the TTO standard, the industrial discharger need analyse for only those pollutants which would reasonably be expected to be present." The facility submitted a TOMP on January 11, 2007.

The Electrical and Electronic Components Categorical Pretreatment Standards at 40 C.F.R. § 469.13(c) state the following: "In lieu of monitoring for TTO, the control authority may allow industrial users of POTWs to make the following certification as a comment to the periodic reports required by 40 C.F.R.§ 403.12(e): "Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standard for total toxic organics (TTO), I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewaters has occurred since filing the last discharge monitoring report. I further certify that this facility is implementing the solvent management plan submitted to the control authority." The facility submitted a solvent management plan on October 23, 2013.

a. The TOMP and solvent management plan use similar certification language and should be evaluated to ensure they meet requirements stipulated in the Metal Finishing Categorical Pretreatment Standards at 40 C.F.R. § 433.12 and Electrical and Electronic Components Categorical Pretreatment Standards at 40 C.F.R. § 469.13 respectively, during reporting on the periodic compliance reports. The TOMP and solvent management plans need to be updated to include changes that have occurred since 2007 and each plan should be evaluated to ensure it meets the requirements for the different building where the separate process are occurring.

8.4.6 Wasatch Product Development

1. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements."

   a. Permit limits for Monitoring Point A outlined in Permit Section A.3.b are unclear which limits are being enforced. The Permit should be modified to make permit limits clear for the Permittee.

   b. Permit Part II Section B.1 states that periodic compliance reports (PCR) are due in January and July with the first report for this Permit due December 2021. The Fact Sheet indicates that PCRs are due in December and June. The control authority should be clear and consistent in stipulating when PCRs are due.

   c. The Permit and Fact Sheet classify the Permittee as having a discharge under 40 CFR 417 Subpart H -Liquid Soap manufacturing; however, there are no categorical standards associated with liquid soap manufacturing.

2. The Pretreatment Regulations at 40 C.F.R. § 403.12(j) require "All Industrial Users shall promptly notify the Control Authority in advance of any substantial change in the volume or character of pollutants in their Discharge, including the listed or characteristic hazardous wastes for which the Industrial User has submitted initial notification under paragraph (p) of this section." The 2025 inspection indicated an increase in water consumption and discharge almost double what was indicated in the 2024 inspection report. The 2025 inspection report indicated that no changes had occurred at the facility, however it was

noted that the Permittee had installed a reverse osmosis (RO) system and a deionized water system. There was no indication that the Permittee had notified the CA of these changes as stipulated in Permit Part II Section B.4.

8.4.7 Ultradent Products

1. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements." The effective date of the permit is January 10, 2025, and the expiration date of the permit is January 9, 2030, or five years. The permit goes on to say, "If the Permittee wishes to continue to discharge beyond the expiration date of this Permit, an application must be submitted to SVSD in accordance with the requirements of applicable SVSD Pretreatment Rules and Regulations." Permits are not allowed to be extended past five years. This language could be considered confusing, potentially giving the IU the idea that the permit could be extended past 5 years.
    a. The permit does not include the requirement to submit self-monitoring reports with a certification statement, as required in 40 CFR 403.12, and set forth in 403.6(a)(2)(ii). As stated in 403.12(g)(1), where the POTW performs the sampling and analysis in lieu of the Industrial User, the User will not be required to submit the certification statement. However, Part II.B.2 of the Permit, the permittee may choose to conduct any additional monitoring and sampling of their waste stream. Language should be included that ensures any sampling submitted to the POTW includes this certification statement.
2. The fact sheet states that wastewater could be generated from the process of cleaning batch mixing tanks, transportation tanks, and equipment that has come into contact with pharmaceutical ingredients and/or conveyed product into consumer store bought products. The slug discharge control plan has language of "when a drum has been thoroughly drained…" however, the slug discharge control plan does not provide any description of this practice or the measures that are in place to prevent spills during this practice.
3. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(iv) require the District to "Receive and analyze self-monitoring reports and other notices submitted by Industrial Users in accordance with the self-monitoring requirements…" In addition, the Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(vii) require the District to "Investigate instances of noncompliance with Pretreatment Standards and Requirements, as indicated in the reports and notices required under § 403.12."
    a. Part II.A.1of the permit requires Total Recoverable Petroleum Hydrocarbon (TRPH) to be sampled semiannually. Based on the EPA's review of the sample records provided by the District, TRPH was not sampled in 2024. TRPH is crossed out on the chain of custody for the April 4th, 2024 sample event. The District needs to provide an enforcement action to the facility for the failure to sample for TRPH in 2024, according to the District's ERP.

b. Part II.A.1 of the permit requires chemical oxygen demand (COD) and total suspended solids (TSS) to be collected as time-proportional composites. According to the CoC for the sample event on November 7, 2024, COD was collected as a grab sample. The District needs to ensure the samples are collected per permit conditions and needs to provide an enforcement action to the facility for the using incorrect sampling methods for COD and TSS on November 7, 2024, according to the District's ERP.

8.4.8 Oratech Products

1. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements."

   a. The effective date of the permit is September 28, 2021, and the expiration date of the permit is September 27, 2026, or five years. The permit goes on to say, "If the Permittee wishes to continue to discharge beyond the expiration date of this Permit, an application must be submitted to SVSD in accordance with the requirements of applicable SVSD Pretreatment Rules and Regulations." Permits are not allowed to be extended past five years. This language could be considered confusing, potentially giving the IU the idea that the permit could be extended past 5 years.

   b. Part II.B.5 of the permit states, "…the Permittee will be evaluated for its potential to discharge Slug Loads, and the need for the development and implementation of a Slug Discharge Control Plan." This permit goes on to list the requirements of a Slug Discharge Control Plan, if required. The fact sheet for this facility says that a Slug Discharge Control Plan was determined to be necessary. The permit should be modified to clarify that a Slug Discharge Control Plan is required for this facility.

   c. The permit does not include the requirement to submit self-monitoring reports with a certification statement, as required in 40 CFR 403.12, and set forth in 403.6(a)(2)(ii). As stated in 403.12(g)(1), where the POTW performs the sampling and analysis in lieu of the Industrial User, the User will not be required to submit the certification statement. However, Part II.B.2 of the Permit, the permittee may choose to conduct any additional monitoring and sampling of their waste stream. Language should be included that ensures any sampling submitted to the POTW includes this certification statement.

   d. Part II.A.1 of the permit requires semiannual sampling for acetone, n-Amyl Acetate, Ethyl Acetate, Isopropyl Acetate, Methylene Chloride, Total Recoverable Petroleum Hydrocarbon (TRPH), Chemical Oxygen Demand (COD), Total Suspended Solids (TSS), and pH. According to the sample records provided by Jordan Basin, samples were collected on April 5, 2024, and again on June 19, 2025. Although the facility was sampled twice in 2024, the sample dates do not technically meet the requirement of semiannual sampling. The District needs to either ensure it samples the

facility on a semiannual frequency or change the permit sample frequency requirement to twice per year.

8.4.9 Lashbrook Designs

1. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements."

    a. The permit developed for Lashbrook Designs indicates the permittee engages in certain industrial processes that are considered Categorical "however have elected to use other lawful methods for disposal of their regulated wastes". The District has indicated the facility would be permitted as a significant industrial due to potential to discharge to the POTW and includes permit conditions. The District should establish a zero-discharge permit that clearly prohibits discharge.

    b. The fact sheet completed in July 2024 indicates a slug discharge evaluation was completed and the user has developed a slug discharge control plan with procedures in place for notifying the District in the event of a slug discharge. Additionally, the inspection conducted on June 12, 2025 indicates a plan is in place and was reviewed during the inspection. The EPA was unable to locate this document in the records provided for review, and unable to confirm the need for a Slug Plan as the facility indicates there are no floor drains and no potential for a slug.

2. Section B.1 of the permit requires a periodic compliance report for the preceding six-month period certified by the authorized representative. A PCR was submitted for the January and June 2024 reporting period indicating no discharge. However, the report was certified on May 21, 2024, prior to the end of the reporting period. This PCR needs to be certified for the full reporting period. The District needs to require the facility to provide a certification for the entire reporting period or provide an enforcement action for the failure to provide adequate certification, according to its ERP.

3. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(ii) require the District to "Identify the character and volume of pollutants contributed to the POTW." The facility inspections conducted on August 22, 2024 and June 12, 2025 provide limited explanation of processes conducted on-site including categorical wastestreams produced. The EPA recommends detailed explanations and descriptive photo logs are utilized to produce an accurate and current representation of the facility.

8.4.10 Ferreus Industries

1. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements." The permit for Ferrous Industries indicates the permittee engages in certain industrial processes that are

considered Categorical "however have elected to use other lawful methods for disposal of their regulated wastes". The facility is permitted as a significant industrial due to potential to discharge to the POTW. The District has indicated the facility would be permitted as a significant industrial due to potential to discharge to the POTW and includes permit conditions. The District should establish a zero-discharge permit that clearly prohibits discharge.

2. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(ii) require the District to "Identify the character and volume of pollutants contributed to the POTW." The facility inspections conducted on September 26, 2024 and June 12, 2025 provide descriptions on the location of categorical processes conducted on site, but no information on the wastestreams or process operations. The EPA recommends detailed explanations and descriptive photo logs be utilized to produce an accurate and current representation of the facility.

8.4.11 Edwards Lifesciences

1. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements."

   a. The permit developed for Edward Lifesciences states:

      "If the Permittee wishes to continue to discharge beyond the expiration date of this Permit, an application must be submitted to JBID in accordance with the requirements of applicable JBID Pretreatment Rules and Regulations. To be eligible for permit reissuance and to continue to discharge industrial wastewater to JBID, applications must be received by JBID a minimum of 90 days prior to the expiration date of this Permit."

      The permit cannot be extended beyond 5 years. The permit states that it is effective on December 2, 2023, and expires on December 1, 2028. Based on the effective and expiration date, the permit cannot be administratively extended and this language should be removed from the permit.

   b. The fact sheet does not provide information regarding a slug control plan being implemented or required of the permittee. The inspection report states that the permittee does not have the potential to discharge a slug load. However, the inspection report does not provide information to justify the facility not being required to have a slug control plan in place. It is recommended that the fact sheet or inspection report justify the reason for not requiring the permittee to implement a slug control plan.

   c. Permit limitations for Monitoring Point A and B, listed in Permit Section A.3.b reflect categorical standards found in 40 CFR 433.17. The Jordan Basin local limits for daily maximum cadmium and nickel are more stringent than those found in 40 CFR 433.17. The District needs to apply the most stringent limits in the permit.

   d. The upper limit for pH is more stringent than the local limit. If this is necessary, the permit should be public notice to ensure the District has the

authority to take action if a violation occurs of the pH limit.

e. Based on the permit requirements, samples are allowed to be collected as grab for the metals that are required per 40 CFR 433.17. However, justification was not provided in the file per 40 CFR 403.12 (g):

> ...For all other pollutants, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Control Authority. Where time-proportional composite sampling or grab sampling is authorized by the Control Authority, the samples must be representative of the Discharge and the decision to allow the alternative sampling must be documented in the Industrial User file for that facility or facilities...

2. Flow is required to be gathered by the District or provided by the facility every six months per 40 CFR 403.12 (e)(1). Flow from the facility was not provided as part of the reporting requirements by the permittee and information regarding the flow from the facility was not included in the information provided for the audit, indicating that the District is gathering or was provided this information as part of the sampling event at the facility. Water bill volumes are indicated on the inspection report. However, this is a total volume and does not provide information regarding the process wastewater flow. 40 CFR 403.12 (e) states "...average and maximum daily flows for the reporting period for the Discharge..."
3. Edwards Lifesciences did not complete Section F of the permit application. This section needs to be completed by all permittees to ensure that information regarding the pollutants discharged from the facility is adequately addressed in the permit and, if necessary, a local limit can be developed or modified if a parameter listed could impact the POTW.
4. The inspection report dated April 29, 2024, indicates a violation of copper and zinc on April 5, 2024. Information was not provided regarding the action taken regarding these violations.

8.4.12 eBay

1. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(iii) require the District to "Control through Permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements."

   a. The permit developed for eBay states:

   > "If the Permittee wishes to continue to discharge beyond the expiration date of this Permit, an application must be submitted to JBID in accordance with the requirements of applicable JBID Pretreatment Rules and Regulations. To be eligible for permit reissuance and to continue to discharge industrial wastewater to JBID, applications must be received by JBID a minimum of

90 days prior to the expiration date of this Permit."

The permit cannot be extended beyond 5 years. The compliance reports from eBay state that the effective date of the permit is 23 January 2023 to 22 January 2028. If this is the case, the permit cannot be administratively extended and this language should be removed from the permit.

b. It is unclear when the permit was issued and if a modification of the permit occurred. The permit states that it was issued on October 20, 2024, and expires on January 22, 2028. However, the compliance reports from eBay state that the effective date of the permit is 23 January 2023 to 22 January 2028. Information should be stated in the permit file, preferably in the fact sheet, regarding the modification of a permit and justification for the modification.

c. The inspection report states that a slug control plan is needed. Also, the inspection report states that eBay has an up-to-date slug discharge control plan. However, the permit states if needed and a plan was not provided as part of the records request. The permit should be modified to clarify that a Slug Discharge Control Plan is required for this facility.

d. The reference regarding Authorized Representative is Part IV Section A(9)(b) should be Part IV Section A(9)(a). (b) is the definition for BOD.

e. The limit for selenium is based on the SVWRF local limit. Documentation of a public notice was not provided as part of the audit documents. Failure to public notice the permit could allow the permittee to challenge the District if an enforcement action were taken against the permittee.

2. eBay did not complete Section F of the permit application. This section needs to be completed by all permittees to ensure that information regarding the pollutants discharged from the facility is adequately addressed in the permit and, if necessary, a local limit can be developed or modified if a parameter listed could impact the POTW.

3. The semi-annual reports from eBay were signed on 6 January 2025 and 16 July 2024; however, they were not date-stamped. It was stated that an envelope with the postmark was available; however, the envelopes were not provided to verify the date the report was received.

4. The reports state SLC01 Topaz, SLC 02 Quicksilver and SLC03. The permit has outfalls A and B. The description of A states Quicksilver + SLC 03 and B states Topaz. It is recommended that the information be consistent with the monitoring locations and reporting locations for the reporting requirements or additional information be stated regarding the outfall in the files.

5. Flow is required to be gather by the District or provided by the facility every six months per 40 CFR 403.12 (h). Flow from the facility was not provided as part of the reporting requirements by the permittee and information regarding the flow from the facility was not included in the information provided for the audit indicating that the District is gathering or provided this information as part of the sampling event at the facility. 40 CFR 403.12 (h) requires that NCSIUs

provide flow as part of the reporting requirements every six months.

9.0 Significant Industrial User Facility Inspections

9.1 Regulatory Background

The General Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(v) state that the POTW shall have the legal authority to:

"Carry out all inspection, surveillance, and monitoring procedures necessary to determine, independent of information supplied by Industrial Users, compliance or noncompliance with applicable Pretreatment Standards and Requirements by Industrial Users. Representatives of the POTW shall be authorized to enter any premises of any Industrial User in which a Discharge source or treatment system is located or in which records are required to be kept under §403.12(o) to assure compliance with Pretreatment Standards. Such authority shall be at least as extensive as the authority provided under section 308 of the Act;"

The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(v) require the POTW to inspect its SIUs at least once per year. 40 C.F.R. § 403.8(f)(2)(ii) requires the District to "Identify the character and volume of pollutants contributed to the POTW." 40 C.F.R. § 403.8(f)(2)(vii) establishes the standard of evidence collection during sampling or inspection activities:

"Investigate instances of noncompliance with Pretreatment Standards and Requirements, as indicated in the reports and notices required under §403.12, or indicated by analysis, inspection, and surveillance activities described in paragraph (f)(2)(v) of this section. Sample taking and analysis and the collection of other information shall be performed with sufficient care to produce evidence admissible in enforcement proceedings or in judicial actions."

Typically, an inspector is the only representative from the POTW that regularly appears at the IU's facility and significantly represents the POTW's role as a responsible public agency, observing the actions and evaluating the performance of the regulated industry.

9.2 Right of Entry

The District has established the authority for right of entry in §2.7.1 of the Rules and Regulations:

> "The Treatment Facility Manager or his/her designee shall have the right to enter the premises of any User during its hours of operation to determine whether the User is complying with requirements of these Pretreatment Rules and Regulations and individual or general wastewater discharge permit requirements or orders issued hereunder. Users shall allow the Treatment Facility Manager ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, photographic and other image documentation, and the performance of any additional duties.

a. Where a User has security measures in place which require identification and clearance before entry into its premises, the User shall make necessary arrangements so that, upon presentation of identification, the Treatment Facility Manager shall be permitted to enter without delay.

b. The Treatment Facility Manager, EPA, and employees and agents of the State shall have the right to set up on the User's property, or require installation of, devices as are necessary to conduct monitoring, sampling, and/or metering of the User's operations.

c. The Treatment Facility Manager may require the User to install monitoring equipment as necessary. Unless otherwise provided, the User's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated at least annually or as instructed per the manufacturer's requirements, to ensure their accuracy.

d. Any temporary or permanent obstruction to safe and easy access to a User's facilities shall be promptly removed by the User at the written or verbal request of the Treatment Facility Manager and shall not be replaced. The costs of clearing such access shall be borne by the User.

e. Delays in allowing the Treatment Facility Manager access to the User's premises shall be a violation of these Pretreatment Rules and Regulations.

f. The location of monitoring facilities shall provide ample room in or near the monitoring facilities to allow accurate sampling and preparation of samples and analysis. Whether constructed on public or private property, the monitoring facilities shall be provided in accordance with SVSD's Design Standards and Construction Specifications. Such facilities shall be constructed and maintained in a manner that enables the Treatment Facility Manager to perform independent monitoring activities.

g All SIUs are inspected at least annually including review of facilities and reports. Inspections are not typically announced to the User in advance."

The authority in the Rules and Regulations adequately establish the right of entry authority for the District, as required in the Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(v).

9.3 Facility Inspection Records – Background

The Pretreatment Regulations at 40 C.F.R.§ 403.8(f)(2)(vii) require the POTW to meet the criterion for evidence collection "with sufficient care to produce evidence admissible in enforcement proceedings or in judicial actions." This is performed during facility inspections by adequate documentation in the inspection report of the observations, surveillance, inspections, sampling performed, and analysis gathered during facility inspections. A complete and well-developed inspection report that provides a current characterization of the facility will benefit the POTW's Pretreatment program for programmatic decisions such as categorical determinations, slug discharge/spill potential, changes at the facility that may affect the current permit conditions, sampling frequencies, etc.

As discussed in section 2.11.2 of the *Industrial User Inspection and Sampling Manual for POTW*s, EPA-831B17001, January 2017, the inspection report generated from the facility inspections should accomplish the following three objectives: 1) organize and coordinate all information in a comprehensive, usable manner for use by the POTW's compliance personnel; 2) identify areas that may require follow-up activity; and 3) provide significant background information on the facility that can be reviewed prior to conducting subsequent inspections at the facility. The quality of this documentation will, to a large degree, determine how effective these follow-up activities will be at the facility. The information in the inspection report must be presented in a clear, concise, and well-organized manner.

The Industrial User Inspection and Sampling Manual for POTWs describes the information necessary to characterize a facility in §§2.10.3 and 2.12. The manual also discusses the records to review at a facility to help determine the facility's compliance in §2.10.8. It is important for Pretreatment programs to document the following information during facility inspections to characterize the facility, and document facility changes to ensure the SIU's permit addresses current conditions:

- Chemical storage areas, including potential spill concerns during chemical receiving and transfer/handling.
- Process tanks or processing areas – detailed descriptions of the process, including tank contents, capacities.
- Waste stream generation from the process areas and disposal/discharge practices – frequency of discharge rinse water tanks, whether spent chemical solutions tanks discharged to the POTW or hauled off site, proximity to floor/trench drains, slug discharge control, and spill containment measures, etc.
- Waste stream management (treatment, recycling, hauling off site, evaporation, etc.).
- Waste treatment system.
- Waste stream or hazardous waste storage areas, including potential spill concerns.
- Discharge monitoring points.
    - Evaluation of the sampling/monitoring protocols to determine if these are appropriate to provide representative data of the wastewaters regulated by the permit.

A facility inspection of a permitted SIU should include a review of relevant records used to support compliance with the permit conditions and that may not be reported in the self-monitoring compliance reports, such as pH and continuous flow monitoring records, tank change-out logs, analytical reports, waste manifests, operation and maintenance logs, etc. A detailed facility inspection report with descriptions of tank contents, capacities, generated waste streams, plumbing, and management of the waste streams will benefit the POTW to establish the baseline for the year and to determine if any changes will impact the permit conditions/limits or associated documents such as the slug discharge control plan, spill plan, treatment system operation manual, or sampling protocol.

During the Pretreatment audit, the EPA discussed inspection procedures with the District. The EPA performs facility inspections by gathering verbal information in an opening conference, then performing a walkthrough to visually confirm the information gathered

during the opening interview. The EPA structures its information gathering by following the raw materials/chemical supply through the unit operations and ultimately to the finished product or service. A closing conference is performed to gather follow-up information, review records, and to provide preliminary conclusions to the facility.

9.4 Evaluation of The District's Inspection Reports/Records

The EPA evaluated the inspection reports and other records related to the facility inspection for the SIU annual facility inspection. As discussed in section 8.4.1.1 of this audit report, the District is inspecting the SIUs annually, However, the inspection reports need more detail and descriptions of the SIU's chemical storage/handling/transfer, process/unit operations, waste stream generation from these unit operations, waste stream management or wastewater treatment, and sampling procedures to provide a current characterization of the SIU's current conditions, including an evaluation of slug discharge potential and process or treatment plant changes. The EPA recommends the District include digital photos in the inspection reports to provide additional supporting evidence for the narrative descriptions.

9.5 Notification of Applicable Pretreatment Standards

The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(*iii*) require the District to notify IUs of applicable Pretreatment Standards and Requirements. Based on the EPA's review of the inspection records, it appears that the District provide timely notification to the SIUs regarding the applicable Pretreatment Standards and applicable corrective action items as a follow-up to the facility inspections.

9.6 Facility Inspections

During the audit, the EPA, the UTDEQ and the District inspected Ortho Development on August 20, 2025 and the report was submitted to the facility on September 2, 2025. The inspection report is enclosed in this audit report Areas of concern during the facility inspection are provided in the facility inspection reports for the District to provide direct follow-up with the facility.

10.0 Control Authority Compliance Monitoring

10.1 Regulatory Background

The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(1)(v) require the POTW to have the legal authority to "Carry out all inspection, surveillance, and monitoring procedures necessary to determine, independent of information supplied by Industrial Users, compliance or noncompliance with applicable Pretreatment Standards and requirements." Further, the Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(v) requires a POTW to "Randomly sample and analyze the effluent from Industrial Users and conduct surveillance activities in order to identify, independent of information supplied by Industrial Users, occasional and continuing noncompliance with Pretreatment Standards. Inspect and sample the effluent from each Significant Industrial User at least once a year."

The standard to which POTWs are held for purposes of evidence collection during a Control Authority monitoring event is outlined in 40 C.F.R. § 403.8(f)(2)(vii): "Sample taking and analysis and the collection of other information shall be performed with sufficient care to produce evidence which is admissible in enforcement proceedings or judicial actions."

In addition, a POTW is required to ensure the Control Authority monitoring events are based on representative conditions at the monitoring point to ensure that these sampling events are legally defensible and of the same quality as required for self-monitoring events. The Pretreatment Regulations at 40 C.F.R. § 403.12(g)(3) require, "The reports … must be based upon data obtained through appropriate sampling and analysis performed during the period covered by the report, which data are representative of conditions occurring during the reporting period."

An enforceable sample must be representative of the nature and character of the discharges during the reporting period and is required to be representative in composition to that in the larger volume of wastewater being discharged. A POTW is required to implement a Control Authority monitoring program that meets the compliance monitoring requirements of the Pretreatment Regulations, provides representative data for compliance determinations, and would be legally defensible in court if such an enforcement action is taken by the POTW. In addition, representative and legally defensible data helps the POTW support other program objectives such as local limits evaluation and permit development or reissuance.

10.2 Sampling Plan and Protocols

The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2) require the POTW to "develop and implement procedures to ensure compliance with the requirements of a Pretreatment Program." The development and implementation of a sampling plan or procedures ensures the POTW is appropriately and consistently performing sampling or monitoring events, as well as providing enforceable data that is representative of the discharge conditions at the facility. The sampling plan should include the following:

- purpose and objective of the sampling program,
- specific sampling protocols at each facility sampling location to ensure representative sampling, and
- appropriate QA/QC procedures to ensure legally defensible data.

10.2.1 Site-Specific Sampling Protocols

The sampling protocols must include specific procedures used at each facility to ensure adequate and representative sampling protocols. The development of the sampling protocols will ensure the sampling events are performed in accordance with appropriate standards and procedures and produce quality data that is legally defensible.

At a minimum, the specific sampling protocols at each sampling location should include the following:

- Sampling locations – should include all monitoring points included in the SIU's permit, including the use of digital photos for each monitoring point.
- Type of sample – the POTW is required to ensure the sampling event is representative of the SIU's discharge, as required by 40 C.F.R. §403.12(g)(3). The type of sample will be dependent on the parameter to be sampled and discharge characteristics. The type of sample could include specifications for the use of automatic samplers (including programming to provide representative sampling) or manual sampling techniques.
- Type of Flow Measurement – if applicable
- Parameters for Analysis – based on the SIU's permit
- Sample Volume
- Type of Sample Containers
- Sample Preservation Techniques
- Sample Identification and Chain of Custody Procedures
- QA/QC Procedures

10.2.2 Quality Assurance/Quality Control (QA/QC)

QA and QC are tools that are necessary in a sampling program to maintain a level of quality, such as legally defensible data, in the measurement, documentation, and interpretation of sampling data. The QA/QC procedures are used to obtain data that are both precise (degree of closeness between two or more samples) and accurate (degree of closeness between the results obtained from the sample analysis and the true value that should have been obtained). Proper implementation of QA/QC procedures will result in an increase in the POTW's confidence in the validity of the reported analytical data.

The QA/QC procedures used to ensure data collected is valid and legally defensible include, but are not limited to, the following:

- equipment maintenance/calibration,
- proper sampling bottles, proper sampling techniques that are adequate and representative of the discharge from the facility,
- field blanks, equipment blanks, method blanks, standards, blind duplicates, and
- ensuring sampling personnel are adequately trained.

10.3 The EPA Evaluation of The District's Control Authority Monitoring

10.3.1 SOPs

Chapter 4 titled Sampling and Monitoring of the District's Standard Operating Procedures provides an overview of the District's sampling program's methods, procedures, and equipment, including monitoring criteria for the District and self-monitoring activities. The Sampling and Monitoring SOP describe procedures for sampling locations, sample collection, representative sampling types/frequencies, chain of custody, QA and QC. The District's Sampling and Monitoring SOP also provide criteria specific to self-monitoring conducted by the permitted SIUs.

In addition to the Sampling and Monitoring SOP, the District has established site-specific sampling protocols for each permitted SIU. The District has sampling trays that are dedicated to each SIU with the appropriate sampling equipment, pre-preserved sample containers, and a sampling sleeve that provides information on the monitoring locations and sampling techniques.

Based on the EPA's review, the District's Sampling and Monitoring SOP and site-specific sampling protocols/trays adequately provide the District an overview of the sampling program and specific instruction for sampling at each SIU. The EPA recommends the District ensure it evaluates the site-specific sampling protocols after each annual facility inspection or during permit renewals/modifications to ensure these protocols are representative of current conditions at the SIU.

10.3.2 The District's Control Authority Monitoring

The EPA and the UTDEQ evaluated the District's implementation of its Sampling and Monitoring SOP by reviewing the applicable Pretreatment records such as inspection/sampling reports and chain of custodies, discussions with the Pretreatment Inspector/Sampling staff, and evaluation of the sampling protocols during the facility inspection of Ortho Development. Based on the EPA and the UTDEQ's evaluation, the District is sampling the permitted SIUs at least twice per year in its capacity as the Control Authority, which meets the Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(v). The District also conducts the self-monitoring for the permitted SIUs, as allowed in 40 C.F.R. § 403.12(g)(1). It appears that the twice per year sampling of the SIUs serves as the District's self-monitoring for the SIUs and the District control authority sampling. The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(vii) state "Sample taking and analysis and the collection of other information shall be performed with sufficient care to produce evidence admissible in enforcement proceedings or in judicial actions.". The District's sampling and monitoring SOP found in the Chapter 4 of its Pretreatment Program Procedures address QA/QC, but it does not appear that the District is implementing the QA/QC during sampling activities. The District is required to integrate QA/QC procedures and techniques in its sampling program such as equipment blanks, field blanks, duplicates to ensure the sample collection meets 40 C.F.R. 136 requirements. In addition, the District needs to integrate QA/QC such as standards, blanks, matrix spikes to ensure the laboratory is meeting 40 C.F.R. 136 requirements.

Based on information gathered during the audit, it appears the District is adequately cleaning and calibrating its sampling/monitoring equipment; however, these procedures are not adequately documented. The EPA recommends the District document the cleaning and calibration events of its sampling/monitoring equipment.

As previously stated in section 8.4.3(4) of this audit report and based on the Ortho Development facility inspection conducted by the EPA, the District needs to ensure its SIU-specific sampling protocols are representative of current conditions at the SIUs. The EPA recommends the District evaluate its SIU-specific sampling protocols after permit renewals, modifications and potentially, after SIU inspections to ensure these adequately address current conditions at the SIU.

11.0 Enforcement

11.1 Regulatory Background

The EPA establishes the regulatory requirement to develop and implement an Enforcement Response Plan (ERP) in the Pretreatment Regulations at 40 C.F.R. § 403.8(f)(5)(i-iv). The regulations state:

"The POTW shall develop and implement an enforcement response plan. This plan shall contain detailed procedures indicating how a POTW will investigate and respond to instances of industrial user noncompliance. The plan shall, at a minimum:

(i) Describe how the POTW will investigate instances of noncompliance.

(ii) Describe the types of escalating enforcement responses the POTW will take in response to all anticipated types of industrial user violations and the time periods within which responses will take place.

(iii) Identify (by title) the official(s) responsible for each type of response.

(iv) Adequately reflect the POTW's primary responsibility to enforce all applicable pretreatment requirements and standards."

The development and implementation of an ERP is an important component of an effective Pretreatment Program. Although a successful Pretreatment program should provide outreach to facilities in the service area regarding the applicability of the Pretreatment Standards and compliance with these standards, in many situations, enforcement is the necessary driving force that makes the Pretreatment program functional.

The ERP establishes a framework for POTWs to formalize procedures for investigating and responding to instances of IU noncompliance and to ensure that POTWs enforce against IUs objectively, consistently, and equitably. A well-developed ERP should help the POTW decide what resources are needed to enforce the Pretreatment Standards/Requirements and assist in dealing with IU violations. In addition, the ERP will provide notice to the IUs regarding the POTW's responsibility to respond to violations of Pretreatment Standards/Requirements.

11.2 Enforcement Legal Authority

The EPA evaluated the District's enforcement authority and remedies found in its municipal ordinance.

1. Civil penalties established in the Rules and Regulations at § 2.11.2.
2. Criminal penalties established in the Rules and Regulations at § 2.12.3.
3. Provisions to immediately halt actual or threatened discharges established in the Rules and Regulations at § 2.11.5 and 2.11.6.
4. Injunctive relief provisions established in the Rules and Regulations at § 2.12.1.
5. Authority to enforce against falsification/tampering established in the Rules and Regulations at § 2.12.3(C).
6. Notice of violations established in the Rules and Regulations at § 2.11.1.

7. Compliance orders authority established in the Rules and Regulations at § 2.11.1.
8. Administrative penalty authority not established in the Rules and Regulations.
9. Show cause hearing provisions established in the Rules and Regulations at § 2.11.2.
10. Suspensions of service provisions established in the Rules and Regulations at § 2.11.6.
11. Permit termination provisions established in the Rules and Regulations at § 2.11.7.
12. Publication of IUs in significant noncompliance established in the Rules and Regulations at § 2.10.

11.3 Enforcement Response Plan (ERP)

The District submitted its ERP, found in Chapter 7 of the District's SOPs titled "20191010 Pretreatment Procedures Manual - final draft" to the EPA for review, prior to the audit. Based on the EPA/s review, the following comments are provided to ensure the ERP aligns with the Federal Regulations: (the EPA's review is included in the Jordan Basin ERP Review.pdf. In addition, the EPA's comments are embedded in 20191010 Pretreatment Procedures Manual - final draft-EPA.pdf).

- The following methods on how Jordan Basin investigates noncompliance is absent and needs to be established or referenced in the District's ERP:
    - IU Inventory/Inspection Procedures
    - Permitting Procedures
    - Self-Monitoring Reporting/Notification
    - Control Authority Monitoring
    - Compliance Evaluation/SNC procedures
- The following anticipated types of violations are either absent or need to be modified in the District's ERP:
    - Failure to Notify for 24-hour of becoming aware of a violation,
    - Failure to notify of hazardous waste
    - Failure to notify for upset
    - Failure to notify for bypass
    - Analytical deficiencies
    - Tampering
    - Sector control programs
- The following significant non-compliance violations are either absent or need to be modified in the District's ERP:
    - Chronic violations of wastewater discharge limits, defined here are those in which 66 percent or more of all the measurements taken for the same pollutant during a six-month period exceeded (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Section 2.2.
    - Technical Review Criteria (TRC) violations, defined here are those in which 33 percent or more of wastewater measurements taken for the same pollutant parameter during a six-month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Section 2.2 multiplied by the applicable TRC criteria (TRC=1.4 for BOD, TSS, fats, oil, and grease, 1.2 for all other

pollutants except pH);
    - Any other violation of a Pretreatment Standard or Requirement as defined by Section 2.2 (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the Treatment Facility Manager determines had caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public.
    - Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment or has resulted in SVSD's exercise of its emergency authority to halt or prevent such discharge.
    - Failure to meet, within 90-calendar days after the scheduled date, a compliance schedule milestone contained in an individual and general wastewater discharge permit or enforcement order for starting construction, completing construction or attaining final compliance.
    - Failure to provide within 45-calendar days after the due date, required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules.
    - Failure to accurately report noncompliance; or
    - Any other violation or group of violations, which may include a violation of BMPs, which the Treatment Facility Manager determines will adversely affect the operation or implementation of the local Pretreatment Program.
- The District states in its ERP that it can assess administrative penalties up to $10,000 per violation per day but has not established this authority in the Rules and Regulations.

11.4 Compliance Evaluation

Based on the EPA's review of the Pretreatment records, it appears that District is consistently evaluating compliance in the self-monitoring reports or notices submitted by the SIUs and IUs in the POTW's service area. Because the District conducts the self-monitoring for the permitted SIUs, the District only appears responsible for evaluating the data gathered during the sampling events for compliance and ensuring the submitted self-monitoring reports are submitted by the due date and are complete. As mentioned in section 8.4.1(4) of this audit report, the EPA recommends the District develop compliance evaluation checklists specific to the SIU and the permit reporting conditions to ensure the report is received on time, is complete with the permit conditions and is in compliance with permit conditions and limits.

11.5 SNC Calculations and Public Participation

The Pretreatment Regulations at 40 C.F.R. § 403.8(f)(2)(viii) require a POTW to comply with the public participation requirements in the enforcement of National Pretreatment Standards. These procedures shall include a provision for at least annual public notification in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, of IUs, that, at any time during the previous 12 months, were in SNC with applicable Pretreatment requirements. The SNC determinations are both

a calculation of numeric Pretreatment Standards, as listed in 40 C.F.R. § 403.8(f)(2)(viii)(A-D), and a determination of violations of the narrative Pretreatment Standards, as listed in 40 C.F.R. § 403.8(f)(2)(viii)(E-H).

Based on EPA's review of the Pretreatment records, the District is calculating numeric SNC and determining narrative SNC as necessary.

12.0 Trucked and Hauled Waste

12.1 Regulatory Background

In addition to receiving waste through the collection system, many POTWs accept trucked and hauled waste. As stated in 40 C.F.R. § 403.1(b)(1), pollutants from nondomestic sources that are transported to the POTW by truck or rail are also subject to the Pretreatment Regulations. They may also be subject to categorical Pretreatment Standards. Therefore, hauled wastes from CIUs or hauled waste that otherwise qualifies the discharger as an IU must be regulated in accordance with the requirements of the Pretreatment Regulations, including any applicable requirements for permitting and inspecting the generating facility. Hauled wastes, like wastes received through the collection system, have the potential to negatively affect the POTW, making regulatory control of the wastes necessary.

Most wastewaters hauled or trucked to a POTW are domestic septage, typically from homes outside the POTW's service area, but compatible in nature. Because such discharges are predominantly compatible wastes, treatment at a POTW is the most appropriate disposal method. The biosolids regulations at 40 C.F.R. § 503.9(f) define domestic septage as the liquid or solid material removed from a septic tank, cesspool, portable toilet, Type III marine sanitation device, or similar system that holds only domestic sewage. Domestic septage does not include liquid or solid material removed from any system that receives either commercial wastewater or industrial wastewater, and it does not include grease removed from a restaurant grease trap.

The POTW cannot know for certain the nature and concentration of the trucked wastes and the impact on the POTW without implementing some type of control or surveillance program. Unlike discharges from IUs directly connected to the POTW, the makeup of a load of hauled waste is virtually unknown without some type of monitoring, be it visual or analytical. Even compatible loads of domestic septage can cause problems for a POTW due to high strength or discharge rate. Domestic septage can be partially digested, higher in metals concentrations than normal domestic wastes, or contain small amounts of household contaminants (e.g., cleaners). Similarly, disinfectants used in portable toilets have the potential to affect POTW operations.

Receipt of hauled hazardous waste (as defined in the Resource Conservation and Recovery Act (RCRA)) might not only affect POTW operations but also could subject the POTW to additional reporting requirements. The Domestic Sewage Exclusion, specified in 40 C.F.R. § 261.4(a)(1)(ii), provides that hazardous wastes mixed with domestic sewage and under control of the Pretreatment program are exempt from the RCRA waste regulations. However, hazardous wastes received by truck or rail (or dedicated pipe) at the treatment

plant are not exempt from the regulations. POTWs that accept hazardous wastes from those sources are subject to *permit by rule* status under RCRA [40 C.F.R. § 270.60(c)] provided that certain requirements are met. The POTW must be in compliance with all its NPDES permit requirements and the waste must comply with all federal, state, and local pretreatment requirements.

12.2 Legal Authority

The District has adopted the Federal specific discharge prohibitions for trucked and hauled wastes found in the Pretreatment Regulations at 40 C.F.R. § 403.5(b)(8). This is incorporated in its Rules and Regulations at § 2.2.1(B)(8):

"Hauled waste of any kind, including septic tank and industrial waste."

The District does not accept trucked or hauled domestic or chemical toilets waste however, it does accept RV waste at identified RV dump stations in the service area.

12.3 RV Disposal Sites

Based on information gathered during the audit, the RV dump stations within the Jordan Basin's service area are required to post signs prohibiting discharge of any waste that is not RV waste. The EPA recommends Jordan Basin require controlled access to the dump station with adequate recordkeeping of the users using its authority in section 2.3.7 of the Rules and Regulations. The RV dump stations should require the users of its RV dump station to sign in, prior to use of the site.

13.0 Best Management Practices – Sector Control Programs

13.1 Regulatory Background

BMPs are defined in 40 C.F.R. § 403.3(e) as "schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40 C.F.R. § 403.5(a)(1) [General Prohibitions] and (b) [Specific Prohibitions]. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage."

40 C.F.R. § 403.5(c)(4) states, "POTWs may develop Best Management Practices (BMPs) to implement paragraphs (c)(1) [develop limits to implement the general/specific prohibitions] and (c)(2) [develop and enforce specific effluent limits for industrial users that contribute pollutants that may result in Interference and Pass-Through] of this section. Such BMPs shall be considered local limits and Pretreatment Standards for the purposes of this part and section 307(d) of the Act." The regulations establish that BMPs are enforceable Pretreatment Standards.

13.2 Authority in Rules and Regulations

The District established the authority to implement BMPs in its Rules and Regulations:

- BMP defined and established as Pretreatment Standards in its Rules and Regulations at § 2.1.4(E).
- BMPs established as a permit condition in its Rules and Regulations at §2.5.2(A)(3).
- BMP recordkeeping requirements referenced in its Rules and Regulations at §2.6.13.
- BMPs established as an SNC criterion in the SNC definition found in its Rules and Regulations at § 2.10(H).

13.3 Dental Amalgam BMP Sector Control Program

The Dental Amalgam Rule, found in 40 C.F.R. Part 441, was promulgated as a final rule with new source dental facilities required to be in compliance with the Pretreatment Standards as of July 14, 2017, and existing source dental facilities required to be in compliance as of June 14, 2020. Compliance with the rule requires the installation of an ISO1143 amalgam separator or equivalent device, and compliance with the following two BMPs:

- Prohibition on the use of oxidizing or chlorine-containing line cleaners; and
- Ensuring all amalgam process wastewater including chair-side traps, screens, vacuum pump filters, dental tools, cuspidors or collection devices are treated through the amalgam separator.

In addition, the new and existing dental facilities are required in 40 C.F.R. § 441.50 of the Dental Amalgam Rule to provide a report that characterizes the dental facility and certifies compliance. The new source dental facilities are required to be in compliance upon discharge and submit a one-time compliance report within 90 days of startup.

The District has identified 59 dental facilities in its service area and has received one-time compliance reports within the deadline required by the Rule. The EPA reviewed the one-time compliance reports to ensure compliance with the reporting requirements of the Dental Amalgam Rule in 40 C.F.R. § 441.50. Based on the EPA's review, most of the reports are complete and comply with the reporting requirements with the following exceptions identified below. The District is required to follow up with the following dental offices to ensure the dental facilities comply with the Dental Amalgam Rule:

- Apex Merit Dental Care – O+M information absent
- Aspen Ridge – # of chairs, O+M and BMP information absent
- Burg Dental – # of chairs, amalgam separator, O+M, BMP information absent
- CDA Practice – # of chairs, amalgam separator info, BMP information absent
- Dr Jerry Magnu – O+M information crossed out and absent
- Herriman Hills – O+M information absent
- James D Johnson – # of chairs, amalgam separator info absent
- Smith Dental – O+M information absent
- South Town Endodontics – O+M, BMP information absent
- Stone Haven – BMP information and affirmative initials absent

- Wilden Family Dental – NA listed in O+M and BMP information sections. Report is incomplete as a result.

13.4 FOG Sector Control Program

The District has established sector control requirements for the food service establishments (FSE) with grease interceptors in the service area to control fats, oils, and greases (FOG) and IUs with sand interceptors to control petroleum-based oil and grease (POG) in section 2.8 of the Rules and Regulations. The FOG/POG sector control language in the Rules and Regulations establish requirements for the following:

- Permitting
- Interceptor specifications
- FOG waste discharge limits/prohibitions
- Kitchen BMPs
- O+M
- Notification
- Recordkeeping
- Inspections and sampling.

The District collaborates with most of the building departments in the service area to identify the IUs with grease (FOG) or sand/oil (POG) interceptors. These IUs are required to size and install the grease or sand/oil interceptor, according to District specification and keep records for the O+M for these interceptors for a minimum of three years. The District permits all FSEs subject to the FOG sector control program requirements and auto repair/car washes subject to the POG sector control program requirements. The District also inspects and samples all FOG IUs twice per year and auto repair shops in the POG program every two years.

14.0 PFAS Roadmap and Implementation

Note: the following PFAS section and the current initiatives are intended to provide information to the District.

On October 18, 2021, the EPA developed the **Agency's PFAS Strategic Roadmap** — laying out a whole-of-agency approach to addressing PFAS. The roadmap sets timelines by which EPA plans to take specific actions and commits to policies designed to safeguard public health, protect the environment, and hold polluters accountable. The PFAS Strategic Roadmap may be found at the following link:https://www.epa.gov/pfas/pfas-strategic-roadmap-epas-commitments-action-2021-2024 .

The EPA's integrated approach to PFAS is focuses on three central directives:

1. **Research**. Invest in research, development, and innovation to increase understanding of PFAS exposures and toxicities, human health and ecological effects, and effective interventions that incorporate the best available science.

2. **Restrict**. Pursue a comprehensive approach to proactively prevent PFAS from entering air, land, and water at levels that can adversely impact human health and the environment.

3. **Remediate**. Broaden and accelerate the cleanup of PFAS contamination to protect human health and ecological systems.

The EPA's approach is shaped by the unique challenges to addressing PFAS contamination. The EPA cannot solve the problem of "forever chemicals" by tackling one route of exposure or one use at a time. Rather, the EPA understands that it needs to take a lifecycle approach to PFAS to make meaningful progress. PFAS pollution is not a legacy issue—these chemicals remain in use in U.S. commerce.

The risks posed by PFAS demand that the Agency attack the problem on multiple fronts at the same time. In the 2021 PFAS Roadmap, the EPA is leveraging the full range of statutory authorities to confront the human health and ecological risks of PFAS:

- Water – Clean Water Act (CWA)
- Solid Waste – Resource Conservation and Recovery Act (RCRA)
- Land – Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)
- Air – Clean Air Act (CAA)
- Chemical Safety and Pollution Prevention – Toxic Substances Control Act (TSCA)

For purposes of this audit, the EPA is addressing the initiatives used in the Office of Water under the Safe Drinking Water Act, the Clean Water Act, the NPDES Permitting program and associated programs under the NPDES regulatory umbrella. The specific PFAS Roadmap commitments and updates may be found at the following link: https://www.epa.gov/pfas/pfas-strategic-roadmap-epas-commitments-action-2021-2024#ow .

14.1 Leverage NPDES permitting to reduce PFAS discharges to waterways

The National Pollutant Discharge Elimination System (NPDES) program interfaces with many pathways by which PFAS travel and are released into the environment and ultimately impact people and water quality.

On December 5, 2022, the EPA issued the **Addressing PFAS Discharges in NPDES Permits and Through the Pretreatment Program and Monitoring Programs Memo** to the U.S. States to proactively use existing NPDES authorities to reduce discharges of PFAS at the source and obtain more comprehensive information through monitoring on the sources of PFAS and the quantity of PFAS discharged by these sources. This memorandum provides the EPA's guidance to states and updates the April 28, 2022 guidance to the EPA Regions for addressing PFAS discharges when they are authorized to administer the NPDES permitting program or Pretreatment program. The memo provides the following recommendations for POTW NPDES permits and Pretreatment programs:

- POTW NPDES Permits:

- Quarterly effluent, influent and biosolids monitoring using EPA Method 1633.
- Recommended biosolids assessment, based on biosolids monitoring and a PFAS source reduction for IUs in the POTW's service area, if necessary.
- Public notice of downstream drinking systems that are potentially affected by the POTW effluent when the POTW's NPDES permit is renewed or issued.

- Pretreatment Programs:
  - Source Identification: Update IU inventory to include PFAS sources
  - Source Control: Utilize BMPS and pollution prevention to address PFAS discharges to the POTW;
    - Update IU permits to required quarterly PFAS monitoring.
    - Develop IU BMPS or local limits for PFAS, where authority exists through the NPDES permit limits or PFAS ELG promulgation.

14.2 Impact of the NPDES Initiatives on The District's Pretreatment Program

The analytical tools, rules, procedures, and methods developed by the EPA in the PFAS Strategic Roadmap are currently recommendations to identify and control non-domestic or IU sources in a POTW's service area. The requirement to control IUs will occur either when the EPA promulgates categorical Pretreatment Standards for specific IU sectors (such as OCPSF, Metal Finishers or other future rulemakings), or when the UTDEQ adopts the EPA National Water Quality Criteria for PFAS and PFOS as State water quality standards and begins implementing these as NPDES permit limits.