# **SOUTH VALLEY WATER RECLAMATION FACILITY** INDUSTRIAL WASTEWATER DISCHARGE PERMIT

Significant Industrial User

Permit Number	B304WJA4	
Effective Date	January 29, 2017	
Expiration Date	January 28, 2022	
Contact Person	Joe Eck	
Contact Phone Number	(801) 280-5215	
Facility Name	Interstate Brick	
Facility Address	9780 South 5200 West West Jordan, Utah 84081	
Mailing Address	9780 South 5200 West West Jordan, Utah 84081	
Billing Address	9780 South 5200 West West Jordan, Utah 84081	
Sewer Service Provider	West Jordan City	

Subject to the provisions of the South Valley Water Reclamation Facility (SVWRF) Rules and Regulations and any adopted amendments the above-named Permittee is hereby authorized to discharge domestic or non-process wastewater from the above-identified facility into the sewer system of West Jordan City, and to use the South Valley Water Reclamation Facility (SVWRF) in accordance with the above-mentioned SVWRF Rules and Regulations, and subject further to the effluent limitations, monitoring requirements, and other conditions set forth in this Permit.

All discharges authorized herein shall comply with the terms and conditions of this Permit. The discharge of any pollutant specifically identified in this Permit or the discharge of any pollutant identified in this Permit more frequently or at a level in excess of that authorized by the Permit shall constitute a violation of the Permit.

This Permit shall become effective on January 29, 2017 and shall expire at midnight on January 28, 2022 (the Permit Term). Permittee shall not discharge after the date of expiration or any termination of this Permit. If the Permittee wishes to continue to discharge after the expiration date or any termination, an application must be filed for reissuance of this Permit in accordance with the requirements of the SVWRF Industrial Pretreatment Program and SVWRF's Rules and Regulations relating to said program. Applications for reissuance shall be filed a minimum of 60 days prior to the expiration date of the Permit.

# SOUTH VALLEY WATER RECLAMATION FACILITY

BY: Spencer Parkinson

ITS: Pretreatment Director

Issued this 29<sup>th</sup> day of January, 2017.

Interstate Brick has been classified as a Significant Industrial User because the facility has the ability to discharge non-compatible pollutants at concentrations that could exceed SVWRF's local limits and may cause adverse effects to SVWRF (40 CFR Part 403.3 (v)(ii)).

## PART I - <u>APPLICABLE EFFLUENT LIMITATIONS</u>

### SECTION A - EFFLUENT LIMITATIONS

1. Discharge Point(s)

During the Permit Term the Permittee is authorized to discharge process wastewater to the West Jordan City sewer system and into the SVWRF from the outfall(s) listed below.

Description of outfall(s):

Outfall(s)	Description(s)		
	Treatment Facility Building- Twenty feet		
А	west of southeast corner of the treatment		
	building and six feet south of that point.		

2. Specific Limitations

During the Permit Term the discharge from Outfall(s) A shall not exceed the following effluent limitations. In addition, the discharge shall comply with all other applicable regulations and standards contained in the SVWRF Pretreatment Program and the Rules and Regulations pertaining thereto.

Parameter	Instantaneous Minimum	Instantaneous Maximum
рН	5.0	11.0

Parameter	Daily Maximum (mg/l)	Monthly Average (mg/l)		
Oil and Grease (petroleum)	100	N/A		
Cyanide (Total)	.66	N/A		
Lead	1.10	N/A		
Cadmium	.0634	N/A		
Copper	2.58	N/A		
Nickel	3.98	N/A		
Chromium	28.7	N/A		
Zinc	11.07	N/A		
Silver	6.89	N/A		
Continued on Next Page				

Arsenic	0.71	N/A
Mercury	.022	N/A
Molybdenum	.224	N/A

Parameter	Daily Maximum (Lbs/day)	Monthly Average
Selenium	.25	N/A

- 3. The Permittee shall not discharge wastewater from any of the outfall(s):
  - a) Having a pH lower than 5.0 or higher than 11.0;
  - b) Containing petroleum oil, non-biodegradable cutting oil, or products of mineral origin in amounts that will cause interference or pass through but in no case higher than 100 mg/l;
  - c) Containing any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquids, solids or gases (unless otherwise specified in this Permit);
  - d) Having a temperature higher than  $140^{\circ} \text{ F} (60^{\circ} \text{ C})$ ;
  - e) Prohibited under Section 2.2.2 of the SVWRF Rules and Regulations;
  - f) Containing any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch, manure, or any other solids or viscous substances capable of causing obstructions or other interferences with proper operation of the sewer system;
  - g) Containing any pollutant, including oxygen demanding pollutants (BOD) at flow rate and/or concentration which will cause the pollutant to pass through to the receiving waters or interfere with the SVWRF.
- 4. Any user that discharges BOD (Biochemical Oxygen Demand) or TSS (Total Suspended Solids) in excess of 300 mg/l or discharges animal or vegetable oil and greases in excess of 200 mg/l will be surcharged under Section 10 of SVWRF Rules and Regulations.

### PART II – EFFLUENT MONITORING AND REPORTING REQUIREMENTS

# SECTION A- MONITORING REQUIREMENTS

1. During the Permit Term the Permittee shall monitor Outfalls(s) A for the following:

Parameter_	Sample Location	Frequency	Sample Type
рН	А	Quarterly	Instantaneous
Oil and Grease (Petroleum)	А	Quarterly	Grab
Cyanide (T)	А	Quarterly	Grab
Metals	А	Quarterly	Composite

- a) Quarterly samples are to be analyzed once every three (3) months.
- b) Definitions of sample types can be found in Part IV, Section A.9 of this Permit.
- c) Daily flows are to be recorded from the Permittee's water meter. If the Permittee shares a water meter with other businesses, a separate water meter will have to be installed.
- d) SVWRF reserves the right to monitor for TTO pollutants at any time to determine compliance.
- 2. All handling and preservation of collected samples and laboratory analysis of samples shall be performed in accordance with 40 CFR Part 136 and amendments thereto unless specified otherwise in the monitoring conditions of this Permit.

### SECTION B- <u>REPORTING REQUIREMENTS</u>

1. Quarterly Reports

The reports are due on the 28th day of the month following the end of the quarter (e.g. the end of the first quarter is March 31st, then the report is due the 28th of April). The first report is due on April 28, 2017. The report should indicate the nature and concentrations of all pollutants in the process wastewater discharges which are regulated by the standards set forth in Part I of this Permit and include measured maximum and average daily flows. Quarterly report forms are available at SVWRF.

2. If the Permittee monitors any pollutant more frequently than required by this Permit, the results of such monitoring shall be submitted to the SVWRF.

3. Automatic Resampling

If the results of the Permittee's wastewater analysis indicate that a violation of this Permit has occurred, the Permittee must:

- a) Inform SVWRF of the violation within 24 hours.
- b) Repeat the sampling and pollutant analysis and submit to SVWRF, in writing, the results of the second analysis within 30 days of the first violation.
- 4. New or Changed Wastewater Reporting
  - a) The Permittee shall notify SVWRF within 90 days prior to the introduction of any new wastestreams or pollutants, or any substantial increase or decrease in the volume (i.e., 20 percent or greater variance from the monthly average flow) or characteristics of existing wastestreams discharged to Outfall(s) A, described above, or any other outfall of the Permittee.
- 5. Prevention of Spills and Accidental Discharges
  - a) The Permittee shall provide to SVWRF plans showing the facilities and operating procedures to provide protection against spills or accidental discharges of prohibited or regulated materials as covered in Section 2 of the SVWRF Rules and Regulations. Such plans shall include, but are not limited to:

(1) All chemicals and oils will be properly labeled. All containers of five gallons or more must be stored <u>50 feet</u> from any floor drain or be stored in a containment area that holds 110% of the largest container stored in the containment area.

- (2) Diking systems for containment;
- (3) Alarm systems including test frequency of alarms;
- (4) Employee education or training programs;
- (5) Manhole sealing and repiping.
- b) The Permittee shall submit a Best Management Practice (BMP) plan showing pretreatment facilities and operating procedures to SVWRF for review within 30 days of the effective date of the Permit.
- c) Plans shall be reviewed and approved by SVWRF prior to construction of any facilities.

- 6. Accidental Discharge Report
  - a) The Permittee shall notify the SVWRF immediately upon the occurrence of an accidental discharge of substances prohibited by Section 2 of the SVWRF Rules and Regulations. SVWRF should be notified during normal business hours (Monday-Thursday 8am-5pm) by telephone at (801) 566-7711. After hours, weekends and holidays, SVWRF should be notified by telephone at (801) 859-8307 or (801) 503-6444. The notification shall include location of discharge, date and time thereof, type of waste, including concentration and volume, and corrective actions taken.
  - b) Within five days following an accidental discharge, the Permittee shall submit to the SVWRF a detailed written report. The report shall specify:
    - (1) Description of the upset, slug, or accidental discharge, the cause thereof, and the impact on the Permittee's compliance status. The description should also include location of discharge, type, concentration and volume of waste;
    - (2) Duration of noncompliance, including exact dates and times of noncompliance, and if the noncompliance continues, the time by which return to compliance is reasonably expected to occur; and
    - (3) All steps taken or to be taken to reduce, eliminate, and prevent recurrence of such an upset, slug, accidental discharge, or other conditions of noncompliance.
  - c) The Permittee shall submit prior notice at least 10 days in advance of any planned bypass that may result in violation of any applicable pretreatment standards.
- 7. RCRA (Resource Conservation Recovery Act) Hazardous Waste Reporting

All users shall notify SVWRF, the State, and EPA of the nature and mass of RCRA hazardous wastes the user discharges into any public sewers, as required under Federal Regulations 40 CFR 403.12(p).

8. All reports required by this Permit shall be submitted to the SVWRF at the following address:

Pretreatment Director South Valley Water Reclamation Facility 7495 South 1300 West West Jordan, Utah 84084

- 9. All reports required by this Permit shall be signed by one of the following:
  - a) An authorized officer of the Permittee, if a corporation;
  - b) A general partner, if a general or a limited partnership;
  - c) The proprietor, if a sole proprietorship;
  - d) A managing member, if a limited liability company;
  - d) The legal owner of the Permittee, if other than a corporation, partnership, sole proprietorship, or limited liability company;
  - e) A duly authorized employee, if such employee is responsible for overall operation of the Permittee;
  - f) The owner of the real property upon which Permittee's facilities are located when reports are required of such owner.

# PART III - SPECIAL CONDITIONS

### SECTION A - ADDITIONAL/SPECIAL MONITORING REQUIREMENTS

- 1. Development of Best Management Practices (BMP) plan for submittal to SVWRF within 30 days of the effective date of this Permit.
- 2. Additional monitoring of pollutants that are limited in this Permit in response to noncompliance.
- 4. All metering and monitoring equipment required by SVWRF in the Permittee's facility shall be calibrated quarterly or sooner based on the manufacturer's recommendation.
- 5. Any telemetry used to transmit information to SVWRF via radio signal shall be calibrated quarterly or sooner based on the manufacturer's recommendation. All local telemetry readings will need to be verified against the digital readouts at SVWRF on a quarterly basis.
- 6. Manifests for all wastes that are hauled offsite for disposal, from the Permittee's facility, must be kept on file for SVWRF's review for at least three years from the date of disposal.

## SECTION B - <u>COMPLIANCE SCHEDULE</u>

### 1. <u>Compliance Schedule: (Example Only)</u>

Event	By No Later Than
a) New wastewater pretreatment plan design completed	(Date)
b) Pretreatment equipment ordered	(Date)
c) Develop and submit a copy to SVWRF an accidental spill prevention plan to eliminate or minimize the accidental spill or slug discharge of pollutants into the sewer system.	(Date)

### 2. Compliance Schedule Reporting

No later than 14 days following each date in the above schedule, the Permittee shall submit to the SVWRF a progress report including, at a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with the increment of progress, the reasons for delay, and the steps being taken to bring the project to the schedule established.

### PART IV - <u>STANDARD CONDITIONS</u>

# SECTION A - <u>GENERAL CONDITIONS, DEFINITIONS AND COMPLIANCE</u> <u>RESPONSIBILITIES</u>

#### 1. Pretreatment Program Enforceability

The terms and conditions of the SVWRF's Pretreatment Program shall be enforceable automatically through this Permit. Permittee acknowledges that it has received a copy of the SVWRF Pretreatment Program and has read the same prior to the issuance of this Permit.

2. <u>Severability</u>

The provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, shall not be affected thereby.

### 3. <u>Duty to Comply</u>

The Permittee must comply with all conditions of this Permit. Failure to comply with the requirements of this Permit or the SVWRF's Rules and Regulations may be grounds for administrative, judicial or enforcement proceedings including, but not limited to, civil or criminal penalties, injunctive relief and termination of sewer service.

### 4. Duty to Mitigate

The Permittee shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this Permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

### 5. <u>Permit Action</u>

This Permit may be modified, revoked, re-opened and reissued, or terminated by SVWRF for good cause including, but not limited to, the following:

- a) To incorporate any new or revised Federal, State, or local pretreatment standards or requirements;
- b) Material or substantial alterations or additions to the Permittee's operation which are not covered in this Permit;
- c) A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge(s);
- d) Information indicating that the permitted discharge poses a threat to the SVWRF or its Member Entity's sewage collection and treatment systems, personnel or the receiving waters;
- e) Violation of any terms or conditions of this Permit;
- f) Obtaining this Permit by misrepresentation or failure to disclose fully all relevant facts; or
- g) Upon request of the Permittee, provided such request does not create a violation of any existing applicable requirements, standards, laws, or rules and regulations.

The filing of a request by the Permittee for a Permit modification, revocation, re-opener and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any Permit condition(s).

### 6. Property Rights

The issuance of this Permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

### 7. Limitation on Permit Transfer

This Permit is issued to Permittee for Permittee's specific operation and is not assignable to another user or transferable to any other location without the prior written approval of the SVWRF. In the event of sale of Permittee's business or facilities, the Permittee must inform the purchaser of all responsibilities and obligations under this Permit and such purchaser shall be required to obtain approval or a new Permit from the SVWRF.

### 8. Dilution

The Permittee shall not increase the use of potable or process water or, in any way, attempt to dilute a wastewater discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this Permit.

### 9. Definitions

- a) <u>Annually</u> One time each calendar year.
- b) <u>Biochemical Oxygen Demand (BOD)</u> the amount of oxygen used by bacteria to stabilize or convert complex organic compounds into simple organic compounds, carbon dioxide and water. Biochemical oxygen demand is determined by means of a standardized laboratory testing method.
- c) <u>Bypass</u> Means the intentional diversion of waste streams from any portion of a treatment facility.
- d) <u>Composite Samples</u> A combination of individual samples obtained at regular intervals over a specified time period. The volume of each individual sample may be either proportional to the flow rate during sample period (flow composite) or constant and collected at equal time intervals during composite period (time composite).
- e) <u>Cooling Water</u> -
  - (1) <u>Uncontaminated</u>: Water used for cooling purposes only which has no direct contact with any raw material, intermediate, or final product and which does not contain a level of contaminants detectably higher than that of the intake water.

- (2) <u>Contaminated</u>: Water used for cooling purposes only which may become contaminated either through the use of water treatment chemicals used for corrosion inhibitors or biocides, or by direct contact with process materials and/or wastewater.
- f) <u>Daily Maximum</u> The maximum allowable discharge of pollutant during a calendar day. Where daily maximum limitations are expressed in units of mass, the daily maximum is the total mass discharged over the course of the day. Where daily maximum limitations are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant derived from all measurements taken that day.
- g) <u>Domestic Waste Stream</u> Wastewater originating from a household or personal residence.
- h) <u>Grab Sample</u> An individual sample collected in less than 15 minutes, without regard for flow or time.
- i) <u>Instantaneous Maximum Concentration</u> The maximum concentration allowed in any single grab sample.
- j) <u>Instantaneous Minimum Concentration</u> The minimum concentration allowed in any single grab sample.
- k)  $\underline{mg/l}$  milligrams per liter.
- <u>Monthly Average</u> Other than for fecal coliform bacteria, is the arithmetic mean of the values for effluent samples collected over a period of 30 consecutive days. The monthly average for fecal coliform bacteria is the geometric mean of the value of the effluent samples collected over a period of 30 consecutive days.
- m) <u>pH</u> a number, as determined by a standardized laboratory method, used to express the degree to which water or wastewater is acidic or alkaline based on a scale of values from 0 to 14, with 7 being neutral. On the pH scale, pH values less than 7 are acid or acidic, and values greater than 7 are basic or alkaline.
- n) <u>Process Waste Stream</u> Wastewater generated as a result of a manufacturing, production or processing operation, or from a storage or dispensing operation, or from a repair, washing, rinsing or cleaning activity.
- o) <u>Quarterly</u> Four times each calendar year, one time during the first three months of the year, one time during the next three months, and so forth.
- p) <u>Semiannually</u> Two times each calendar year, one time during first six months of the year and one time during the last six months of the same calendar year.

- q) <u>Significant Industrial User</u> Is a wastewater source that:
  - (1) Is a categorical industry under the Federal regulations;
  - (2) Has a flow of 25,000 gallons or more per average workday of process wastewater;
  - (3) Has a flow greater than five (5) percent of the flow carried by the municipal system receiving the waste;
  - (4) Has in its waste a toxic pollutant in toxic amounts; or
  - (5) Has significant impact, either singly or in combination with other contributing industries, on the treatment works or on the quality of its effluent, quality of sludges, and air emissions generated by the system.
- r) <u>SVWRF Rules and Regulations</u> Those rules and regulations adopted by the SVWRF Board from time to time governing the SVWRF.
- s) <u>Total Suspended Solids (TSS)</u> The concentration of undissolved suspended and floating solids in water or wastewater, as determined using a standardized laboratory testing procedure that captures the suspended solids on a glass fiber filter.
- t) <u>Upset</u> Means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based Permit effluent limitations because of factors beyond the reasonable control of the Permittee, excluding such factors as operational error, improperly designed or inadequate treatment facilities, or improper operation and maintenance or lack thereof.
- u) <u>Weekly Average</u> Other than for fecal coliform bacteria, is the arithmetic mean of the values for effluent sample collected over a period of seven consecutive days. The weekly average for fecal coliform bacteria is the geometric mean of the values for effluent samples collected over a period of seven consecutive days.

### 10. General Prohibitive Standards

The Permittee shall comply with all the general prohibitive discharge standards in SVWRF's Pretreatment Program. Namely, the Permittee shall not discharge wastewater to the sewer system:

- a) Having a temperature higher than  $140^{\circ}$  F (60° C);
- b) Containing more than 100 mg/l of petroleum oil, non-biodegradable cutting oil, or products of mineral origin;

- c) Containing any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquids, solids or gases (unless otherwise specified in this Permit);
- d) Containing any garbage that has not been ground by household type or other suitable garbage grinders;
- e) Containing any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch, manure, or any other solids or viscous substances capable of causing obstructions or other interferences with proper operation of the sewer system;
- f) Having a pH lower than 5.0 or higher than 11.0, or having any other corrosive property capable of causing damage or hazards to structures, equipment or personnel of the sewer system;
- g) Containing toxic or poisonous substances in sufficient quantity to injure or interfere with any wastewater treatment process, to constitute hazards to humans or animals, or to create any hazard in waters which receive treated effluent from the sewer system treatment plant. Toxic wastes shall include, but are not limited to wastes containing cyanide, chromium, cadmium, mercury, copper and nickel ions;
- h) Containing noxious or malodorous gases or substances capable of creating a public nuisance;
- i) Containing solids of such character and quantity that special and unusual attention is required for their handling;
- j) Containing any substance which may affect the treatment plant's effluent and cause violation of SVWRF's UPDES Permit requirements;
- k) Containing any substance which would cause SVWRF's treatment plant to be in noncompliance with sludge use, recycle or disposal criteria pursuant to guidelines or regulations developed under Section 503 of the Clean Water Act, the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act or other regulations or criteria for sludge management and disposal as required by the State;
- 1) Containing color which is not removed in the treatment processes;
- m) Containing any radioactive wastes or isotopes;
- n) Containing any pollutant, including BOD pollutants, released at a flow rate and/or pollutant concentration which would cause interference with the treatment plant.

### SECTION B - MONITORING AND RECORDS

### 1. <u>Representative Sampling</u>

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this Permit and, unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water or substance. Monitoring points shall not be changed without notification to and approval of the SVWRF.

### 2. Analytical Methods to Demonstrate Continued Compliance

Sampling and analysis of all samples shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto.

### 3. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this Permit, using approved test procedures or as specified in this Permit, the results of this monitoring shall be attached to the Permittee's quarterly reports. SVWRF will only accept the analysis if performed by a State of Utah Certified Laboratory using the methods as set forth in 40 CFR Part 136.

#### 4. Inspection and Entry

The Permittee shall allow the SVWRF's authorized representative(s), upon the presentation of credentials to immediately:

- a) Enter upon the Permittee's premises where Permittee's facilities or activities are located or conducted, or where records must be kept under the conditions of this Permit;
- b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;
- c) Inspect at reasonable times any of Permittee's facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit;
- d) Sample or monitor, for the purposes of assuring Permit compliance, any substances or parameters at any location;
- e) Inspect any production, manufacturing, fabricating or storage area where pollutants, regulated under this Permit, could originate.

#### 5. <u>Retention of Records</u>

- a) The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Permit, and records of all data used to complete the application for this Permit, for a period of at least three years from the date of the sample, measurement, report or application. This period may be extended by request of the SVWRF at any time.
- b) All records that pertain to matters that are the subject of administrative orders or any other enforcement or related activities brought by the SVWRF shall be retained and preserved by the Permittee until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

### 6. <u>Record Contents</u>

Records of sampling information and chain of custody shall include:

- a) The date, exact place, time and methods of sampling or measurements, and sample preservation techniques or procedures;
- b) Who performed the sampling or measurements;
- c) The date(s) analyses were performed;
- d) Who performed the analyses;
- e) The analytical techniques or methods used; and
- f) The results of such analyses.

### 7. Falsifying Information

Knowingly making any false statement on any report or other document required by this Permit or knowingly rendering any monitoring device or method inaccurate, may result in punishment under criminal proceedings as well as being subjected to civil penalties and injunctive relief.

### SECTION C - ADDITIONAL REPORTING REQUIREMENTS

1. Change in Discharge

All discharges authorized herein shall be consistent with the terms and conditions of this Permit. The discharge of any pollutant identified in this Permit more frequently than or at a level in excess of that authorized shall constitute a violation of the Permit. Any anticipated facility expansions, production increases, or process modifications which will result in new, different, or increased discharges must not violate the effluent limitations specified in this Permit, and Permittee shall give prompt notice of such changes to SVWRF. Following such notice, the Permit may be re-opened and modified to specify and limit any pollutants not previously limited.

## 2. <u>Noncompliance Notification</u>

If, for any reason, the Permittee does not comply with or will be unable to comply with any maximum effluent limitations specified in this Permit, the Permittee shall orally provide the SVWRF with the following information, immediately and in writing, within five (5) days of becoming aware of such condition:

- a) A description of the discharge and cause of noncompliance;
- b) The period of noncompliance, including exact dates and times; or
- c) If not corrected, the anticipated time the noncompliance is expected to continue; and
- d) Steps being taken to reduce, eliminate, and prevent recurrence of noncomplying discharge.

Such notification does not relieve Permittee from possible enforcement action by the SVWRF or its Member Entity for actual or potential violations described in the notification.

### 3. <u>Duty to Provide Information</u>

The Permittee shall furnish to the SVWRF within a reasonable time, any information which the SVWRF may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Permit, or to determine compliance with this Permit. The Permittee shall also furnish to the SVWRF, upon request, copies of records required to be kept by this Permit. These records include but are not limited to water usage records or logs, manifests for wastes hauled offsite for disposal or recycling, and grease trap or grease interceptor cleaning bills or logs.

4. Discharge of Pollutants

In the event that a User discharges pollutants which causes the SVWRF to violate any conditions of its UPDES Permit and the SVWRF or any of its Member Entities is fined by any authority for such violation, the Permittee shall be fully liable to the SVWRF and its Member Entities for the total amount of the fine assessed against them, together with administrative costs to the fullest extent allowed and permitted by applicable law.

In any enforcement proceeding, the Permittee seeking to establish the occurrence of an upset constituting an affirmative defense to an action brought for noncompliance with categorical pretreatment standards shall have the burden of proof of 40 CFR Section 403.16(c).

## 5. Facilities Operation

The Permittee shall control production on all discharges to the extent necessary to maintain compliance with categorical pretreatment standards upon reduction, loss, or failure of Permittee's treatment facilities until such facilities are restored or an alternative method of treatment is provided.

The Permittee shall at all times maintain in good working order and operate as efficiently as possible, all treatment or control facilities or systems installed or used by Permittee to achieve compliance with the terms and conditions of this Permit.

### 6. <u>Bypassing</u>

Any diversion from or by-pass of facilities necessary to maintain compliance with the terms and conditions of this Permit is prohibited, except where unavoidable to prevent loss of life or severe property damage. The Permittee shall promptly take production control and reporting actions as outlined in PART IV-Section C.2 "Noncompliance Notification Requirements" of this Permit.

### 7. <u>Annual Publication</u>

A list of all industries which were subject to enforcement proceedings during the twelve (12) previous months shall be annually published by the SVWRF in a daily newspaper having general circulation within its service area.

### 8. <u>Civil and Criminal Liability</u>

Nothing in this Permit shall be construed to relieve the Permittee from civil and/or criminal penalties for noncompliance; or from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal, State, or local laws, ordinances or regulations.

Any person who willfully or with gross negligence:

- a) Discharges pollutants in violation of the "Utah Water Pollution Control Act" or the SVWRF Rules and Regulations or in violation of any condition or limitation included in this Permit; or
- b) Violates any pretreatment standard or toxic effluent standards of the City of West Jordan shall be assessed a fine not exceeding \$25,000 per day. Any person convicted a second

time shall be punished by a fine not exceeding \$50,000 per day and/or possible termination of sewer service; or

c) Violates this Permit or SVWRF's Rules and Regulations is subject to a civil penalty not to exceed \$10,000 per day.

### 9. <u>Recovery of Costs Incurred</u>

In addition to civil and criminal liability, the Permittee violating any of the provisions of this Permit or SVWRF's Rules and Regulations or causing damage to or otherwise inhibiting the SVWRF's wastewater treatment plant or related facilities shall be liable to the SVWRF for any expense, loss, or damage caused by such violation or discharge. The SVWRF shall bill the Permittee for the costs incurred by the SVWRF for any cleaning, repair, or replacement work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a separate violation of SVWRF's Rules and Regulations.

### 10. Permit Fee

If this Permit is approved, there will be a fee as determined by the SVWRF Board with Permits being in effect for either 1 or 5 years depending on type of business or industry.

### 11. Action by State

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

#### USER ACKNOWLEDGEMENT

The Permittee herein designated has been assigned wastewater discharge Permit No. B304WJA4. Permittee understands the terms described in this Permit, the requirement for monitoring and reporting to the South Valley Water Reclamation Facility all required data.

Further, the Permittee understands that failure to meet these requirements constitutes a violation of the South Valley Water Reclamation Facility Rules and Regulations, and/or State or Federal laws, and that such violation may result in civil or criminal penalties to the fullest extent allowed and permitted by applicable law.

### PERMITTEE:

Interstate Brick FACILITY

#### AUTHORIZED REPRESENTATIVE:

Joseph Eck NAME & TITLE

EHS Manager

SIGNATURE

DATE

State of Utah	)
	§
County of	_)

On this \_\_\_\_\_\_day of \_\_\_\_\_\_, in the year \_\_\_\_\_, before me \_\_\_\_\_\_,

A notary public, personally appeared \_\_\_\_\_

### NAME OF DOCUMENT SIGNER

NOTARY PUBLIC

proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledge (he/she/they) executed the same. Witness my hand and office seal.

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