


CITY COUNCIL TRANSMITTAL

  
Patrick Leary, Chief of Staff

Date Received: February 9, 2018  
Date sent to Council: February 12, 2018

TO: Salt Lake City Council  
Erin Mendenhall, Chair

DATE: February 9, 2018

FROM: Laura Briefer, Public Utilities Director 

SUBJECT: Salt Lake City Water Reclamation Facility Local Limits

STAFF CONTACT: Jesse Stewart, Public Utilities Deputy Director (801-483-6864)  
Marian Rice, Water Quality Administrator (801-483-6765)

**PURPOSE AND NEED:** In accordance with Federal requirements (i.e., 40 Code of Federal Regulations 403, General Pretreatment Regulations for Existing and New Sources of Pollution), Salt Lake City Department of Public Utilities (Public Utilities) developed and has been operating under wastewater Local Limits (Limits) to address the following:

- a. To prevent the introduction of pollutants into City's sewer collection system and Water Reclamation Facility (WRF) which could interfere with operations, including interference with its use or disposal of municipal sludge;
- b. To prevent the introduction of pollutants into the WRF which could pass through the treatment works or otherwise be incompatible with such works;
- c. To enforce the Federally-mandated specific and general wastewater discharge prohibitions; and
- d. To improve opportunities to recycle and reclaim municipal and industrial wastewaters and sludges.

On April 6, 2017, the Council received a written briefing (refer to **Attachment A**, Council Staff Report) that summarized revisions to the Limits as requested by the Council in 2015. The briefing indicated that the Public Utilities' proposal for Limits met both of the Council's previous 2015 requests for revisions. The briefing was accepted by the Council without comment. On May 1, 2017, Public Utilities submitted the proposed Limits to the Utah Department of Environmental Quality (UDEQ) for public notice and State approval (refer to **Attachment B**). The UDEQ solicited public comments and approved Public Utilities' proposed Limits on September 22, 2017 (see **Attachment C**).

The UDEQ requires Public Utilities to implement the new Limits within 180 days of their approval (i.e., to be fully-implemented by March 21, 2018). Included with this transmittal is a proposed draft Resolution for the Council to formally adopt the revised Limits.

**BACKGROUND AND HISTORY:** Public Utilities began re-evaluating the Limits in 2010 and initially proposed Limits to the Council in 2015. The evaluation included numerous field and industrial sampling events, thorough analysis of the WRF treatment operations, and detailed evaluation of various pollutants and resulted in necessary updates to the City's Limits. The allocation method (Uniform Concentration Flow Allocation) used standard Environmental Protection Agency (EPA) and UDEQ safety and growth factors which resulted in increased allowable concentrations for some pollutants (i.e., Limits). In 2015, the Council expressed concerns regarding increases in proposed Limits for certain pollutants (e.g., arsenic, chromium and selenium), and also requested that Public Utilities retain industrial wastewater discharge capacity for legitimate market growth including new businesses or expansion to exiting companies. Therefore, Public Utilities re-evaluated and revised the proposed Limits to address the Council's concerns while adhering to methodologies acceptable to UDEQ.

On April 6, 2017, the Council received the previously mentioned written briefing. The briefing indicated that the Public Utilities proposal for the Limits met both of the Council's 2015 requests for revisions. The briefing was accepted by the Council without comment and the Limits were subsequently approved by the UDEQ in September 2017.

**RECOMMENDATION:** Public Utilities requests that the Council formalize/note the adoption of the State-approved revised Limits (refer to **Table 1**). Council adoption of the Limits will not require modification to City Code 17. Chapter 17.36.090 of the City's Wastewater Control Ordinance states:

**17.36.090: Local Limits**

- A. The Director of Public Utilities (Director) is authorized to establish Limits pursuant to 40 Code of Federal Regulations 403.5(c).
- B. Local Limits established by the Director and approved by the State are listed in a separate document entitled "City of Salt Lake City Corporation Local Limits". This document is incorporated in the chapter by reference.

Upon adoption by Council, Public Utilities will update the document titled "*City of Salt Lake City Corporation Local Limits*" with the approved Limits. This document is available at the following web address:

- <http://www.slcdocs.com/utilities/PDF%20Files/Local%20Limits.pdf>

Once the Limits are formally adopted by Council, Public Utilities will revise the existing Industrial Wastewater Discharge Permits to reflect the revised Limits. Revised permits will be issued to the applicable businesses prior to the UDEQ mandated six month revision date (i.e., before March, 21, 2018). Public Utilities will notify the UDEQ once the revised permits have been issued per State requirement.

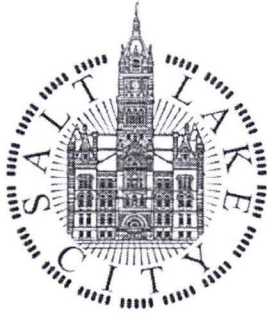
**Table 1 –Salt Lake City Local Limits**

<b>POLLUTANT OF CONCERN (POC)</b>		<b>Existing Limits</b>		<b>Revised Limits (Council and UDEQ approved)</b>	
<b>METAL POLLUTANTS</b>	Arsenic (As)	0.2	mg/L	0.2	mg/L
	Cadmium (Cd)	0.7	mg/L	0.2	mg/L
	Chromium (Cr)	5.0	mg/L	5.0	mg/L
	Copper (Cu)	13.6	mg/L	6.2	mg/L
	Lead (Pb)	2.9	mg/L	1.5	mg/L
	Mercury (Hg)	0.2	mg/L	0.2	mg/L
	Molybdenum (Mo)	16	pounds per day	0.8	mg/L
	Nickel (Ni)	1.9	mg/L	1.4	mg/L
	Selenium (Se)	1.0	mg/L	1.0	mg/L
	Silver (Ag)	5.0	mg/L	No Limit	--
	Zinc (Zn)	39.9	mg/L	12.0	mg/L
<b>ORGANIC/ CONVENTIONAL POLLUTANTS</b>	Biochemical Oxygen Demand (BOD)	10,000	mg/L	11,000	mg/L
	Total Suspended Solids (TSS)	3,000	mg/L	7,200	mg/L
	Chemical Oxygen Demand (COD)	20,000	mg/L	No Limit	--
	Biodegradable Oil and Grease	500	mg/L	500	mg/L
	Petroleum, Non- biodegradable Oil	100	mg/L	100	mg/L
	pH (range)	≥ 5.0 and ≤11.0	standard units	≥ 5.0 and ≤11.0	standard units

**ATTACHMENT A**

**Council Staff Report  
Written Briefing, dated April 6, 2017**





# COUNCIL STAFF REPORT

CITY COUNCIL of SALT LAKE CITY

**TO:** City Council Members

**FROM:** Lehua Weaver  
Budget & Policy Analyst

**DATE:** April 6, 2017 at 9:37 PM

**RE: WATER RECLAMATION FACILITY – LOCAL LIMITS  
(WRITTEN BRIEFING)**

## Item Schedule:

Written Briefing: April 11, 2017  
Public Hearing: TBD; *Council hearing is not required. The State will hold a comment period.*  
Potential Action: TBD

**Goal of the briefing:** Review the updated proposal and consider providing preliminary approval through a straw poll. This would trigger the State's public engagement process, and then this will come back to the Council for review and final approval.

## ISSUE AT-A-GLANCE

The Salt Lake City Waste Water Treatment Plant receives and treats waste water from all the City's customers, including residential properties, industrial, agricultural and other commercial uses. All water released from the Plant goes through a treatment process to meet water quality requirements.

Certain companies hold permits to discharge pollutant material into the waste water system. The City has a limit to the amount of pollutants it is able to successfully treat. Typically, this treatment capacity has been allocated to each company by permit, allotting each permit holder a maximum amount of the pollutant(s) they are allowed to discharge ("local limits"). This allows the City to monitor the amount of pollution being treated at the Treatment Plant.

A few years ago, the Council received a briefing regarding changes to the limits of those pollutants and requested that the Administration change the calculation method in setting limits to allowable pollutants to be discharged. In short, the Council requested that:

- 1) Companies not be given additional allowance for discharge if their business operations did not require it, and
- 2) Capacity for discharge be held in reserve to allow for new companies that may move into the Salt Lake market so that some allowance would be available.



In response to the Council's request, the Administration has resubmitted a proposal for the Council's review. The proposal meets both of the Council's requests as reflected in the chart on page 3 of the transmittal.

### **ADDITIONAL & BACKGROUND INFORMATION**

The chart on Page 3 of the transmittal reflects reductions or changes to most of the limits for pollutant types. Of note in the proposed changes are the limits for Biochemical Oxygen Demand (BOD) and Total Suspended Solids (TSS) which are increasing, and the limit for Chemical Oxygen Demand (COD) is removed.

The Administration provided the following information for the following to explain those limit changes:

*The local limits were established by State Division of Water Quality (DWQ) allocation methods using industry standards; therefore, we recommend following the DWQ recommendations for BOD, COD, and TSS. We are not concerned regarding the proposed BOD, COD, and TSS local limits from the perspectives of wastewater treatment or environmental impact.*

**BOD (biological oxygen demand):** Previous limit 10,000 milligrams per liter (mg/L) proposed limit 11,000 mg/L (increase of 1,000 mg/L).

- *The amount of dissolved oxygen (DO) needed by aerobic biological organisms to break down organic material in water. The Water Reclamation Facility (WRF) uses biological organisms in the treatment processes.*
- *Although the BOD limit is proposed to increase by 1,000 mg/L, Salt Lake City Department of Public Utilities (SLCDPU) is not concerned, as this increase does not affect our ability to treat the waste water or to meet our Utah Pollution Discharge Elimination System (UPDES) effluent permit limits.*
- *As BOD is required for aerobic biological organisms to break down organic material in water the WRF will not be negatively impacted by the 1,000 mg/L increase.*
- *The increase will have potential benefits for the WRF and some affected industries in Salt Lake City. BOD is a "food source" for the WRF biological processes; therefore, increased limits are acceptable.*
- *We have been seeing a decrease in influent BOD for the past several years and a slight increase in the local limit may prove beneficial for our treatment processes.*

**COD (chemical oxygen demand):** Previous limit 20,000 milligrams per liter (mg/L) proposed NO limit.

- *The capacity of water to consume oxygen during decomposition of organic matter.*
- *Although the COD limit is being rescinded, SLCDPU is not concerned regarding our ability to treat the wastewater or to meet our UPDES effluent limits.*
- *Currently, we do not have a COD limit in our UPDES effluent permit or in our reporting requirements. However, we do track COD as it is a water quality indicator in industrial effluent.*
- *A portion of BOD (described above) is included in COD.*
- *Unlike the other pollutants included in our local limits, there is no criteria (i.e., toxicity, etc.) that necessitates the need to retain a local limit for COD.*
- *There is no technical basis to impose a local limit for COD.*
- *No local limit for COD is similar to other Utilities within USEPA Region 8, including Metro Denver.*

**TSS (total suspended solids):** Previous limit 3,000 milligrams per liter (mg/L) proposed limit 7,200 mg/L.



- *The amount of organic and inorganic solids suspended (particulates) in the wastewater not dissolved in water.*
- *Although the TSS limit is being increased by 4,200 mg/L, SLCDPU is not concerned regarding our ability to treat the wastewater.*
- *If the TSS is organic it is a food source for the digesters and treatment processes.*
- *If the TSS is inorganic we can easily settle it out in our WRF treatment process.*

*Based on our evaluation of the proposed local limits for BOD, COD, and TSS, we do not see a negative treatment of environmental impact and recommend adopting the proposed limits.*

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*INFORMATION PREVIOUSLY PROVIDED – included again for your reference.*

Below is a Q&A explaining some of the issue. (Quotations have been used where it is a direct quote from the information provided by the Administration.)

#### **BASICS:**

##### **How does the City's pollutant limit program work?**

- *Companies that discharge a pollutant into the waste water / sewer system will apply for a discharge permit from the Department of Public Utilities. Depending on the type of business and waste produced, some onsite treatment is required. The amount of pollution a company is allowed to discharge is based on both the total amount of pollution that can be effectively treated at the Treatment Plant, the treatable amount of each individual pollutant, and the number of other companies that discharge the material.*

##### **How are the limits for pollutants determined?**

- *The Environmental Protection Agency (EPA) and the State of Utah Department of Environmental Quality (UDEQ) work actively with the City to enforce requirements on the quality of the treated water that comes out of the Waste Water Treatment Plant based on the Clean Water Act. The plant bases its processes, chemical usage, and treatments on the required quality for released water. This establishes the Treatment Plant's capacity for solids, organic materials, and pollutants that can be effectively treated.*

*The Treatment Plant has a set capacity in place, and within that capacity residential and commercial waste water can be treated. That capacity also allows for an amount of pollution that can be received and effectively treated before the water is released. This is the allowance that is divided up between companies that produce pollutants.*

*The limits are based on the total amount of pollution that can be effectively treated and also limits are set for individual pollutants.*

##### **How often are the limits reviewed and updated?**

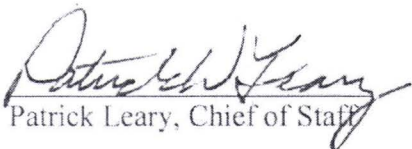
- *The City is required to review the pollutant limits every five years, but typical practice has been annually. If the Department receives a new request for discharge, the limits will be evaluated at that time to see if allocations need to be adjusted.*

**Why is there a proposal to update the limits?**

- *During the Department's annual review of changes to the water quality regulations, treatment plant processes, and waste pollutants, it was determined that the limits should be updated.*



## CITY COUNCIL TRANSMITTAL


  
Patrick Leary, Chief of Staff

Date Received: December 7, 2016  
Date sent to Council: December 8, 2016

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**TO:** Salt Lake City Council  
James Rogers, Chair

**DATE:** December 6, 2016

**FROM:** Laura Briefer, Public Utilities Director 

**SUBJECT:** Salt Lake City Water Reclamation Facility Local Limits

**STAFF CONTACT:** Tom Ward, Public Utilities Deputy Director (801-483-6768)  
David Koltz, Regulatory Compliance Engineer (801-799-4005)

**PURPOSE AND NEED:** In accordance with Federal requirements (i.e., 40 CFR 403), Salt Lake City (City) developed and has been operating under wastewater Local Limits (Limits) for pollutants which could impact treatment at the Water Reclamation Facility (WRF), or impact operation and maintenance of the City's wastewater collection system. The City is proposing updates to its current Limits. Updates to the Limits require public notice by the Utah Department of Environmental Quality (UDEQ). Prior to public notice, the UDEQ requires an endorsement from City Council (Council).

**BACKGROUND AND HISTORY:** The City began reevaluating its current Limits in 2010. The results of numerous field and industrial sampling events, thorough analysis of the WRF treatment operations, and detailed evaluation of various Pollutants has resulted in necessary updates to the City's current Limits.

Last year, Public Utilities staff presented proposed revised Limits to Council. The pollutant allocation method (Uniform Concentration Flow Allocation) used standard EPA and UDEQ safety and growth factors, which resulted in increased allowable concentrations for some pollutants (i.e., Limits). Increased Limits equates to an increased allocation of the WRF's treatment capacity to businesses operating under a discharge permit. Council requested to reserve excess WRF treatment capacity for legitimate growth, either from new business or existing businesses expanding production, and not allowing existing businesses to simply increase their discharged pollutant load without commensurate growth or business expansion. In addition, Council expressed concern about allowing increases in certain discharge pollutants (e.g., selenium).

Using the same EPA pollutant allocation method, Public Utilities staff re-evaluated all businesses operating under a discharge permit that discharge, or can reasonably be

expected to discharge, each of the pollutants (i.e., Limits). Suspected businesses were only removed from the contributory allocation on sound justification that a particular pollutant was not present in their waste stream. The results of the re-evaluation provided revised Limits that satisfy the Council's request to not allocate more than is required for existing business, reserves additional WRF treatment capacity for growth, and does not negatively impact existing permitted businesses. Public Utilities staff presented the updated Limits methodology and proposal to UDEQ who has recently acknowledged the City's request and issued a pre-approval of our revised Limits.

The current status and results are:

- The City's current proposed Limits are entirely technically-based in accordance with EPA criteria, and have consistent safety and growth factors applied to each Pollutant. Specifically, Limits for cadmium (Cd), copper (Cu), mercury (Hg), molybdenum (Mo), lead (Pb), nickel (Ni), and zinc (Zn) are technically-based with common safety and growth factors of 10%, and 20%, respectively.
- The City's current proposed Limit for arsenic (As) is also technically-based; however, it has a different safety and growth factor than the other Pollutants. We are using a 10% safety and 50% growth factor which is justified based on reserving that additional capacity for growth in accordance with our Council criteria. The resulting Local Limit for As is 0.2 ppm.
- Proposed Limits for chromium (Cr) and selenium (Se) are the same as our existing Limits and are toxicity-based, which is more conservative than allocation-derived concentrations.
- There is no applicable design criterion, inhibition criterion, effluent discharge limit, or sludge disposal criterion to develop a Limit for silver (Ag).
- Like silver (Ag), there are no discharge or design criteria for chemical oxygen demand (COD). The City will continue to monitor COD as a component of the City's pollutant waste strength rate program.
- The existing and proposed Limits are included below. In summary, the proposed Limits for the City's 11 metal Pollutants have either decreased or remain unchanged. Organic/conventional pollutants (BOD, TSS, etc.) have either increased slightly or remain unchanged. BOD and TSS represent a "food source" for the WRF biological processes; therefore, increased Limits are acceptable.



POLLUTANT OF CONCERN (POC)		EXISTING LIMITS		PREVIOUSLY PROPOSED LIMITS		CURRENT REVISED LIMITS	
METAL POLLUTANTS	Arsenic (As)	0.2	mg/L	0.5	mg/L	0.2	mg/L
	Cadmium (Cd)	0.7	mg/L	0.5	mg/L	0.2	mg/L
	Chromium (Cr)	5	mg/L	10	mg/L	5	mg/L
	Copper (Cu)	13.6	mg/L	8.7	mg/L	6.2	mg/L
	Lead (Pb)	2.9	mg/L	3.4	mg/L	1.5	mg/L
	Mercury (Hg)	0.2	mg/L	0.34	mg/L	0.2	mg/L
	Molybdenum (Mo)	16	lbs/day	2.3	mg/L	0.8	mg/L
	Nickel (Ni)	1.9	mg/L	3.8	mg/L	1.4	mg/L
	Selenium (Se)	1	mg/L	2.2	mg/L	1	mg/L
	Silver (Ag)	5	mg/L	No Limit	mg/L	No Limit	mg/L
	Zinc (Zn)	39.9	mg/L	17.0	mg/L	12.0	mg/L
ORGANIC/ CONVENTIONAL POLLUTANTS	Biochemical Oxygen Demand (BOD)	10,000	mg/L	11,000	mg/L	11,000	mg/L
	Total Suspended Solids (TSS)	3,000	mg/L	7,200	mg/L	7,200	mg/L
	Chemical Oxygen Demand (COD)	20,000	mg/L	No Limit	mg/L	No Limit	mg/L
	Biodegradable Oil and Grease	500	mg/L	500	mg/L	500	mg/L
	Petroleum, Non-biodegradable Oil	100	mg/L	100	mg/L	100	mg/L

**RECOMMENDATION:** UDEQ requires Council formal approval/adoption of the proposed Local Limit updates. UDEQ will not issue the Limits for public notice and comment until Council has provided its initial endorsement. Council is being asked for its endorsement at this time.

**PUBLIC PROCESS:** Public Utilities met with all potentially affected industries in 2015 to review the proposed changes. Following Council's endorsement of the proposed Local Limits updates, UDEQ will issue public notice of request for approval for a period of no less than 30 days. During the public comment period, UDEQ may receive written comments and/or a request for public hearing. Following the public comment period, UDEQ has no more than 180 days from the date of public notice to approve or deny approval. Following UDEQ approval, the City will present the Local Limits to Council for formal approval/adoption.

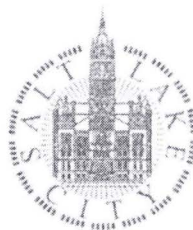


**ATTACHMENT B**

**Salt Lake Corporation – Updated Local Limits  
Submittal Letter**

JACQUELINE M. BISKUPSKI  
Mayor

DEPARTMENT OF  
PUBLIC UTILITIES



May 1, 2017

Ms. Jennifer Robinson, Pretreatment Coordinator  
Utah Division of Water Quality  
Department of Environmental Quality  
P.O. Box 144870  
Salt Lake City UT 84114-4870



Subject: Salt Lake City Corporation – Updated Local Limits

Reference: Letter dated August 4, 2016 from Jennifer Robinson, Department of Environmental Quality to Thomas Ward, Salt Lake City Corporation, Subject – Salt Lake City Pretreatment Program, UPDES Permit No. UT0021725 Preapproval of Salt Lake City's Local Limits

Dear Ms. Robinson,

Enclosed herewith is a copy of the proposed Salt Lake City Corporation (City) local limits revisions for public notice. In addition and accordance with 40 CFR 403.9(b), the following are also included:

- A statement from the attorney which includes the information outlined in 40 CFR 403.9(b)(1)(i) through (iii).
- A copy of the local limits and a statement from the City Council endorsing changes to the local limits.
- A brief description of the Publicly Owned Treatment Works organization, including organization charts.
- A description of the funding levels and full- and part-time manpower available to implement the Pretreatment Program.

It is the City's understanding that the Utah Division of Water Quality (DWQ) will conduct official approval procedures in accordance with 40 CFR 403.11. In conjunction with DWQ's efforts, the City will provide written notice to all of its permitted industrial users.



DWQ-2017-004093

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dwq 05-01-17 local limits public notice submittal cover ltr.docx

DWQ - Updated Local Limits Submittal  
May 1, 2017  
Page 2

We look forward to working with DWQ on this approval process and adopting our proposed local limits. If you have any questions or comments, please contact me at 801-799-4001.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dale A. Christensen".

Dale A. Christensen  
Water Reclamation Manager

Enclosures: 1) Salt Lake City Corporation Local Limits  
2) 40 CFR 403.9(b) Program Submittals

cc: Pretreatment file

Al Garcia, EPA Region 8 (electronic)

John Dunty, Salt Lake City Deputy Water Reclamation Manager (electronic)

Jesse Stewart, Salt Lake City Public Utilities Deputy Director (electronic)



E. RUSSELL VETTER  
SENIOR CITY ATTORNEY

## SALT LAKE CITY CORPORATION

LAW DEPARTMENT

RALPH BECKER  
MAYOR  
EDWIN P. RUTAN, II  
CITY ATTORNEY

June 24, 2011

Re: Legal Authority for the Salt Lake City Wastewater Pretreatment Program

To Whom it May Concern:

This office provides legal council to Salt Lake City Corporation (the "City"). I hereby submit the following statement pursuant to the requirements contained in Chapter R317-8-8.9(2)(a), Utah Administrative Code (U.A.C.) and 40 CFR Part 403.9(b)(1) regarding legal authority for the City to implement the amended portions of its municipal code that concerns the Salt Lake City Wastewater Pretreatment Program. Pursuant to this authority and its powers under Utah law, the City Council is in the process of adopting the Ordinance which sets forth the terms and conditions upon which industrial users may connect to the City's sewer system.

It is my opinion that the City has adequate authority to carry out the program described in the Clean Water Act (33 USC 1251 et seq), 40 CFR Part 403 and Rule R317-8-8.8, U.A.C., based upon authority granted to it under state law, and as more specifically set forth in the City municipal code Title 17, Chapters 32 through 69 (the "Ordinance").

The provisions of the legal authority under 40 CFR Section 403.8(f)(1) that provide the basis for each procedure under 40 CFR Section 403.8(f)(2) include the following Chapters under the City's municipal code: (A) Chapter 17.32, which provides general purpose statements and definitions for the POTW to regulate the collection of wastewater and treatment thereof; (B) Chapter 17.36, which establishes the terms and conditions for the POTW to implement its regulation of wastewater disposal; (C) Chapter 17.52 which provides for the issuing of permits to significant industrial users; (D) Chapter 17.68 which seeks injunctive relief and assesses civil and criminal penalties for noncompliance; and (E) Chapter 17.69 which includes provisions associated with upset and bypass conditions.

The following reference to the legal authority requirements of Rule R317-8-8.8(6)(a) are correlated with appropriate sections of the Ordinance which provides the required authority. Where the authority is not apparent from a reading of the Ordinance provision, an explanation is provided.

R317-8-8.8(6)(a)1 The City reserves the right to establish more stringent limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives of the Ordinance [Section 17.36.020].

R317-8-8.8(6)(a)2 The Ordinance requires compliance with general prohibitions [Section 17.36.060.A], specific prohibitions [Section 17.32.060.B], national categorical pretreatment standards [Section 17.36.070] and local limits [Section 17.32.090].

R317-8-8.8(6)(a)3 The Ordinance provides the City with the authority to issue individual wastewater discharge permits to significant industrial users [Section 17.52.010]. Zero Discharge Permits are addressed in Section 17.52.040 of the Ordinance. The procedure associated with application, processing, and issuance of permits is contained in Sections 17.52.20-130 of the Ordinance. All permits shall contain at a minimum a statement of duration, a statement of non-transferability, effluent limits, self-monitoring, sampling, reporting, notification, and record keeping requirements and a statement of applicable civil and criminal penalties for violations of pretreatment standards and requirements to control slug discharges. These requirements are contained in Section 17.52.080 of the Ordinance.

R317-8-8.8(6)(a)4 The City has the authority to require an industrial user to develop a compliance schedule for the installation of control technology required to meet applicable pretreatment standards and requirements as contained in Section 17.52.030.A.10 and 17.52.080.A.6 of the Ordinance.

R317-8-8.8(6)(a)5 The City shall require industrial users to submit all notices and periodic compliance reports required by regulations as are necessary to assess and assure compliance with pretreatment standards and requirements through authority granted in the permit requirements contained in Sections 17.52.080.A.4 and 17.52.160.D, E, and F. Maintenance and retention of records are also referred to in Sections 17.52.200 of the Ordinance.

R317-8-8.8(6)(a)6 The City shall obtain entrance to an industrial facility for the purpose of performing inspection, surveillance and monitoring procedures necessary to determine, independent of information supplied by industrial users, compliance or non-compliance with applicable pretreatment standards and requirements by industrial users under authority granted in Section 17.52.230 of the Ordinance.

R317-8-8.8(6)(a)7 The City shall seek remedies for noncompliance by any industrial user with pretreatment standards and requirements, pursuant to Chapter 17.68 of the Ordinance. Specifically, the City may seek injunctive relief for noncompliance under Section 17.68.090 of the Ordinance. Section 17.68.100.A also provides that violations of the Ordinance are punishable by a maximum civil penalty of \$10,000 per violation, per day. Additionally, civil penalties may be sought by the City for recovery of attorney's fees and costs associated with enforcement activities pursuant to Section 17.68.100.B of the Ordinance.



R317-8-8.8(6)(a)8 The City has the authority, under Section 17.52.120 of the Ordinance to revoke a permit for a variety of causes including violation of any requirement included in the permit. Termination of discharge is also authorized in Section 17.68.080 of the Ordinance. The authority pursuant to Section 17.68.070 of the Ordinance allows the City to initiate emergency wastewater discharge suspensions after prior notification to industrial users whenever such suspension or shutoff is necessary in order to stop an actual or threatened discharge which reasonably appears to present or cause a risk of an imminent or substantial: a) damage to the POTW, b) endangerment to the health or welfare of any residents of the POTW, c) interference with the operation of the POTW, d) endangerment to the environment, or e) where continued discharges would jeopardize the ability of the treatment system to meet water quality standards, or cause a nuisance or unsafe condition to occur.

Confidentiality requirements are provided for in Section 17.52.250 of the Ordinance.

As stated above, the City will implement the requirements of its pretreatment program and apply pretreatment standards to industrial users through use of a Wastewater Discharge Permit, or Zero Discharge Permit system, and by direct enforcement of its Pretreatment Ordinance. A description of the procedures to be used in implementing the pretreatment program is provided in Chapters 17.36, 52, 68, and 69 of the Ordinance.

The City intends to ensure compliance with pretreatment standards and requirements through inspection, sampling, and enforcement programs authorized under Chapters 17.52 and 17.68 of the Ordinance, which would allow for the determination of noncompliance with discharge limitations and requirements independent of information supplied by the industrial user. The inspection and sampling program is described in the Ordinance. Industrial users violating their permit limits and requirements will be subject to the escalating enforcement program described in the Ordinance and in the Enforcement Response Plan. Dischargers of dangerous or illegal wastewater shall be required to immediately halt discharge [Section 17.68.050, 17.68.070 and 17.68.080] and are subject to having service terminated and their permit revoked. The City is prepared to take court action where necessary to enforce compliance with its ordinance, permits or orders.

The City has provided public notice to declare that Salt Lake City is making changes to the *Salt Lake City Wastewater Control Ordinance* in accordance with the Clean Water Act and the recently amended Code of Federal Regulations, Title 40 Part 403, entitled "General Pretreatment Regulations for Existing and New Sources of Pollution." The proposed Ordinance amendments are in the process of being approved by the Salt Lake City Council and it has accepted public comments on the proposed amendments. A final vote by the City Council to approve the amendments will occur after state approval. Once the City Council approves the amendments, they will be effective approximately 30 days after state approval. It is our opinion that, in adopting the amendments, the City will have properly followed all state and local laws and procedures regarding public notice and review.



It is also our opinion that when the amended Ordinance becomes effective, the City will continue to have adequate legal authority to administer its pretreatment program consistent with 40 CFR Section 403.8. Additionally, it is our opinion that the amendments to the City's municipal code concerning the pretreatment program will not result in violations by the City of its state discharge permit.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Russell Vetter", with a stylized flourish at the end.

E. Russell Vetter  
Senior City Attorney

**Koltz, David**

---

**From:** Weaver, Lehua  
**Sent:** Tuesday, April 11, 2017 6:30 PM  
**To:** Stewart, Jesse  
**Cc:** Koltz, David; Briefer, Laura  
**Subject:** RE: Local Limits

Jesse,

Thank you for checking – yes, you're right. The Council did not raise any questions with the understanding that this will be sent out through the State for public comment. Once that is done, it will come back to the Council for final approval.

Thank you and David for your time and attendance!

Lehua

**From:** Stewart, Jesse  
**Sent:** Tuesday, April 11, 2017 5:38 PM  
**To:** Weaver, Lehua <Lehua.Weaver@slcgov.com>  
**Cc:** Koltz, David <David.Koltz@slcgov.com>; Briefer, Laura <Laura.Briefer@slcgov.com>  
**Subject:** Local Limits

Lehua,

The Wastewater Pollutant Standards (Local Limits) written briefing passed without comment or questions from Council. Would you please document for Public Utilities that we are approved to move ahead with the proposed local limits.

Thanks,

Jesse

Jesse A. Stewart  
Salt Lake City Department of Public Utilities  
Deputy Director  
801-483-6864  
[jesse.stewart@slcgov.com](mailto:jesse.stewart@slcgov.com)

## ATTACHMENT 4-1

### SALT LAKE CITY CORPORATION PRETREATMENT ORGANIZATION

#### PERSONNEL

Under Salt Lake City Corporation's (City's) current organization, there are a minimum of seven (7) FTE (Full Time Equivalent) employees dedicated to the City's Pretreatment Program. Please refer to the attached organizational structure. In addition to the seven (7) FTE employees assigned directly to the Pretreatment Program, the organizational structure includes several City employees who provide support to the Pretreatment Program on a defined basis which results in a higher "net" FTE employee assignment to the Pretreatment Program. These include personnel in the Development Review Department, the Wastewater Business Manager, the Regulatory Programs Manager, administrative staff, and the City Attorney. Laboratory Services are generally contracted for regular permit sample analytical work, and the City lab and staff provide support for pretreatment investigations as-needed. The City Wastewater Collection Division provides pretreatment support for POTW investigations. The City also retains professional engineering services as needed for unique technical issues and to supplement workload efforts (e.g. local limits investigation and development, permitting, etc). In general, the Pretreatment Program Manager provides technical review of Pretreatment Program related final products generated by Pretreatment Program staff or other City staff.

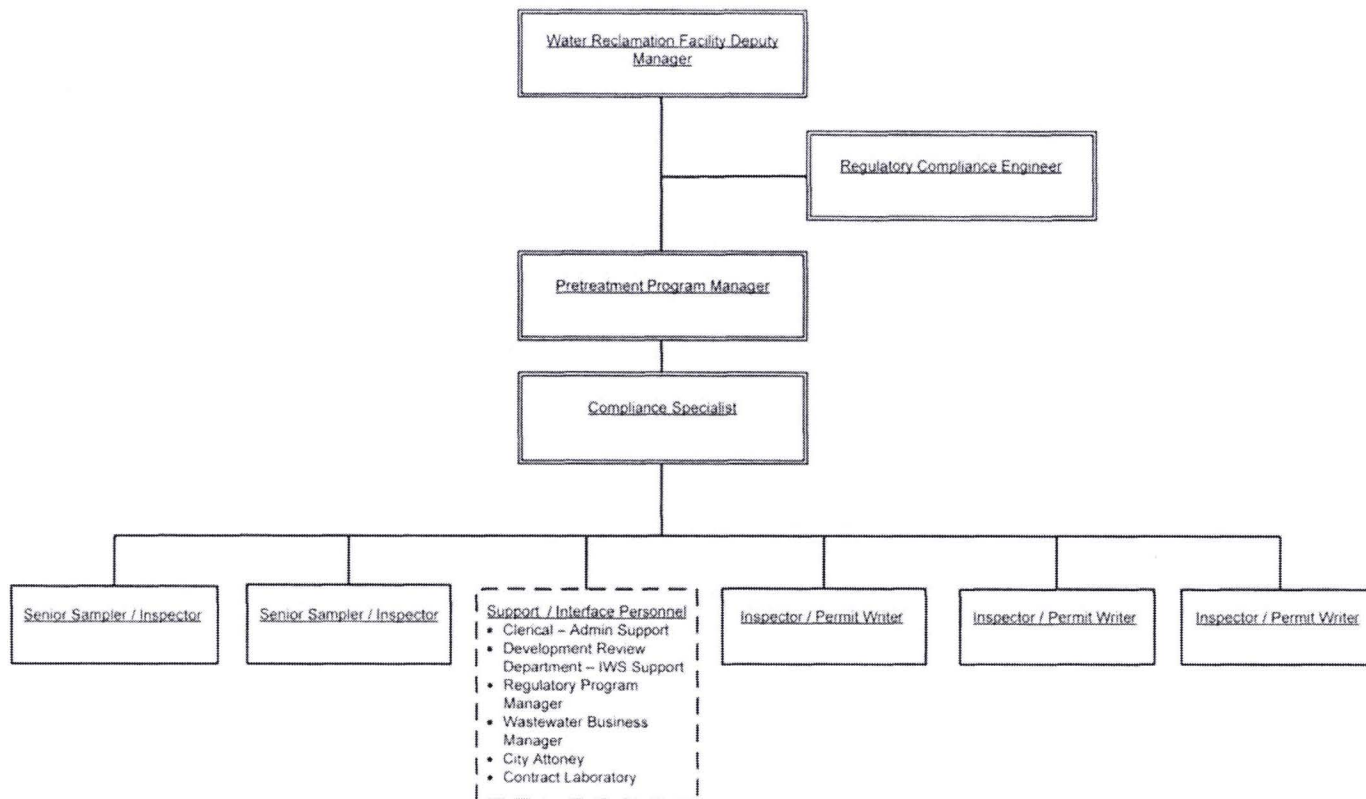
#### FUNDING

Pretreatment Program funding is provided through the City's general fund. The Program's annual budget consists of salaries and wages, employee benefits, operating and maintenance costs, and charges and services (e.g. chemical analysis, software maintenance contracts, etc.). The Pretreatment Program operating budget for fiscal year 2016-2017 is \$650,577.



ATTACHMENT 4-1

SALT LAKE CITY CORPORATION  
PRETREATMENT ORGANIZATION



# **SALT LAKE CITY CORPORATION**

## **Wastewater Reclamation Facility Local Limits Evaluation**

Original December 28, 2010  
Latest update July 7, 2016



Prepared By:  
Pretreatment Solutions, Inc.  
665 Palm Place  
Safety Harbor, FL 34695

**ATTACHMENT C**

**Utah Department of Environmental Quality  
Approval of Pretreatment Local Limits, Salt Lake City Water  
Reclamation Facility Pretreatment Program, UPDES Permit  
UT0021725**





State of Utah

GARY R. HERBERT  
*Governor*

SPENCER J. COX  
*Lieutenant Governor*

Department of  
Environmental Quality

Alan Matheson  
*Executive Director*

DIVISION OF WATER QUALITY  
Erica Brown Gaddis, PhD  
*Director*

SEP 19 2017

**CERTIFIED MAIL,  
(Return Receipt Requested)**

Dale Christensen, Water Reclamation Manager  
Salt Lake City Water Reclamation Facility  
1365 West 2300 North  
Salt Lake City, Utah 84116

Dear Mr. Christensen:

Subject: Approval of Pretreatment Local Limits, Salt Lake City Water Reclamation Facility  
Pretreatment Program, UPDES Permit UT0021725

The Division of Water Quality (DWQ) public noticed Salt Lake City's (City) local limits for a thirty-day public comment period from May 19, 2017 to June 19, 2017. One comment was received during the comment period. This comment was not determined to be substantive and did not result in a change to the City's proposed local limits. A second public notice occurred on September 1, 2017, as per 40 CFR 403.11, indicating the DWQ's intent to approve the City's local limits. No comments were received during this comment period.

The City's local limits are hereby approved. Once the City has completed its approval of the local limits, the pretreatment staff should begin to modify pretreatment permits to include the local limits, as needed. Due to the approval of the local limits, there may be changes needed to the City's Pretreatment Program. These changes must be submitted per the requirements of 40 CFR 403.18. My staff will be happy to assist in answering any questions you may have regarding minor or major changes to the Pretreatment Program. The changes should be incorporated into the pretreatment permits and/or the City's Pretreatment Program within six months of receipt of this letter.

I would like to thank you and your staff for your time and assistance during this approval process. If you have any questions with regards to this matter, please contact Jennifer Robinson of this office at (801) 536-4383 or by e-mail at [jenrobinson@utah.gov](mailto:jenrobinson@utah.gov).

Page 2

Sincerely,

A handwritten signature in black ink, appearing to read "Erica B. Gaddis". The signature is fluid and cursive, with the first name "Erica" and last name "Gaddis" clearly distinguishable.

Erica Brown Gaddis, PhD  
Director

EBG:JR:mmm

cc: Al Garcia, EPA Region VIII  
Jason Gipson, Chief, Utah Regulatory Office, U.S. Corps of Engineers  
Royal DeLegge, Ph.D., Salt Lake County Health Department  
Lisa Kirschner, Parsons Behl & Latimer  
Joseph Broschinsky, Crown Plating Co Inc.

DWQ-2017-008704

Resolution No. \_\_\_\_\_ of 2018

Supporting Updates to Pretreatment  
Local Limits Standards

WHEREAS, the City has adopted the Salt Lake City Wastewater Control Ordinance under Section 17.32.010 for the health, safety and welfare of the residents of the city to regulate the collection of wastewater and treatment thereof for the maximum public benefit; and

WHEREAS, the objectives of the Wastewater Control Ordinance include prevention of the introduction of pollutants in the publicly operated treatment works (POTW) that will interfere with its operations, prevention of introduction of pollutants that will pass through the POTW that might be inadequately treated, protection of POTW personnel and general public from exposure to such pollutants, to provide for equitable distribution among users of the cost of operation of the POTW, and to enable the city to comply with its UPDES permit and any other federal or state laws to which the POTW is subject;

WHEREAS, categorical users of the POTW must comply with the national categorical pretreatment standards found at 40 CFR chapter 1, subchapter N, parts 405-471 and state requirement and limitations on discharges when they are more stringent than federal requirements and limitations;

WHEREAS, the city is authorized to establish best management practices through local limits pursuant to 40 CFR 403.5(c) to implement federal and state prohibitions against pollutants being introduced into the POTW;

WHEREAS, the city has adopted local limits pursuant to Section 17.36.090 and a separate document entitled “City of Salt Lake City Corporation Local Limits” to prevent pass-through and interference with the POTW and such local limits are subject to periodic review and



updating by the city;

WHEREAS, the city has studied its needs for its local limits in coordination with its permittees and has presented proposed modifications to the local limits to its Public Utilities Advisory Committee and has received approval of the State of Utah Department of Environmental Quality;

THEREFORE, BE IT RESOLVED by the City Council of Salt Lake City, Utah, as follows:

It does hereby approve the attached list of local limits that shall serve as new local limits for Salt Lake City.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_ day of \_\_\_\_\_, 2018.

SALT LAKE CITY COUNCIL

By: \_\_\_\_\_  
CHAIRPERSON

ATTEST AND COUNTERSIGN:

\_\_\_\_\_  
CITY RECORDER

APPROVED AS TO FORM:



\_\_\_\_\_  
DEPUTY SALT LAKE CITY ATTORNEY

HB\_ATTYY-#65467-v1-Resolution\_for\_Approval\_of\_Local\_Limits\_1117