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The findings, determinations, and assertions contained in this document are not final and subject to change following the public comment period.

**FACT SHEET/STATEMENT OF BASIS
FRESENIUS MEDICAL CARE
RENEWAL PERMIT: DISCHARGE
UPDES PERMIT NUMBER: UT0023752
MINOR INDUSTRIAL**

FACILITY CONTACTS

Person Name: Greg Kunz
Position: Utilities & Rectification Manager
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Facility Name: Fresenius Medical Care
Mailing and Facility Address: 475 West 13th Street
Ogden, UT 84404

DESCRIPTION OF FACILITY

Fresenius Medical Care (FMC) formulates, packages, and manufactures products used in different applications for the treatment of Renal Disease (kidney failure). One product is dialysate solution, and is used in the treatment of peritoneal dialysis. The other product is a dialyzer (special filter), used in hemodialysis treatment. Both of these products and treatments replace the work of kidneys. The plant was remodeled in 2006 to its current standards. FMC has a Standard Industrial Classification (SIC) code of 3841 for Surgical and Medical Instruments and 2834 for Pharmaceutical Preparations. FMC's discharge is located at latitude 41° 14' 32.38" and longitude 111° 59' 22.42", in Weber County, Utah. It has STORET number 492306 and one discharge point, Outfall 001.

SUMMARY OF CHANGES FROM PREVIOUS PERMIT

Storm water requirements were added to the permit.

DISCHARGE

DESCRIPTION OF DISCHARGE

All water discharged by FMC is derived from the Ogden City culinary water system. The approximate 21,500 gallons per day (gpd) of non-contact cooling water from the production heat exchanger, along with storm water from the roof, is discharged to the storm drain which flows to Mill Creek. Five years of self-monitoring shows that FMC has had one violation of their effluent limits with one BOD₅ exceedance measured at 47.5 mg/L. The facility has discharged an estimated average flow of 4,300 gpd over the last five years. The operator has requested that a flow of 21,500 gpd of non-contact cooling water continue to be used for permit development. In addition to discharging non-contact cooling water, the site discharges storm water through Outfall 001 but does not sample during storm events greater than 0.10 tenths of

an inch or 24 hours thereafter, so flows greater than 21,500 gpd may be present. As a result, a discharge flow rate of 70,000 gpd was used for permit development.

All sanitary waste and recycled cooling tower water from the boilers is discharged to the Central Weber Sewer Improvement District's sanitary sewer.

<u>Outfall</u>	<u>Description of Discharge Point</u>
001	Located at latitude 41° 14' 32.38" and longitude 111° 59' 22.42". The discharge is through a gravity flow concrete storm drain pipe leading to Mill Creek, which is a tributary of the Weber River and hence to the Great Salt Lake. STORET discharge location is 492306.

RECEIVING WATERS AND STREAM CLASSIFICATION

The discharge flows approximately one and a half (1 ½) miles in a storm drain before discharging to the Plain City Canal, thence to Mill Creek, which is a tributary of the Weber River. Mill Creek is classified 2B, 3C, and 4 as is the Weber River from Great Salt Lake to the Slaterville Diversion according to *Utah Administrative Code (UAC) R317-2-13*:

- Class 2B -Protected for secondary contact recreation such as boating, wading, or similar uses.
- Class 3C -Protected for nongame fish and other aquatic life, including the necessary aquatic organisms in their food chain.
- Class 4 -Protected for agricultural uses including irrigation of crops and stock watering.

BASIS FOR EFFLUENT LIMITATIONS

Limitations on total suspended solids (TSS), biochemical oxygen demand (BOD₅), and pH are based on current Utah Secondary Treatment Standards, *UAC R317-1-3.2*. The oil and grease is based on best professional judgment (BPJ). An attached Wasteload Analysis (WLA) was conducted to evaluate effluent impacts to meet State water quality standards in the receiving waters. Due to the lack of receiving water flow data an upstream flow of 0.5 cfs was assumed for the analysis and evaluated against the previously discussed 70,000 gpd (0.11 cfs) discharge rate. Based on these flow rates and receiving water concentrations an assimilative capacity was available for discharge of total dissolved solids (TDS) at a concentration of 3,700 mg/L. During the past 5 years the maximum measured effluent TDS concentration was 892 mg/L, instead of raising the TDS effluent limitation and imposing a flow limitation, the TDS effluent limitation will continue to be held at the water quality criteria standard. The TDS limit is based on water quality criteria standard for Class 4 receiving water classification. All effluent limitations are set equal to water quality criteria, secondary standards, or BPJ and supported by the WLA to be protective of the receiving water. Therefore, a limitation will not be imposed for flow discharge rate. Based on effluent monitoring data the permittee is expected to be able to comply with the limitations. The permit limitations are:

Parameter	Effluent Limitations <u>a/</u>			
	Maximum Monthly Avg	Maximum Weekly Avg	Daily Minimum	Daily Maximum
BOD ₅ , mg/L	25	35		
TSS, mg/L	25	35		
Total Dissolved Solids (TDS), mg/L				1,200
Oil & Grease, mg/L				10.0
pH, Standard Units			6.5	9

SELF-MONITORING AND REPORTING REQUIREMENTS

The following self-monitoring requirements are the same as in the previous permit. The permit will require reports to be submitted monthly and annually, as applicable, on Discharge Monitoring Report (DMR) forms due 28 days after the end of the monitoring period.

Self-Monitoring and Reporting Requirements <u>a/ b/</u>			
Parameter	Frequency	Sample Type	Units
Total Flow	Quarterly	Estimate	MGD
BOD ₅	Quarterly	Grab	mg/L
TSS	Quarterly	Grab	mg/L
TDS	Quarterly	Grab	mg/L
Oil & Grease <u>c/</u>	Quarterly/sheen	Grab	mg/L
pH	Quarterly	Grab	SU

- a/ See Definitions, *Part VIII*, for definition of terms.
- b/ The permittee shall not sample during storm events greater than 0.10 tenths of an inch or 24 hours thereafter.
- c/ Sample only if sheen is observed.

STORM WATER

STORMWATER REQUIREMENTS

The storm water requirements are based on the UPDES Multi-Sector General Permit for Storm Water Discharges for Industrial Activity, General Permit No. UTR000000 (MSGP). Sections of the MSGP that pertain to discharges from an industrial activity have been included and sections which are redundant or do not pertain have been deleted.

The permit requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) for all areas associated with the facility. The SWPPP elements of this plan are required to include: 1) the development of a pollution prevention team, 2) development of

drainage maps and materials stockpiles, 3) an inventory of exposed materials, 4) spill reporting and response procedures, 5) a preventative maintenance program, 6) employee training, 7) certification that storm water discharges are not mixed with non-storm water discharges, 8) compliance site evaluations and potential pollutant source identification, and 9) visual examinations of storm water discharges. The SWPPP must be maintained on site and be available for review during inspections.

PRETREATMENT REQUIREMENTS

FMC discharges all sanitary waste and boiler blow down to the Central Weber Sewer Improvement District. Any process wastewater that the facility may discharge to the sanitary sewer, either as direct discharge or as a hauled waste, is subject to federal, state and local pretreatment regulations. Pursuant to section 307 of the Clean Water Act, the permittee shall comply with all applicable Federal General Pretreatment Regulations promulgated, found in 40 CFR Section 403, the State Pretreatment Requirements found in UAC R317-8-8, and any specific local discharge limitations developed by the Publicly Owned Treatment Works (POTW) accepting the waste.

BIOMONITORING REQUIREMENTS

A nationwide effort to control toxic discharges where effluent toxicity is an existing or potential concern is regulated in accordance with the State of Utah Permitting and Enforcement Guidance Document for Whole Effluent Toxicity Control (biomonitoring). Authority to require effluent biomonitoring is provided in Permit Conditions, UAC R317-8-4.2, Permit Provisions, UAC R317-8-5.3 and Water Quality Standards, UAC R317-2-5 and R317 -2-7.2.

The permittee is a minor industrial facility that will discharge infrequently. Toxicity is neither an existing concern, nor likely to be present in the effluent. The source of the effluent is culinary water and storm water from the facility's roof. Based on these considerations, there is no reasonable potential for toxicity in the permittee's discharge (per State of Utah Permitting and Enforcement Guidance Document for WET Control). As such, there will be no numerical WET limitations or WET monitoring requirements in this permit. However, the permit will contain a toxicity limitation re-opener provision that allows for modification of the permit should additional information indicate the presence of toxicity in the discharge.

TOTAL MAXIMUM DAILY LOAD REQUIREMENTS

FMC discharges into the Great Salt Lake via Mill Creek, which is not identified as impaired by the 303(d) assessment process as defined in the Clean Water Act. Currently, no TMDL evaluation is underway for Mill Creek.

PERMIT DURATION

It is recommended that this permit be effective for a duration of five (5) years.

Drafted by	
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Stormwater	Mike George
WET	Mike Herkimer
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PUBLIC NOTICE

Began:
Ended:

Comments will be received at: 195 North 1950 West
PO Box 144870
Salt Lake City, UT 84114-4870

The Public Noticed of the draft permit was published in the Ogden Standard Examiner.

During the public comment period provided under R317-8-6.5, any interested person may submit written comments on the draft permit and may request a public hearing, if no hearing has already been scheduled. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing. All comments will be considered in making the final decision and shall be answered as provided in R317-8-6.12.

