



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

Brad T Johnson
Deputy Director

NEWS RELEASE
September 28, 2016

CONTACT
Donna Kemp Spangler
Communications Director
Office: 801-536-4484
Cell: 801-554-4944
dspangler@utah.gov

Notice of Violation Issued for Sediment Release from Tibble Fork Dam
DEQ Cites Water Conservancy District for Numerous Water-Quality Violations

SALT LAKE CITY -- The Utah Department of Environmental Quality's Division of Water Quality (DWQ) issued a Notice of Violation and Compliance Order (NOV/CO) today to the North Utah County Water Conservancy District (NUCWCD) for the August 20, 2016, sediment release from Tibble Fork Dam that killed numerous fish and deposited large amounts of metal-laden sediment into and along the American Fork River.

Violations include: 1) discharging a pollutant that harms public health, wildlife, fish, and aquatic life; and 2) degrading water quality beyond state standards. The NOV also cited the NUCWCD for failure to meet Army Corps of Engineers and DWQ permit conditions and to report the incident to DWQ immediately.

"The release had a significant effect on a popular fishing area and an important water source for local irrigation companies," said DWQ Director Walt Baker. "We still don't know what the long-term impacts to aquatic life and other uses of the river will be from the deposition of a significant quantity of sediment in and along the river."

Conditions that the NUCWCD must meet under the Compliance Order (CO) include:

- The initiation of all actions necessary to come into compliance with state water-quality laws and rules
- An explanation of why a sediment release mitigation plan was not implemented at the time of the release
- An explanation of the reasons behind the failure to notify federal, state, or local agencies immediately after the sediment release
- A comprehensive description of the cleanup plan for the American Fork River drainage, including how the polluted sediment will be removed and the steps that will be taken to protect public health and rehabilitate wildlife habitat in the river
- Preparation of a comprehensive monitoring plan that will demonstrate that 1) the sediments in the river are not harmful to public health, aquatic life and irrigation/secondary water; and 2) the restoration efforts are effective

"We want to ensure that the water quality of the American Fork River is restored and that residual sediments from the release don't degrade the river or threaten public health or aquatic life in the future," explained Baker. "Most importantly, we want to make sure that this kind of incident doesn't happen again,"

NUCWCD has thirty days to respond to the NOV and file a request for agency action. A request for agency action initiates an administrative review process which may include informal discussions to negotiate a settlement or the appointment of an administrative law judge to conduct an adjudicative proceeding.

Updates, photos, and the NOV/CO can be found at tibble.utah.gov.

###

About DEQ

Established in 1991, the Utah Department of Environmental Quality's (DEQ) mission is to safeguard public health and quality of life by protecting and enhancing the environment. DEQ implements state and federal environmental laws and works with individuals, community groups and businesses to protect the quality of Utah's air, land and water. For more information, visit www.deq.utah.gov, follow DEQ on Facebook ([utahdeq](https://www.facebook.com/utahdeq)) and Twitter ([UtahDEQ](https://twitter.com/UtahDEQ)), or call 1-800-458-0145.