



State of Utah

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July 16, 2019

DIVISION OF WATER QUALITY
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
PUBLIC NOTICE OF PROVIDENCE AT OVERLOOK EXPEDITED SETTLEMENT OFFER

PURPOSE OF PUBLIC NOTICE

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENT ON THE EXPEDITED SETTLEMENT OFFER (ESO) BETWEEN THE STATE OF UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY, DIVISION OF WATER QUALITY ("DIVISION") AND BRAEMAR CONSTRUCTION. THE ESO CONTAINS PENTALTIES FOR VIOLATIONS OF THE STORM WATER RULES ON THE PROVIDENCE AT OVERLAKE CONSTRUCTION SITE IN TOOELE. THE ESO IS PROVIDED UNDER THE AUTHORITY OF THE UTAH WATER QUALITY ACT, TITLE 9, CHAPTER 5, SECTION 115.

PERMIT INFORMATION

NAME: EXPEDITED SETTLEMENT OFFER FOR PROVIDENCE AT OVERLAKE.

BACKGROUND

The Utah Pollutant Discharge Elimination System (UPDES) General Permit for Discharges from Construction Activities (Permit No. UTRC00000) authorizes owners and operators of construction activities that meet the requirements of Part 1 of this permit to discharge pollutants in accordance with specific effluent limitations and conditions. The owner and operator, Braemar Construction, obtained coverage under this general permit on March 28, 2019 and was assigned permit number of UTR392249.

The Division conducted an inspection of the construction site on March 7, 2019 in response to a complaint. The following violations were discovered during the inspection: the site was operating unpermitted for four months, and had not prepared a Storm Water Pollution Prevention Plan (SWPPP) for the site. The site did not have the appropriate signage identifying permit coverage or contact information displayed. The site failed to perform the required inspections for four months, missing a total of nine inspections. The site failed to install inlet protection devices on five storm drain inlets, failed to install any tracking controls, and failed to clean the roads of sediment.

PUBLIC COMMENTS

The Expedited Settlement Offer is available for public review under "Public Notices" at www.waterquality.utah.gov/. Written public comments can be submitted to: Ryan Curtin, Utah Division of Water Quality, P.O. Box 144870, Salt Lake City, Utah 84114-4870 or by email at: Rscurtin@utah.gov. The deadline to receive comments is by close of business on August 14, 2019. After considering public comment, the Division of Utah Water Quality will execute the Expedited Settlement Offer or revise it.

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