Appendix E
MSD Construction Site Stormwater Runoff Control Program- MCM 4

SOP’s for conducting SWPPP Review, Inspection and Enforcement
SOP’s for conducting SWPPP Review, Inspection and Enforcement

GREAT SALT LAKE
Municipal Services District

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Pre-Construction, Pre-SWPPP & SWPPP Review,
Site Inspections & Enforcement Response
Standard Operating Procedure

PURPOSE:
Outline the procedures and responsibilities for meeting the construction sediment and erosion control requirements in the Greater Salt Lake Municipal Services District (Municipal Services District, MSD) storm water discharge permit.

The MSD provides staffing and other services for the Copperton Metro Township, the Emigration Canyon Metro Township, the Kearns Metro Township, the Magna Metro Township and the White City Metro Township (Metro Townships) and the Town of Brighton (Town) each of which is a municipality, and for Salt Lake County unincorporated areas. The storm water permit requirements apply for construction activities that:
- Disturb one acre or more of land,
- Disturb less than one acre of land, but are part of larger common plan of development that disturb one acre or more, or
- Disturb land of any size if the site is adjacent (within 50ft) to regulated wetlands or surface waters

PROCEDURE:
1. Permit Application
   a. Owner obtains a Storm water Discharge Permit Associated with Construction Activities from the UDEQ. The UDEQ construction permit application and related guidance are on the UDEQ website at: 
   b. Owner completes and submits a Municipal Services District Development Permit Application to the MSD. The MSD grading permit application and related information are on the MSD https://msd.utah.gov/about/.
   c. The application must designate the parties responsible for complying with the MSD requirements. The Owner will submit a signed copy of UDEQ NOI permit with their Development Permit Application.
   d. 'Owner prepares and submits a signed copy of the SWPPP that includes site plans and construction details for proposed Best Management Practices (BMPs) to be used for erosion and sediment control on the site during construction. The State of Utah Department of Environmental Quality (UDEQ) construction permit application and SWPPP requirements are on the State of Utah DEQ website at: https://deq.utah.gov/water-quality/general-construction-storm-water-updes-permits
2. SWPPP Review and Approval

a. Municipal Services District (MSD) personnel (RSR or Equiv.) reviews the SWPPP and associated information for compliance with the Jordan Valley Municipal MS4 permit UT5000001 and the Metro Townships and Town Standards and Construction Specifications, by making a site visit during the planning application review process to review the site and the proposed construction planned.

b. MSD Personnel (RSR or Equiv.) completes the pre-construction SWPPP Review, which includes review of the site design, the planned operation at the construction site, planned BMP’s during the construction phase, and the planned BMP’s to be used to manage storm water after development (post construction). Incorporated into the review procedures are considerations for potential water quality impacts and evaluation of opportunities for the Use of LID and Green Infrastructure, and if applicable encourage such BMP’s to be incorporated into the site design. Identify priority construction sites, including those sites which discharge directly or immediately upstream of surface waters, which shall also include the use of a Check list. (attachment 1)

c. Municipal Services District (RSR or Equiv.) will inform the applicant in writing of any deficiencies in the SWPPP using the latest computer software and insure that the applicant responds to and addresses those deficiencies before the SWPPP is approved and any permits are issued for the construction.

d. The MSD reviewer, in conjunction with the County Urban Hydrology Engineer (Contracted), will verify that the ownership and maintenance agreements for permanent (long term) BMPs are understood by the Owner and Recorded against the property in a document required by Title 17 of the Metro Townships and Town Ordinance, known as a Storm Water Maintenance Agreement and Management plan (SWMA & SWMP) as part of the subdivision or other required approval being recorded and prior to permits being issued for Construction.

3. Permit approval and issuance

a. Once the SWPPP is reviewed and meets the Construction General permit requirements, The Reviewer uploads a copy of the approved SWPPP and Associated documents into the Permit for the applicant into the latest computer software.

b. The Construction Supervisor or Plans Examiner Stamps & Signs the plans for approval under the grading review portion of the Development Application. (electronically or wet stamp), enters the quantities of cut and fill to be permitted, along with the area to be disturbed for permitting under the SWPPP & Grading permit, into the latest software.

c. Administrative staff confirms approval in the latest software program, collects the applicable fees, and issues the MSD Building/Grading Permit.
4. Pre-Construction Meeting: To be held on site after BMP’s are installed and prior to groundbreaking.
   a. Required Attendees
      i. Owners Special Construction Inspector
      ii. Owner/Applicant
      iii. Owners Construction Supervisor and Foreman
      iv. Owners Special Inspector - SWPPP (third party if contracted)
      v. Municipal Services Inspector, RSI
      vi. Municipal Services Construction Inspection Supervisor, (if deemed necessary)
      vii. Municipal Services Grading Inspector
      viii. County Off site Inspector (Contracted)
      ix. County Hydrology or Traffic Engineer (contracted, if deemed necessary)
      x. Municipal Services Building Inspection Supervisor (If deemed necessary)

   b. Owner provides evidence that the person responsible for supervising and inspecting installation and maintenance of BMPs for the duration of the project is a certified RSI (or equivalent) that has been trained in a program acceptable to the MSD.

   c. Owner provides documentation that SWPPP has been approved by Municipal Services District (to be maintained on site)

   d. Owner provides copies of storm water permits for construction issued by the State of Utah DEQ and the Municipal Services District (to be maintained on site)

   e. Municipal Services District Stormwater Inspector explains the storm water requirements:
      i. Expectations and Requirements for erosion and sediment control practices and Enforcement consequences in accordance with Title 17 of the Metro Townships and Town adopted Ordinances.
      ii. Requirements for maintaining a certified storm water inspector on the project.
      iii. Enforcement Procedures for storm water violations – (see attachment 2 for Enforcement Procedure).
      iv. Annual renewal requirements for the State of Utah and MSD Storm water Discharge Permit.
      v. The inspection checklist that will be used by the Municipal Services District or approve/agree to use checklist form proposed by owner/operator.
      vi. Any additional documents that maybe required before the issuance of the MSD’s permit (if the permit has not been issued), such as 404 permits, wetland or floodplain permits, etc.
      vii. Requirements and forms for transfer of ownership and Notice of Termination of permit.

5. Inspections
   a. The owner always maintains a copy of the approved SWPPP to be made available. The SWPPP will be maintained and updated per the Construction General Permit requirements and made available to the Municipal Services District, The State of Utah and EPA inspectors or the public upon request.

   b. Owner installs and maintains erosion and sediment control BMPs as specified in the approved SWPPP.
c. Owner updates SWPPP, including the site map and any procedures, to include any changes in BMPs.
d. Owner inspects all BMPs every 14 days and immediately after any significant rainfall (0.5 or greater) or every 7 days without the rain events unless in sensitive areas (highly erodible soils or surface water) snowfall and snowmelt as required by SWPPP.
e. Owner maintains a record of inspections records of BMPs onsite with the SWPPP. Copies of records of inspections will be made available to the MSD Inspectors at the time of their storm event and other scheduled and none scheduled Inspections.
f. Owner keeps a copy of the certification in erosion and sediment control for the person responsible for supervising installation and maintenance of sediment and erosion control practices.
g. Owners Inspector inspects the erosion and sediment BMPs for compliance with the approved SWPPP. The MSD Inspector meets on the site with the erosion and sediment control supervisor to inspect the site in accordance with the approved SWPPP and address any changes or improvements to the installed BMPs. At the same time, the MSD Inspector will review the inspection records and revisions to the SWPPP.

Field Inspection Report (State of Utah DEQ Template or pre-approved modification)
i. The MSD Inspector discusses all inspections, penalties, and fines with the Construction Storm water Inspection Supervisor, including those immediately after any significant rainfall (0.5 or greater) and snowfall and snowmelt. The MSD Inspector enters their inspections using the latest computer software.
j. The Municipal Services District Stormwater Construction Inspection Supervisor reports issued penalty and fines to the Municipal Services District Management staff, at the weekly Managers staff meeting.
k. MSD Development Services staff collects and files hard copies of the active SWPPP documents and permits in a central location at the Municipal Services District Development Services Office and /or on the latest software.
h. The MSD Construction Storm water Supervisor responds to storm water-related requests and complaints submitted by the public. The complaints are forwarded to the correct division and or agency (when applicable). The complaints are then tracked by the applicable agency or Municipal Services District as required.

6. Change of Ownership/Transfer of Permit
a. Owner submits transfer of ownership forms to Municipal Services District and the State of Utah DEQ when there is a change in ownership of the site or project.
b. MSD Inspector ensures that transfer of ownership application and Notice of Termination forms are submitted by the Owner. He signs the forms submitted, completes field inspections and reports to the Construction Inspection Supervisor, findings of (NOT) Notice of Termination inspection.
c. Municipal Services District Construction Inspection Supervisor or Inspector records changes or project inactivation or Termination noted on the State of Utah DEQ Administration Storm water Access Permits page.
7. Project Closeout
   a. Owner submits Notice of Termination (NOT) forms to the MSD and UDEQ when the project is complete (70% Stabilized)
   b. Owner provides evidence that the Notice of Termination application has been submitted to UDEQ to the MSD Inspector.
   c. Owner prepares and submits to the MSD Construction Inspection Supervisor a certification signed by a Professional Engineer verifying that the permanent BMPs have been installed as per approved plans and specifications. (when applicable). The Construction Inspection Supervisor uploads the certification in the latest computer software project file and sends a copy to the Salt Lake County Stormwater Program Manager (when applicable).
   d. The site project manager and MSD Inspector inspect the permanent BMPs and final stabilization prior to deactivation of the MSD Building and or Grading permits by the permitted.
   e. MSD Inspector Certifies in writing that all requirements for construction acceptance have been met and uploads the final documents into the latest computer software.
   f. MSD Inspector submits a copy of the Notice of Termination (written) to the MSD Construction Inspection Supervisor.

8. Violations and Enforcement
   a. The Municipal Services District Inspector initiates enforcement actions in accordance with Enforcement Response Plan (attachment 2) in response to actual or potential pollutants or sediment discharges to the storm drain system.
   b. The Municipal Services District Inspector provides information for possible follow-up action to the Municipal Services District Inspection Supervisor or to the Salt Lake County Health Department.
   c. The Municipal Services District Inspector or Supervisor or The Salt Lake County Health Department staff will issue NOVs, penalty assessments or takes other actions per the Enforcement Response Plan or turn the violation(s) over to the Municipal Services or Salt Lake County District Attorney for further action when applicable.

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ENFORCEMENT RESPONSE PLAN - Construction Activity

PURPOSE:
The Greater Salt Lake Municipal Services District is required to implement State and Federal storm water regulations for construction activities in accordance with the requirements of the storm water discharge permit issued by the State of Utah Department of Environmental Quality. The regulations require the owners or operators of construction activities that disturb one acre or more of land (including activities on less than one acre if part of a larger project or common plan of development) located within 50 feet of surface waters, obtain permits from both the Municipal Services District and the UDEQ. An MSD grading permit is also required for construction activities of any size that may affect water quality. To ensure that construction activities are following the regulatory requirements, enforcement provisions are included in Title 17 of the Metro Townships, Town, and Unincorporated County Ordinances. The MSD uses this Enforcement Response Plan and the attached Enforcement Response Guide to ensure enforcement actions are conducted in accordance with regulations and are applied in a consistent manner. The MSD objectives are to achieve compliance as quickly as possible and to make sure that violations do not continue.

LEGAL AUTHORITY:
The legal authority for enforcement of the storm water requirements is contained within the Title 17 of the Metro Townships and Towns and Unincorporated Salt Lake County Ordinances. Storm water Illicit Discharges and Permit Requirements. Enforcement and Penalties. Title 17 Ordinance describes the types of enforcement actions that can be applied to violations of the requirements. The State of Utah and Federal Water Quality Act and the Storm water Phase II regulations (40CFR122) also provide legal authority for the Greater Salt Lake Municipal Services District Storm Water Quality Program.

RESPONSIBILITIES:
The Mayor or the Mayor’s designee are the responsible officials for all enforcement actions outlined in the Ordinance. For the purposes of construction activities, the Mayors designees are the following positions:

2) Municipal Services District Stormwater Construction Supervisor
3) Municipal Services District Inspector
4) Municipal Services District Industrial and Commercial Inspector
5) Municipal Services District Grading Review Specialist.
6) Municipal Services District Stormwater Program Manager (Contracted)
7) Other positions that have authority to enforce Ordinance provisions are Code Enforcement Officers, the Chief Building Official, Building Code Inspector, and the Salt Lake County Health Department.

If litigation is necessary, enforcement will become the responsibility of the Greater Salt Lake Municipal Services District or the Salt Lake County District Attorney’s Office. All these positions may be involved in determining the seriousness of specific violations, the type of enforcement action to be taken and the appropriateness and timing of escalating enforcement.
ENFORCEMENT ACTIONS:
The Ordinance provides the authority for specific actions to deal with the enforcement of violations. The purpose of these enforcement actions is to bring the violator back into compliance as quickly as possible and minimize the negative impacts on the storm water system, surface waters and the public.

1) **The types of enforcement actions include:**

a) **COMPLIANCE ORDER** – This is a written notification served to the owner/operator directing them that there is work that is out of Compliance with the approved Storm water pollution prevention plans, or other Development approved plans. The notice is posted on the site, work can continue for the time limit identified on the order to correct the deficiencies identified. Failure to correct the identified deficiencies will result in a STOP WORK ORDER being issued. Copies of the Compliance Order are included in the project inspection files and the latest computer software.

b) **STOP WORK ORDER** – This is a written notification served to the owner/operator directing them to stop work immediately. The notice is also posted on the construction site. Work can only be resumed after the conditions and requirements of the stop work order have been met. Copies of the stop work order are included in the project inspection files and the latest computer software.

c) **NOTICE OF VIOLATION (NOV)** - This is formal written notification of violation(s) and an official record of the violations and any remedies required by the Municipal Services District Metro Townships or Town or Unincorporated Salt Lake County. The time frame for responding to an NOV will be based on the seriousness of the violation and whether immediate actions are required to address imminent or ongoing violations. The NOV shall state the nature of the violation(s) and may refer to the specific section of the Ordinance or the Utah Clean Water Act that has been violated. The NOV is sent via certified mail or personal delivery.

d) **REFERRAL TO CODE ENFORCEMENT – PUBLIC NUISANCE** – This is an action that is taken in response to a threatened discharge or public nuisance conditions that are not specifically related to construction requirements.

e) **REFERRAL TO MUNICIPAL SERVICES DISTRICT OR SALT LAKE COUNTY ATTORNEY** - This action is taken in response to conditions that are a threat to public health, safety or welfare and are not corrected immediately by the owner/operator.

f) **REVOCATION OF PERMIT** - Based on the seriousness of the violations and responsiveness of the permitted, The Municipal Services District may revoke the storm water permit and require that the permitted resubmit a permit application and revised SWPPP that addresses and remedies the cause of the violations.
Pre-Construction, Pre-SWPPP & SWPPP Review, Site Inspections & Enforcement Response

g) **ABATEMENT**: Whenever a violation is identified which will result in an immediate danger to public health or safety and the violation is not immediately corrected by the responsible party, the Municipal Services District and Salt Lake County Health Department may take whatever measures are necessary to abate the violation. The cost of the abatement shall be charged to the responsible party.

2. **PENALTY AND FINES:**

a. Whenever a Violation is identified which violates The Metro Townships or Town or Unincorporated Salt Lake County Ordinance under Title 17, The State of Utah, Federal Clean water Act of 1987 or the Storm water Phase II regulations (40CFR122.26) for Municipal Services District Storm Water Quality Program, the Inspectors in the field shall determine whether to issue a penalty or fine in accordance with requirements of the SWPPP or Common plan of Development permit (when applicable) or in accordance with this document and/or to contact the Salt Lake County Health Department Emergency IDDE hot line (801) 580-6681 for sampling and testing for egregious Acts.

3. **LEVEL OF ENFORCEMENT AND ESCALATION**

   a. The following guidelines are considered in determining the level of enforcement and the need to escalate enforcement:

   i. Whether or not there are or have been recurring or chronic violations.

   ii. The diligence of the owner/operator in responding to and solving the problem which caused the violation(s) and how quickly compliance is achieved.

   iii. **Seriousness of the violation.** For example, pollutants entering the storm drain or surface waters are more significant than pollutants that have a potential to leave the site but are currently contained. Pollutants that endanger the public, workers, or the environment due to lack of proper BMPs or poor BMP maintenance are serious problems whether they have left the site. Serious violations must be addressed immediately to prevent additional problems and to keep the MSD in Compliance with its Storm water permit requirements. Less serious violations require enforcement that rapidly brings the construction activities into compliance and keeps them in compliance.

   iv. **Economic benefit** – If the violation has resulted in avoidance of costs to comply with regulatory requirements or operate in an environmentally responsible way, this can be considered when determining enforcement actions and penalties.
STORMWATER QUALITY PROGRAM

Construction Activities Enforcement Response Guide

ENFORCEMENT RESPONSE
Violations of the construction activities in the storm water requirements generally fall into the following areas:

1) **Administrative Violations**: Municipal Services District, or State permits not current, Working *without MSD* or State permit, SWPPP not on site, SWPPP not up to date, No designated or certified on-site erosion control specialist, Storm water inspection records missing, not completed according to requirements or not up to date, MSD and/or State Notice of Termination not submitted, MSD and/or State Transfer of Ownership not submitted

2) **Best Management Practices (BMPs) Violations with no discharge off of site**: BMPs not maintained in accordance with best practices or SWPPP, Improperly stored materials on site, BMPs in use on the site not shown/not covered in SWPPP, Site changes requiring new or modified BMPs not covered in SWPPP, Improperly maintained or located vehicle storage or maintenance areas

3) **Best Management Practices (BMPs) Violations with discharge from site**: Sediment or other pollutants leaving site; potential discharge to storm drain, Sediment or other pollutants leaving site, discharge to storm drain or surface waters.

Each of these violations may result in different enforcement actions, a series of enforcement actions, or a combination of enforcement actions, depending on the severity and duration of the violation. In addition, the following will be evaluated when determining appropriate actions or escalating enforcement for continued violations. The following outline responses to the violations:

1) **Magnitude of the violation (type and severity).**

2) **Duration of the violation.**

3) **Effect of the violation on the environment and public health.**

4) **Effect of the violation on surface waters.**

5) **Economic benefit realized because of noncompliance**
VIOLATIONS AND ENFORCEMENT ACTIONS

1) Municipal Services District or State permits not current
   a) Compliance Order: MSD Inspector gives owner/operator a Compliance Order with schedule to obtain updated permit(s). The MSD Inspector documents the date and conditions creating the Compliance Order in inspection records.
   b) Stop Work Order: MSD Inspector issues Stop Work Order if permits are not obtained within time frame. Date and conditions of Stop Work Order are recorded on the Stop Work order and in the latest computer software.
   c) Referral to Municipal Services or County Attorney: If work continues at the site, the MSD will refer this issue to the Municipal Services District or the Salt Lake County Attorney for action.
   d) NOV and penalty assessment: MSD prepare and issues an NOV with a compliance schedule and penalty assessment (if appropriate) if there is no response to the Stop Work Order or permits are not obtained in a timely manner.

2) Working without Municipal Services District or State permit
   a) Stop Work Order: Inspector issues Stop Work Order. Date and conditions of Stop Work Order are recorded in inspection records. Inspector refers case to MSD for further action.
   b) NOV and penalty assessment: MSD prepare and issues an NOV with a compliance schedule and penalty assessment (if appropriate) if there is no response to the Stop Work Order or permits are not obtained in a timely manner.
   c) Referral to Attorney: If work continues at the site, the MSD will refer this issue to the Municipal Services District or Salt Lake County Attorney for action.

3) Storm water Pollution Prevention Plan not on site or Storm water Pollution Plan not up to date
   a) Compliance Order: MSD Inspector gives owner/operator a Compliance Order with schedule for correcting SWPPP deficiencies. The Inspector documents the date and conditions of Compliance Order in writing and the latest Computer software.
   b) NOV and penalty assessment: MSD prepare and issues an NOV and penalty assessment (if appropriate) if there is no response to Compliance Order or SWPPP deficiencies are not corrected in a timely manner. Also see Stop Work Order.
   c) Stop Work Order: MSD Inspector can issue Stop Work Order if there is no response to the Compliance Order and/or NOV.
   d) Referral to Attorney: If work continues at the site, MSD will refer this issue to the Municipal Services District or Salt Lake County Attorney for further action.
4) **No designated or certified on-site erosion control specialist Storm water inspection records missing, not completed or not up to date**

   a) **Compliance Order**: MSD Inspector gives owner/operator a Compliance Order with schedule for correcting SWPPP deficiencies. The Inspector documents the date and conditions of Compliance Order in writing and the latest computer software.

   b) **NOV and penalty assessment**: MSD prepare and issues an NOV and penalty assessment (if appropriate) if there is no response to Compliance Order or SWPPP deficiencies are not corrected in a timely manner. Also see Stop Work Order.

   c) **Stop Work Order**: MSD Inspector can issue Stop Work Order if there is no response to the Compliance Order and/or NOV.

   d) **Referral to Attorney**: If work continues at the site, MSD will refer this issue to the Municipal Services District or Salt Lake County Attorney for further action.

5) **Municipal Services District and/or State Notice of Termination not submitted**

   a) **Compliance Order**: MSD Inspector gives owner/operator a Compliance Order with schedule for correcting SWPPP deficiencies. The Inspector documents the date and conditions of Compliance Order in writing and the latest computer software.

   b) **NOV and penalty assessment**: MSD prepare and issues an NOV and penalty assessment (if appropriate) if there is no response to Compliance Order or SWPPP deficiencies are not corrected in a timely manner. Also see Stop Work Order.

   c) **Penalty Assessment**: MSD prepares and issues a penalty assessment if NOV is not complied with.

   d) **Revoke Permit**: Permit is terminated by the Municipal Services District if NOV is not complied with.

   e) **Referral to Attorney**: If work continues at the site, the MSD will refer this issue to the Municipal Services District or Salt Lake County Attorney for action.

6) **Municipal Services District and/or State Transfer of Ownership not submitted**

   a) **Compliance Order**: MSD Inspector gives owner/operator a Compliance Order with schedule for correcting SWPPP deficiencies. The Inspector documents the date and conditions of Compliance Order in writing and in the latest computer software.

   b) **NOV and penalty assessment**: MSD prepare and issues an NOV and compliance schedule if there is no response to Compliance Order or the violations are not corrected in a timely manner.

   c) **Stop Work Order**: MSD Inspector can issue Stop Work Order if there is no response to the Compliance Order and/or NOV.

   d) **Referral to Attorney**: If work continues at the site, the MSD will refer this issue to Municipal Services District or Salt Lake County Attorney for action.
7) **Best Management Practices Violations – No Discharge from Site**

   a) **NOV and Compliance schedule**: MSD Inspector gives owner/operator a Compliance Order with schedule for correcting SWPPP deficiencies. The Inspector documents the date and conditions of Compliance Order in writing. Violations are referred to the MSD if violations are not corrected a NOV or Stop Work may be issued.

   b) **Stop Work Order**: MSD Inspector can issue Stop Work Order if there is no response to the Compliance Order and/or NOV.

   c) **Penalty Assessment**: MSD prepares and issues a penalty assessment if NOV or Stop Work Order is not complied with.

   d) **Revoke Permit**: MSD Permit is terminated by Municipal Services if violations continue.

   e) **Referral to Attorney**: If work continues at the site, MSD will refer this issue to the Municipal Services District or Salt Lake County Attorney for action.

8) **BMPs in use on the site not shown or not covered in SWPPP Site changes requiring new or modified BMPs not covered in SWPPP**

   a) **Compliance Order**: MSD Inspector gives owner/operator a Compliance Order with schedule for correcting SWPPP or BMP deficiencies. The Inspector documents the date and conditions of Compliance Order in writing and into the latest computer software.

   b) **NOV and penalty assessment**: MSD prepare and issues an NOV and penalty assessment (if appropriate) if there is no response to Compliance Order or SWPPP deficiencies are not corrected in a timely manner. Also see Stop Work Order.

   c) **Stop Work Order**: MSD Inspector can issue Stop Work Order if there is no response to the Compliance Order and/or NOV.

   d) **Penalty Assessment**: MSD prepares and issues a penalty assessment if NOV or Stop Work Order is not complied with.

   e) **Revoke Permit**: MSD Permit is terminated by the MSD if violations continue.

   f) **Referral to Attorney**: If work continues at the site, the MSD will refer this issue to the Municipal Services District or Salt Lake County Attorney for action.

9) **Best Management Practices Violations – Discharge from Site**

   **Sediment or other pollutants leaving site; potential discharge to storm drain**

   a) **NOV and penalty assessment**: MSD prepare and issues an NOV and penalty assessment (if appropriate) if there is no response to Compliance Order or SWPPP deficiencies are not corrected in a timely manner. Also see Stop Work Order.

   b) **Stop Work Order**: MSD Inspector can issue Stop Work Order if there is no response to the Compliance Order and/or NOV.

   c) **Penalty Assessment**: MSD prepares and issues a penalty assessment if NOV or Stop Work Order is not complied with.

   d) **Revoke Permit**: MSD Permit is terminated by the MSD if violations continue.

   e) **Referral to Attorney**: The MSD will refer this issue to the Municipal Services District or Salt Lake County Attorney for action.
10) Sediment or other pollutants leaving site, discharge to storm drain or channel

   a) **Stop Work Order**: MSD Inspector issues Stop Work Order, documents the violation and requires owner/operator to mitigate the problems immediately. Project Inspector consults with MSD on further actions.

   b) **Abatement**: If the violation will result in an immediate danger to public health or safety and is not immediately corrected by the owner/operator, the inspector will document the situation and refer it to Municipal Services District and Salt Lake County Health Via the 24 Hotline, who will arrange for abatement of the violation. The cost of the abatement shall be charged to the owner/operator.

   c) **NOV and compliance schedule**: If the discharge caused minimal impact or was quickly mitigated by the owner/operator, the MSD will prepare and issue an NOV and compliance schedule.

   d) **Revoke Permit**: Depending on the severity of the violation, the owner/operators permit may be revoked.

   e) **Penalty assessment**: MSD will prepare and issue penalty assessment, including costs of any abatement.

   f) **Referral to Attorney**: Depending on the permitted response, Municipal Services District or Salt Lake County Health Department may refer the case to the Municipal Services District or Salt Lake County Attorney for further action.
NOTICE OF VIOLATION

Date

Contact Name
Address1 Address2
RE: Notice of Violation - Stormwater
Permit for Construction Activity # Permit number

Dear Contact Name:

Pursuant to Title 17 of the __________________ Ordinances you are hereby notified of the following violations of the terms and conditions of the above referenced permit:

During a monthly site inspection by the MSD staff on xxxxx it was found that your Stormwater Pollution Prevention Plan (SWPPP) has not been updated to include recent changes in the site and in the Best Management Practices (BMPs) used on the site. The SWPPP must be correct and up to date per the requirements of your permit.

You have ___ days from receipt of this Notice to complete the following:

1. Correct the violations and schedule an inspection with the Greater Salt Lake Municipal Services District (MSD) Inspector to confirm that the violations have been addressed.

2. Submit a written description to the Municipal Services District Office of the steps you will take to ensure that there will be no future violations of the type listed above.

This Notice does not constitute a waiver or election by the __________________ to forego any civil or criminal action to seek penalties, fines, or other relief as it may deem appropriate under Title 17 of the Ordinances. Be advised that Title 17 authorizes the imposition of penalties of up to $10,000.00 per day for each violation of the Ordinance. Nothing in this Notice shall be construed to preclude the taking of further action under the Ordinance for those violations cited herein or to relieve you from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal, State, County, Metro Township or Town Ordinances, rules or regulations. Please call if you have any questions. The Municipal Services District appreciates your efforts to comply with the terms and conditions of your discharge permit and operate your construction activities in an environmentally responsible manner.

Sincerely,

Name
MSD SWPPP Inspector

cc:
Name,
Construction Inspection Supervisor

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Pre-Construction, Pre-SWPPP & SWPPP Review, Site Inspections & Enforcement Response

**Acronyms**

1) BMP: Best Management Practice  
2) SLCo HD: Salt Lake County Health Department  
3) UPDES: Utah Pollutant Discharge Elimination System  
4) RSI: Registered Storm water Inspector  
5) EPA: Environmental Protection Agency  
6) RSR: Registered Stormwater Reviewer  
7) MS4: Municipal Separate Storm Sewer System  
8) NOV: Notice of Violation  
9) Owner: The party responsible for all construction operations and meeting all permit requirements  
10) MSD: Greater Salt Lake Municipal Services District  
11) SLCo: Salt Lake County  
12) SOP: Standard Operating Procedure  
13) SWPPP: Storm water Pollution Prevention Plan  
14) UDEQ: Utah Department of Environmental Quality

**Support Functions or documents**

1) Municipal Services District Development Permit Application  
2) Notice of Termination of permit  
3) Application for Transfer or permit  
4) SWMP Review Checklist  
5) Latest computer permits tracking and record-keeping system (Utilisync)  
6) Enforcement response plan

**References:**

1) Utah Department of Environment Quality: General Permit for Storm water Discharges Associated with Municipal Separate Storm Sewer Systems (MS4s). Authorization to Discharge under the UPDES Discharge Permit – Jordan Valley Municipal permit UTS0000001  
2) Utah Department of Environment Quality: Storm water Discharges Associated with Construction Activity – Construction General Permit Application UPDES permit UTRC000000 and The Storm water Management Plan Preparation Guide  
3) Municipal Services District- Chapter 17.22, Storm water, Illicit Discharges  
4) Municipal Services Engineering (Contracted): Public Improvement Design Standards and Construction Specifications (most recent revision)  
5) International Building Code and International Residential Code (most recent)

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