

Salt Lake Corporation
Salt Lake City Public Utilities
Storm Water Division

Authorization to Discharge Under the
Utah Pollutant Discharge Elimination System

Storm Water General Permit for
Construction Activities on Sensitive Sites and
Sites Disturbing
Between 1 and 5 acres

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PART I

Permit No.: UTR100002

I. PERMIT SCOPE AND COVERAGE

A. Permit Area

The permit covers all of Salt Lake City.

B. Eligibility

1. This permit authorizes discharges of storm water from construction activities *UAC R317-8-3.9(6)(e)1* (construction activity which grades greater than 1 (one) acre and less than 5 (five) acres.) within Salt Lake City to the Salt Lake City storm water system. Disturbances of sites less than 1 acre in sensitive areas, at the discretion of Salt Lake City, will also require permitting.

2. This permit also authorizes storm water discharges from support activities related to a construction site (e.g. concrete or asphalt batch plants, equipment staging yards, material storage areas, etc.) from which there is a storm water discharge. The permittee must assume responsibility to ensure proper storm water permit coverage for storm water discharges from support activities.

3. Salt Lake City also requires the submission of a Storm Water Pollution Prevention Plan (SWP3) for sites greater than 5 acres within City limits for review and approval. These sites must obtain permitting from the State of Utah.

C. Limitations on Coverage

The following storm water discharges from construction sites are not authorized by this permit:

1. Post Construction Discharges. Storm water discharges that originate from the site after construction activities have been completed and the site has undergone final stabilization.

2. Discharges Mixed with Non-storm Water. Discharges that are mixed with sources of non-storm water other than discharges which are identified in *Part II.A.2 & 3* of this permit and in compliance with *Part III.D.5* (non-storm water discharges) of this permit.

3. Discharges Covered by Another Permit. Storm water discharges associated with construction activity that have been issued an individual Utah Pollutant Discharge Elimination System (UPDES) permit or are required to obtain coverage under an alternative UPDES general permit.

D. Authorization to Discharge.

1. Initial Requirements. In order for storm water discharges from construction sites to be authorized to discharge under this general permit, a discharger must:

- a) **First develop a Storm Water Pollution Prevention Plan** (covering either the entire site or all portions of the site for which they are operators) according to the recommendations in the Best Management Practices (BMP) manual and then
- b) **Submit a Notice of Intent (NOI)** (prior to the commencement of construction activities, see paragraph 3 below) using the *NOI* form found in the addendum of this permit, or a photocopy of it. The Pollution Prevention Plan must be implemented with the start of the construction activities.
- c) **Submit a permit fee**, for the amount as determined by the *Director*, not greater than \$125. Annual fees set in attachment to this permit.

2. Changing the Operator After the Start of Construction. For construction sites where the operator changes or where a new operator is selected after the submittal of an *NOI*, a *Notice of Termination (NOT)* must be filed for the departing operator, and a new *Notice of Intent (NOI)* form must be submitted with the proper corrections, prior to the commencement of the work. An *NOT* for the first contractor, must be filed to release that contractor of additional liability for the project.

3. Permit Delay Time/Denial of Coverage. Unless notified by the *Director* to the contrary, dischargers are authorized to discharge storm water from construction sites under the terms and conditions of this permit immediately after conditions in paragraphs 1 and/or 2 (above) are completed. The *Director* may deny coverage under this permit and require a new submittal based on a review of the *NOI* or other information.

E. Terminating Coverage.

1. Length of Coverage. All permits after authorization remain in effect until the final stabilization of the site. Stabilization measures in portions of the site where construction activities have temporarily or permanently ceased, shall be initiated as soon as practicable, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased.

- a) When snow cover or frozen ground conditions interfere with the 14 day stabilization time frame, stabilization measures shall be initiated as soon as practicable.
- b) When construction activity on a portion of the site is temporarily ceased, but earth disturbing activities will be resumed within 21 days, temporary stabilization measures do not have to be initiated on that portion of the site.

2. Notice of Termination (NOT). A completed *Notice of Termination (NOT)* form is required to terminate your permit at the end of construction. Complete the *NOT* form, including the project's assigned permit number, and return it to

Salt Lake City Public Utilities, within 14 days after site stabilization. Appropriate enforcement actions may be taken for permit violations when a permittee has completed construction activities and has not submitted a *NOT*, if the site has been vacated but has not undergone final stabilization. When there is a change in Responsible party an *NOT* must be filed to transfer liability.

3. Engineer of Record Confirmation of Site Storm Water Facility Completion. To assist in the determination of the storm water service charge credit for the new facility, final review of the site's permanent storm water mitigation facilities, as built, shall be verified by the facility's Engineer of Record. This review will document that the storm water structures on the parcel, as built, meet the functional capacity of the original approved design and finalization of said property regardless of any field alterations. Nonresidential parcels with on site storm water detention or retention facilities are eligible for a service charge credit upon application to the *Director* by the person owning the parcel, or such person's agent. An *NOT* signed by the Engineer of Record shall be included with this application. A determination of any credit for parcel mitigation as provided for in City Ordinance, 17.81.200, will then be established.

II. SPECIAL CONDITIONS, MANAGEMENT PRACTICES, RESPONSIBILITIES, AND OTHER NON-NUMERIC LIMITATIONS

A. Prohibition of non-storm water discharges.

1. Except as provided in *Part I.B.* and *C.* and *Part II.A.2.and 3.* all discharges covered by this permit shall be composed entirely of storm water.
2. Discharges of material other than storm water that are in compliance with a UPDES permit (other than this permit) issued for that discharge must be manifested prior to the issuance of permit to discharge.
3. The following non-storm water discharges occurring at construction sites that are identified in the associated *NOI's* may be authorized by this permit provided the nonstorm water component of the discharge is in compliance with *Part III.D.5.*:
 - a. Discharges from fire fighting activities;
 - b. Fire hydrant flushing;
 - c. Waters used to wash vehicles or control dust in accordance with *Part III.D.2.c.(2)* (Off-site Tracking);
 - d. Potable water sources including waterline flushing;
 - e. Irrigation drainage;
 - f. Air conditioning condensate;
 - g. Springs;
 - h. Uncontaminated ground water; and
 - i. Foundation or footing drains where flows are not contaminated with process materials such as solvents.

B. Releases in Excess of Reportable Quantities.

The discharge of hazardous substances or oil in the storm water discharge(s) from a facility shall be prevented or minimized in accordance with the applicable storm water pollution prevention plan for the facility. This permit does not relieve the permittee of the reporting requirements of *40 CFR part 117*, *40 CFR 110*, and *40 CFR part 302*. Where a release containing a hazardous substance in an amount equal to or in excess of a reportable quantity established under either *40 CFR 117*, *40 CFR 110*, or *40 CFR 302*, occurs during a 24 hour period:

1. The permittee is required to notify the National Response Center (NRC) (**800-424-8802**) in accordance with the requirements of *40 CFR 117*, *40 CFR 110*, and *40 CFR 302* and the *Division of Water Quality* (DWQ) (**801-538-6146**; or the 24 hour DWQ answering service at **801-536-4123**) as soon as he or she has knowledge of the discharge.
2. The permittee shall submit to the *Director*, within 14 calendar days of knowledge of the release a written description of the release (including the type and estimate of the amount of material released), the date that such release occurred, the circumstances leading to the release, the measures taken and/or planned to be taken to cleanup the release, and steps to be taken to minimize the chance of future occurrences.
3. The storm water pollution prevention plan required under *Part III* of this permit must be modified within 14 calendar days of knowledge of the release to address methods of avoiding a recurrence.

C. Spills.

This permit does not authorize the discharge of hazardous substances or oil resulting from an on-site spill. Any materials, hazardous or non-hazardous, must be cleaned up to avoid transport to the storm drain system.

D. Discharge Compliance with Water Quality Standards.

Dischargers seeking coverage under this permit shall not cause or contribute to a violation of a water quality standard. If the discharge causes or has the reasonable potential to cause or contribute to the violation of an applicable Water Quality Standard, the permittee shall take all necessary actions to ensure that violations of a water quality standard do not occur and document these actions in the pollution prevention plan. Compliance with this requirement does not preclude any enforcement activity as provided by the *Utah Water Quality Act* for the underlying violation.

E. Identification and Responsibilities of Operator(s).

The owner, developer, or project instigator is the ultimate party responsible for pursuing permit procurement and compliance responsibilities. If any other party is active on the site, their liability will be assumed by the owner. Alternately, a joint permit, allowing other craftsmen on the site to become co-permittees may also be obtained.

The party responsible for obtaining a construction storm water permit may require the party(ies) performing construction activity affected by permit conditions to sign as a co-permittee(s) on the *NOI* for this permit, thus:

1. Placing culpability on each co-permittee to satisfy permit conditions pertaining to activities on the construction site concerning their portion of the construction activities.
2. All penalties and administrative actions for noncompliance shall be directed at the culpable party(ies), or at the group as a whole if culpability is not clear, allowing for sharing the liability.

III. STORM WATER POLLUTION PREVENTION PLANS.

A storm water pollution prevention plan shall be developed and implemented for a construction site covered by this permit. For more effective coordination of BMPs, a pollution prevention plan should be a cooperative effort by the different parties involved in construction at a site. The plan shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges from the construction site. The plan shall describe and ensure the implementation of practices which will reduce the pollutants in storm water discharges associated with construction activity at the construction site and will assure compliance with the terms and conditions of this permit. Permittees must implement the applicable provisions of the storm water pollution prevention plan required under this part as a condition of this permit.

A. Deadlines for Plan Preparation and Compliance.

1. The plan shall be completed prior to the submittal of an *NOI* to be covered under this permit and updated as appropriate and warranted as per *Part III.C*.
2. The plan shall provide for compliance with the terms and schedule of the plan beginning with the initiation of construction activities.

B. Signature and Plan Review and Making Plans Available .

1. Plan Location. The location of the plan, along with a contact phone number, shall be posted on site. Reasonable local access to the plan, during normal working hours, must be provided as described below.
2. Plan Availability. The permittee shall make plans available upon request to the *Director*; other local agencies approving sediment and erosion plans, grading plans, or storm water management plans; interested members of the public; local government officials; or to the operators of a municipal separate storm sewer receiving discharges from the site. The permit does not require that free copies of the plan be provided to interested members of the public, only that they have access to view the document. The copy of the plan required to be kept onsite (or locally available) must be made available to the *Director* (or authorized representative) for review at the time of an onsite inspection.
3. Compelled Revisions. The *Director*, or authorized representative, may notify the permittee (co-permittees) at any time that the plan does not meet one or more of the minimum requirements of this *Part*. Such notification shall identify those provisions

of the permit which are not being met by the plan, and identify which provisions of the plan require modifications in order to meet the minimum requirements of this *Part*.

C. Keeping Plans Current.

The permittee shall amend the plan whenever:

1. There is a change in design, construction, operation, or maintenance, which has a significant effect on the discharge of pollutants to the waters of the State and which has not otherwise been addressed in the plan;
2. Inspections or investigations by site operators, local, state, or federal officials indicate the storm water pollution prevention plan is proving ineffective in eliminating or significantly minimizing pollutants from sources identified under *Part III.D.1* of this permit, or is otherwise not achieving the general objectives of controlling pollutants in storm water discharges associated with construction activity.

D. Contents of Plan.

The storm water pollution prevention plan shall include the following items:

1. Site Description. Each plan shall provide a description of pollutant sources and other information as indicated:
 - a. A description of the nature of the construction activity;
 - b. A description of the intended sequence of major activities which disturb soils for major portions of the site (e.g. grubbing, excavation, grading, utilities, and infrastructure installation, etc.);
 - c. Estimates of the total area of the site that is expected to be disturbed by excavation, grading, or other activities;
 - d. A site map indicating:
 - (1) Drainage patterns and approximate slopes anticipated after major grading activities;
 - (2) Areas of soil disturbance, and areas of no disturbance;
 - (3) The location of major structures, and structural and nonstructural controls identified in the plan;
 - (4) The location of areas where stabilization practices are expected to occur;
 - (5) Surface waters (including wetlands); and
 - (6) Locations where storm water is discharged to a surface water or storm water conveyance.
 - e. A description of any discharge associated with industrial activity other than construction covered by the permit; and the location of that activity.
 - f. The name of the receiving water(s), and extent of wetland acreage at the site.
 - g. A copy of the permit requirements (may simply attach copy of permit language).

2. Controls. Each plan shall include a description of appropriate controls and measures that will be implemented during construction activity and while the site is unstablized. Appropriate control measures and the timing during the construction process that the measures will be implemented must be listed, as well as the permittee responsible for controls during different portions of the project, if applicable. The description and implementation of controls shall address the following minimum components:

a. Erosion and Sediment Controls.

(1) Short and Long Term Goals and Criteria:

(a) The construction-phase erosion and sediment controls should be designed to retain sediment on site to the maximum extent practicable.

(b) All control measures must be properly selected, installed, and maintained in accordance with the manufacturer's specifications and good engineering practices. If periodic inspections or other information indicates a control has been used inappropriately, or incorrectly, the permittee must replace or modify the control for site situations.

(c) If sediments escape the construction site, off-site accumulations of sediment must be removed at a frequency sufficient to minimize offsite impacts (e.g., fugitive sediment in the street could be washed into storm sewers by the next rain and/or pose a safety hazard to users of public streets).

(d) Sediment must be removed from sediment traps or sedimentation ponds when design capacity has been reduced by 50%.

(e) Litter, construction debris, and construction chemicals exposed to storm water shall be picked up prior to anticipated storm events (e.g. forecasted by local weather reports), or otherwise prevented from becoming a pollutant source for storm water discharges (e.g. screening outfalls, picked up daily, etc.).

(f) Offsite material storage areas (also including overburden and stockpiles of dirt, etc.) used solely by the permitted project are considered a part of the project and shall be addressed in the pollution prevention plan.

(2) Stabilization Practices. A description of interim and permanent stabilization practices, including site-specific scheduling of the implementation of the practices. Site plans should ensure that existing vegetation is preserved where attainable and that disturbed portions of the site are stabilized. Stabilization practices may include: temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures. Use of impervious surfaces for stabilization should be avoided.

A record of the dates when major grading activities occur, when construction activities temporarily or permanently cease on a portion of the site, and when stabilization measures are initiated, shall be included in the plan.

Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 30 days after the construction activity in that portion of the site has temporarily or permanently ceased. Where construction activity on a portion of the site is temporarily ceased, and earth disturbing activities will be resumed within 21 days, temporary stabilization measures do not have to be initiated on that portion of site.

(3) Structural Practices. A description of structural practices to divert flows from exposed soils, store flows or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable shall be provided. Such practices may include silt fences, earth dikes, drainage swales, sediment traps, check dams, subsurface drains, pipe slope drains, level spreaders, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins. (See BMP's). Placement of structural practices in floodplains should be avoided to the degree attainable. The installation of these devices may be subject to *Section 404* of the CWA.

At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries and those side slope boundaries deemed appropriate as dictated by individual site conditions

b. Storm Water Management. A description of measures that will be installed during the construction process, to control pollutants in storm water discharges, which will occur after construction operations have been completed. Structural measures should be placed on upland soils to the degree attainable. The installation of these devices may be subject to *Section 404* of the CWA.

This permit only addresses the installation of storm water management measures, and not the ultimate operation and maintenance of such structures after the construction activities have been completed and the site has undergone final stabilization. Permittees are only responsible for the installation and maintenance of storm water management measures prior to final stabilization of the site. They are not responsible for maintenance after storm water discharges associated with construction activity have been eliminated from the site. However, post-construction storm water BMPs that discharge pollutants from point sources once construction is completed, may in them, need authorization under a separate permit.

(1) Such practices may include:

- (a) Storm water detention structures (including wet ponds);
- (b) Storm water retention structures;
- (c) Flow attenuation by use of open vegetated swales and natural depressions;
- (d) Infiltration of runoff onsite; and
- (e) Sequential systems (which combine several practices).

The pollution prevention plan shall include an explanation of the technical basis used to select the practices to control pollution where flows exceed predevelopment levels.

(2) Velocity dissipation devices shall be placed at discharge locations and along the length of any outfall channel for the purpose of providing a nonerosive flow velocity from the structure to a water course so that the natural physical and biological characteristics and functions are maintained and protected. The objective is to minimize significant changes in the hydrological regime of the receiving water.

c. Other Controls.

(1) Waste Disposal. No solid materials, including building materials, shall be discharged to waters of the State, except as authorized by a Federal *CWA Section 404* permit.

(2) Off-site Tracking. Off-site vehicle tracking of sediments and the generation of dust shall be minimized as required in Salt Lake City Ordinance, 18.20.210.

(3) Septic, Waste, and Sanitary Sewer Disposal. The plan shall ensure and demonstrate compliance with applicable State and/or local waste disposal, sanitary sewer or septic system regulations. All construction facilities must make accommodations for sanitation on the site.

(4) Exposure to Construction Materials. The plan shall include a narrative description of practices to reduce pollutants from construction related materials which are stored onsite including an inventory of construction materials (including waste materials), storage practices to minimize exposure of the materials to storm water, and spill prevention and response.

d. Other Laws and Requirements.

(1) Local Storm Water Control Requirements. This permit does not relieve the permittee from compliance with other laws affecting erosion and sediment control or requirements for the permanent storm water system. Where applicable, compliance efforts to these requirements should be reflected in the SWP3.

(2) Threatened or Endangered Species & Historic Properties. This permit does not relieve the permittee from compliance with Federal or State laws pertaining to threatened or endangered species or historic properties. Where applicable compliance efforts to these laws should be reflected in the SWP3.

3. Maintenance. A description of procedures to ensure that the timely maintenance of vegetation, erosion and sediment control measures and other protective measures identified in the site plan are kept in good and effective operating condition. Maintenance needs identified in inspections or by other means shall be accomplished before the next anticipated storm event, or as necessary to maintain the continued effectiveness of storm water controls. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and accomplished as soon as practicable.

4. Inspections. Qualified personnel (provided by the permittee) may inspect disturbed areas of the construction site that have not been finally stabilized, areas used for storage of materials that are exposed to precipitation, structural control measures, and locations where vehicles enter or exit the site.

a. Points, Areas, BMPs, and Activities to be Inspected. Disturbed areas and areas used for storage of materials that are exposed to precipitation may be inspected for evidence of, or the potential for, pollutants entering the drainage system. Erosion and sediment control measures identified in the plan may be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they may be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving waters. Locations where vehicles enter or exit the site may be inspected for evidence of offsite sediment tracking.

b. Inspection Induced Plan Revisions. Based on the results of the inspection, the site description identified in the plan in accordance with *Part III.D.1* of this permit and pollution prevention measures identified in the plan in accordance with *Part III.D.2* of this permit shall be revised as appropriate, but in no case later than 7 calendar days following the inspection. Such modifications shall provide for timely implementation of any changes to the plan within 7 calendar days following the inspection.

c. Inspection Report. A written field report identifying any incidents of non-compliance or a certification that the facility is in compliance with the storm water pollution prevention plan and this permit, may be provided to the property owner at the time of inspection.

5. Non-Storm Water Discharges. Except for flows from fire fighting activities, sources of non-storm water listed in *Part II.A.2* & 3. of this permit that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge.

IV. STANDARD PERMIT CONDITIONS

A. Duty to Comply.

1. The permittee must comply with all conditions of this permit, failure to do so will result in enforcement action from Salt Lake City, fines to be determined by the *Director*.
2. Additionally, any permit noncompliance constitutes a violation of the *Clean Water Act* and is grounds for enforcement action under *UCA 19-5-107(1)*; penalties are substantial.

B. Duty to Mitigate.

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. Permittee retains responsibility for any and all mitigation relating to non-compliance with this permit or for failure of measures taken under the permit.

C. Other Information.

When the permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in the *Notice of Intent* or in any other report to the *Director*, he or she shall promptly submit such facts or information.

D. Signatory Requirements.

All *Notices of Intent*, storm water pollution prevention plans, reports, certifications or information shall be signed by an authorized person; owner, manager or delegated representative.

Any person signing documents under *Part II.D.* shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

E. Penalties for Falsification of Reports.

The *Act* provides that any person who knowingly makes any false material statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including reports of compliance or noncompliance shall be punished upon conviction by a fine of not more than \$10,000, by imprisonment for up to 6 months, or by both.

F. Inspection and Entry.

The permittee shall allow the *Director* or an authorized representative upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and
3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment).

V. DEFINITIONS

Definitions related to this permit and construction activity.

1. "Act" means the "*Utah Water Quality Act*".
2. "Best Management Practices" ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. Examples of BMP's are available.
3. "Commencement of Construction" means the initial disturbance of soils associated with clearing, grading, or excavating activities or other construction activities.
4. "Control Measure" as used in this permit, refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to waters of the State.
5. "CWA" means *Clean Water Act* or the *Federal Water Pollution Control Act*.
6. "Discharge of Storm Water Associated with Construction Activity" as used in this permit, refers to storm water "point source" discharges from areas where soil disturbing activities (e.g. clearing, grading, or excavating, etc.), construction material or equipment activities (e.g. fill piles, concrete truck washout, fueling, etc.), or other industrial storm water directly related to the construction process (e.g. concrete or asphalt batch plants, etc.) are located.
10. "EPA" means the United States Environmental Protection Agency.
11. "*Director*" means *Director* of the Salt Lake City Department of Public Utilities.
12. "Final Stabilization" means that all soil disturbing activities at the site have been completed, and that a vegetative cover has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.

13. "NOI" means *Notice of Intent* to be covered by this permit (permit form is included)
14. "NOT" means *Notice of Termination*. When the project is completed and final stabilization has been completed on the property an *NOT* must be filed with the City. (form is included). An *NOT* must also be filed when an owner (permittee), or contractor (co-permittee) is replaced, and a new *NOI* must be submitted for the new permittee.
15. "Point Source" means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.
16. "Runoff coefficient" means the fraction of total rainfall that will appear at a conveyance as runoff.
17. "Sensitive areas" means sites that have a significant impact on waterways (e.g. located near streams, wetlands, etc.) or other natural or geological structures (e.g. slope, rock and boulder substrate, etc.) that require additional efforts to control runoff regardless of the size of the project.
18. "Small Construction Activity" means all construction activities including clearing and grading that result in land disturbance of equal to or greater than one acre and less than five acres. Small construction activity also includes the disturbance of less than one acre of total land area if in a sensitive location or is part of a larger common plan of development or sale, if the larger common plan will ultimately disturb greater than or equal to one acre of land.
19. "Storm water" means storm water runoff, snow melt runoff, and surface runoff and drainage.
20. "Storm water discharge associated with industrial activity" is defined in the *Utah Administrative Code ("UAC") R317-8-3.9(6)(c) & (d)* and incorporated here by reference. Most relevant to this permit is "*UAC*" *R317-8-3.9(6)(d)10*, which relates to construction activity including clearing, grading and excavation activities.
21. "SWP3" or "SWPPP" means storm water pollution prevention plan, referring to the plan required in the permit *Part III*.
22. "Waters of the State" means all streams, lakes, ponds, marshes, water-courses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, which are contained within, flow through, or border upon this state or any portion thereof, except that bodies of water confined to and retained within the limits of private property, and which do not develop into or constitute a nuisance, or a public health hazard, or a menace to fish and wildlife, shall not be considered to be "waters of the state" under this definition ("*UAC*" *R317-1-1.32*).
23. "Waste pile" means any accumulation of solid, nonflowing waste that is not containerized, being used or stored.

ATTACHMENT

PERMIT FEES

Fees for a Storm Water Discharge Permit for 2008

Based on an estimate for services rendered.

Sensitive Sites	\$85.00
Construction Sites >1 acre to <5 acres.....	\$85.00
Construction Sites >5 acres.....	NA

Construction sites >5 acres must apply for a permit and pay fees to the State of Utah.