

STATE OF UTAH, DEPARTMENT OF ENVIRONMENTAL QUALITY, DIVISION OF WATER QUALITY

288 North 1460 West, P.O. Box 144870, Salt Lake City, Utah 84114-4870 (801)538-6146

NOI

Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activity Under the UPDES General Permit No. UTR110738

Submission of this Notice of Intent constitutes notice that the party(s) identified in Section I of this form intends to be authorized by UPDES General Permit No. UTR110738 issued for storm water discharges associated with construction activity in the State of Utah. Becoming a permittee obligates such discharger to comply with the terms and conditions of the permit. ALL NECESSARY INFORMATION MUST BE PROVIDED ON THIS FORM.

I. OPERATOR INFORMATION

Name (Main operator): Utah Energy Corporation Phone: 435 259-2333

Address: 1300 S. Hwy 191 Status of Owner/Operator: P - Private

City: Moab State: UT Zip: 84532

Contact Person: Kelly Shumway/John Haselby Phone: 435 259-2333

Name (1st Co-permittee): Phone:

Address: Status of Owner/Operator:

City: State: Zip:

Contact Person: Phone:

Name (2nd Co-permittee): Phone:

Address: Status of Owner/Operator:

City: State: Zip:

Contact Person: Phone:

Name (3rd Co-permittee): Phone:

Address: Status of Owner/Operator:

City: State: Zip:

Contact Person: Phone:

Please copy this form if you have more co-permittees than what is allowed on this form.

II. FACILITY SITE / LOCATION INFORMATION

Name: Daneros

Project No. (if any):

Address: County: SAN JUAN

City: BLANDING State: UT Zip: 84511

Latitude: 110 D 11' 35" W Longitude: 37 D 35' 54" N

Is the facility located on Indian Lands?

(Y or N) N

III. SITE ACTIVITY INFORMATION

Municipal Separate Storm Sewer System (MS4) Operator Name: _____

Receiving Water Body: _____

How far to the nearest water body? _____

List the Number of any other UPDES permits at the site: _____

IV. TYPE OF CONSTRUCTION (Check all that apply)

1. ___ Residential 2. ___ Commercial 3. Industrial 4. ___ Road 5. ___ Bridge 6. ___ Utility 7. ___ Contouring, Landscaping

8. ___ Other (Please list) _____

V. MANAGEMENT PRACTICES

Identify proposed Best Management Practices (BMPs) to reduce pollutants in storm water discharges: (Check all that apply)

1. ___ Silt Fences 2. ___ Sediment Pond 3. ___ Seeding/Preservation of Vegetation 4. ___ Mulching/Geotextiles 5. Check Dams 6. ___ Structural Controls (Berms, Ditches, etc.)

7. ___ Other (Please list) _____

VI. ADDITIONAL INFORMATION REQUIRED

Project Start Date: Completion Date: Estimated Area to be Disturbed

12/26/08 09/25/16 (in Acres): 2

A storm water pollution prevention plan has been prepared for this site and is to the best of my knowledge in Compliance with State and/or Local Sediment and Erosion Plans and Requirements.

(Y or N) (A pollution prevention plan is required to be on hand before submittal of the NOI)

VII. CERTIFICATION: I certify under penalty of law that I have read and understand the *Part I.B.* eligibility requirements for coverage under the general permit for storm water discharges from construction activities.

I further certify that to the best of my knowledge, all discharges and BMPs that have been scheduled and detailed in a pollution prevention plan will satisfy requirements of *Part I.B.*, and *Part III.* of this permit.

I understand that continued coverage under this storm water general permit is contingent upon maintaining eligibility as provided for in *Part I.B.*

I also certify under penalty of law that this document and all attachments were prepared under the direction or supervision of those who have place their signature below, in accordance with a system designed to assure that qualified personnel properly gather and evaluate 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.

Signature: Certification provided online by Kelly Shumway, Company Administrator, kellyshumway@frontiernet.net 07/22/08

Amount of Permit Fee Enclosed: \$ 500

INSTRUCTIONS

Notice Of Intent (NOI) For Covered Under the UPDES General Permit Storm Water Discharges From Construction Activities

Who Must File A Notice Of Intent (NOI) Form

State law at UAC R317-8-3.8 prohibits point source discharges of storm water from construction activities to a water body(ies) of the State without a Utah Pollutant Discharge Elimination System (UPDES) permit. The operator of a construction activity that has such a storm water discharge must submit a NOI to obtain coverage under the UPDES Storm Water General Permit. If you have questions about whether you need a permit under the UPDES Storm Water program, or if you need information as to whether a particular program is administered by EPA or a state agency, contact the storm water coordinator at (801) 538-6146.

Where To File NOI Form

NOIs, with fee payment(s), must be sent to the following address:

Department of Environmental Quality
Division of Water Quality
P.O. Box 144870
Salt Lake City, UT 84114-4870

Completing The NOI Form

You must type or print, using upper-case letters, in the appropriate areas only. Please place each character between the marks. Abbreviate if necessary to stay within the number of characters allowed for each item. Use one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. If you have any questions on this form please call the storm water coordinator at (801) 538-6146.

Beginning of Coverage

Storm Water General Permits cover a facility quickly avoiding delays, therefore coverage is immediate after NOI with submission of the permit fee. The permittee should be aware that though you may not have a permit in hand, if you have sent in a completed NOI with the permit fee you are covered by the conditions in the permit and will be expected to comply with these conditions. If you wish, contact the Division of Water Quality at (801) 538-6146 to receive a generic copy of the permit. After we receive the NOI and the permit fee we will send you an official copy of the permit with your permit number.

Permit Fees (MAKE CHECKS PAYABLE TO: DIVISION OF WATER QUALITY)

Construction projects are prorated from the time they begin disturbing ground until the time the disturbed surface is stabilized, and the permit is terminated by the permittee with a submittal of a Notice of Termination (NOT) form. Fees are prorated at \$8.34 per month of coverage needed, except a \$50 minimum and a \$500.00 maximum. **EXAMPLE: if you need 5 months of coverage: 5 x \$8.34 = \$41.70, then you will need to submit the \$50 minimum, if 18 months of coverage is needed: 18 x \$8.34 = \$150.12, your total fee will be \$150.12.** The \$500.00 maximum will provide permit coverage for five years and then expire at the end of the five year period. State or local political subdivisions are exempt from the permit fee. The fee must be received with the NOI before permit coverage is given.

General

Facilities within Salt Lake City or Salt Lake County must contact the city or county and notify them of the new permit status for the facility.

SECTION I - FACILITY OPERATOR INFORMATION

Give the legal name(s) of the person(s), firm(s), public organization(s), or any other entity(ies) that conducts the construction operation at the facility or site described in this application. The name of the operator(s) may be the developer, the owner, the general contractor, the design firm, the excavation contractor and/or others (e.g. anyone that fits the definition of operator). An operator is anyone that has control over site/project specifications and/or control of day to day operational activities. Do not use a colloquial name. Enter the complete address and telephone number of the operator(s).

Enter the appropriate letter to indicate the legal status of the operator of the facility.

F = Federal **M** = Public (other than Fed or State) **S** = State **P** = Private

SECTION II - FACILITY/SITE LOCATION INFORMATION

Enter the facility's or site's official or legal name and project number (if any) and complete street address, including city, state and ZIP code. If the facility or site lacks a street address, indicate the latitude and longitude of the facility to the nearest 15 seconds of the approximate center of the site.

Indicate whether the facility is located on Indian Lands.

If the facility is located on Indian Lands EPA form 3510-6 should be used and submitted to EPA Region VIII except for facilities on the Navajo Reservation or on the Goshute

Reservation which should submit EPA form 3510-6 to Region IX.

SECTION III - SITE ACTIVITY INFORMATION

If the storm water discharges to a municipal separate storm sewer system (MS4), enter the name of the operator of the MS4 (e.g., municipality name, county name) and the receiving water of the discharge from the MS4 if it is known. (A MS4 is defined as a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by a state, city, town, county, district, association or other public body which is designed or used for collecting or conveying storm water).

SECTION IV - TYPE OF CONSTRUCTION

Check each type of construction that applies to this application.

SECTION V - MANAGEMENT PRACTICES

Check each type of management practices that will be used to control storm water runoff at the job site.

SECTION VI - ADDITIONAL INFORMATION REQUIRED

Enter the project start date and the estimated completion date for the entire development plan.

Provide an estimate of the total number of acres of the site on which soil will be disturbed (round to the nearest acre).

Indicate whether the storm water pollution prevention plan for the site is in compliance with approved state and/or local sediment and erosion plans, permits, or storm water management plans.

SECTION VII - CERTIFICATION

State statutes provide for severe penalties for submitting false information on this application form. State regulations require this application to be signed as follows:

For a corporation: by a responsible corporate officer, which means: (I) president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

For a partnership or sole proprietorship: by a general partner or the proprietor; or

For a municipality, state, Federal, or other public facility: by either a principal executive officer or ranking elected official.

POLLUTION PREVENTION PLAN

A storm water pollution prevention plan (SWP3) is required to be in hand before the NOI can be submitted. It is important to know SWP3 requirements (contained in the permit) even during the design portion of the project. A copy of the permit can be obtained from the Division of Water Quality. Guidance material for developing a SWP3 can be obtained from EPA (NTIS) or copied from EPA material at the Division of Water Quality.

NOTICE OF TERMINATION (NOT)

A completed Notice of Termination (NOT) form is required to terminate your permit at the end of construction. Please complete the NOT form, including the project's assigned permit number, and return it to the Division of Water Quality. Please contact the storm water coordinator at (801) 538-6146 for any questions or for a copy of the NOT form.

10/30/97

STATE OF UTAH, DEPARTMENT OF ENVIRONMENTAL QUALITY, DIVISION OF WATER QUALITY

288 North 1460 West, P.O. Box 144870, Salt Lake City, Utah 84114-4870

NOT

Notice of Termination (NOT) for Storm Water Discharges Associated with **Construction Activity** Under the UPDES General Permit No. UTR110738 **SEE REVERSE FOR INSTRUCTIONS**

Submission of this Notice of Termination constitutes notice that the operator identified in Section II of this form is no longer authorized to discharge storm water associated with industrial activity under the UPDES program. ALL NECESSARY INFORMATION MUST BE PROVIDED ON THIS FORM.

I. Permit Information

UPDES Storm Water General Permit Number: UTR110738

Check Here if You are No Longer the Operator of the Facility: _____

Check Here if the Storm Water Discharge is Being Terminated: _____

II. Facility Operator Information

Name: Utah Energy Corporation Phone: 435 259-2333

Address: 1300 S. Hwy 191

City: Moab State: UT Zip: 84532

III. Facility Site/Location Information

Name: Daneros

Address: _____ County: SAN JUAN

City: BLANDING State: UT Zip: 84511

Latitude: 110 D 11' 35" W Longitude: 37 D 35' 54" N

IV. Certification: I certify under penalty of law that either: a) all storm water discharges associated with construction activity from the portion of the identified facility where I was an operator have ceased or have been eliminated or b) I am no longer an operator at the construction site and a new operator has assumed operational control for those portions of the construction site where I previously had operational control. I understand that by submitting this notice of termination, I am no longer authorized to discharge storm water associated with construction activity under this general permit, and that discharging pollutants in storm water associated with construction activity to waters of the State is unlawful under the State of Utah Water Quality Act where the discharge is not authorized by a UPDES permit. I also understand that the submittal of this notice of termination does not release an operator from liability for any violations of this permit or the Water Quality Act.

Print Name: _____

Date: _____

Signature: _____

Instructions for Completing Notice of Termination (NOT) Form

Who May File A Notice Of Termination (NOT) Form

Permittees who are presently covered under the State issued Utah Pollutant Discharge Elimination System (UPDES) General Storm Water Permit for Construction Activity may submit a notice of termination (NOT) form when their facilities no longer have any storm water discharges associated with industrial activity as defined in the storm water regulations at UAC R317-8-3.8(b)(c) and (d), or when they are no longer the operator of the facilities.

For construction activities, elimination of all storm water discharges associated with industrial activity occurs when disturbed soils at the construction site have been finally stabilized and temporary erosion and sediment control measures have been removed or will be removed at an appropriate time, or that all storm water discharges associated with construction activity from the construction site that are authorized by a UPDES general permit have otherwise been eliminated. Final stabilization means that all soil-disturbing activities at the site have been completed, and that a uniform perennial vegetative cover with a density of 70% of the cover for unpaved areas and areas not covered by permanent structures has been established, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.

Where to File NOT Form

Send this form to the following address:

Division of Water Quality
288 North 1460 West
P.O. Box 144870
Salt Lake City, Utah 84114-4870

Completing the Form

Type or print, using upper-case letters, in the appropriate areas only. Please place each character between the marks. Abbreviate if necessary to stay within the number of characters allowed for each item. Use only one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. If you have any questions about this form, call the Division of Water Quality at (801) 538-6146.

Section I - Permit Information

Enter the existing UPDES Storm Water General Permit number assigned to the facility or site identified in Section III. If you do not know the permit number, contact the Division of Water Quality at (801) 538-6146.

Indicate your reason for submitting this Notice of Termination by checking the appropriate box:

If there has been a change of operator and you are no longer the operator of the facility or site identified in Section III, Check the corresponding box.

If all storm water discharges at the facility or site identified in Section III have been terminated, check the corresponding box.

Section II - Facility Operator Information

There may be more than one operator for a construction project. This form must be filled out and submitted by each of the operators listed on the notice of intent (NOI) that was submitted for receiving coverage under this permit. In this section give the legal name of the person, firm, public organization, or any other entity that is filed as an operator at the facility or site described in this application that is desiring to terminate coverage. The name of the operator may or may not be the same name as the facility. The operator of the facility is the legal entity which controls the facility's operation (referring to operation of construction activity) or a portion of it, rather than the plant or site manager of the finished or rehabilitated facility. Do not use a colloquial name. Enter the complete address and telephone number of the operator.

Section III - Facility/Site Location Information

Enter the facility's or site's official or legal name and complete address, including city, state and ZIP code and the latitude and longitude of the facility to the nearest 15 seconds of the approximate center of the site. It is preferred that the location address be the same as that which the site used in the submission of the NOI.

Section IV - Certification

State statutes provide for severe penalties for submitting false information on this application form. State regulations require this application to be signed as follows:

For a corporation: by a responsible corporate officer, which means: (I) president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

For a municipality, State, Federal, or other public facility: by either a principal executive officer or ranking elected official.