

JMMIT DEVELOPMENT, INC.

9408 WEST BURNETT DRIVE
BOISE, ID 83709
(208) 371-4039

IDAHO CENTRAL CU 92-7362
NAMP, ID 83651 3241

9261

RECEIVED

19 FEB 26 PM 12:38

DATE	AMOUNT
10/29/2018	\$ *7,600.00

HEARINGS CLERK

EXACTLY SEVEN THOUSAND SIX HUNDRED DOLLARS

U.S. EPA, Region 10
P.O. Box 979077
St. Louis MO 63197-9000


AUTHORIZED SIGNATURE

Memo: Docket No: CWA-10-2019-0012

⑈009261⑈ ⑈324173626⑈ 708092279⑈

JMMIT DEVELOPMENT, INC. • BOISE, ID 83709

9261

Record#: 19246
 Check#: 9261
 Date: 10/29/2018
 Description: Docket No: CWA-10-2019-0012
 Amount: 7,600.00
 Vendor#: 887
 Payee: U.S. EPA, Region 10
 Address: P.O. Box 979077
 St. Louis MO 63197-9000

RECEIVED

NOV 15 2018

EPA - REGION 10
Office of Compliance and Enforcement



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 10

1200 Sixth Avenue, Seattle, Suite 155 Washington 98101

EXPEDITED SETTLEMENT AGREEMENT

Docket Number: CWA-10-2019-0012; NPDES Nos. IDR1000RW & "unpermitted"

RECEIVED
FEB 26 PM 12:37
HEARINGS CLERK
EPA -- REGION 10

Granite Excavation & Summit Development, Inc. ("Respondents") are "persons," within the meaning of Section 502(5) of the Clean Water Act ("Act"), 33 U.S.C. § 1362(5), and 40 C.F.R. § 122.2.

U.S. EPA, Region 10
Fines and Penalties, Cincinnati Finance Center
In the Matter of: Granite Excavation & Summit Development, Inc.

Docket No.: CWA-10-2019-0012
P.O. Box 979077
St. Louis, MO 63197-9000

Attached is an "Expedited Settlement Offer Worksheet Deficiencies Form" ("Form"), which is incorporated by reference. By its signature, Complainant ("EPA") finds that Respondents are responsible for the deficiencies specified in the Form.

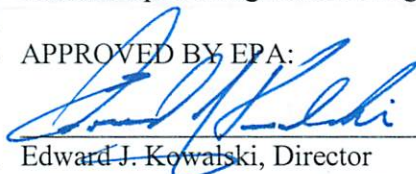
This Agreement settles EPA's civil penalty claims against Respondents for the Clean Water Act violation(s) specified in this Agreement. EPA does not waive its rights to take any enforcement action against Respondents for any other past, present, or future civil or criminal violation of the Act or of any other federal statute or regulation. EPA does not waive its right to issue a compliance order for any uncorrected deficiencies or violation(s) described in the Form. EPA has determined this Agreement to be appropriate.

Respondents had an unauthorized discharge of storm water in violation of Section 301(a) of the Clean Water Act, 33 U.S.C. § 1311, and/or failed to comply with their National Pollutant Discharge Elimination System ("NPDES") storm water permit issued under Section 402 of the Act, 33 U.S.C. § 1342.

This Agreement is binding on the parties signing below and effective upon filing with the Regional Hearing Clerk.

EPA finds, and Respondents admit, that Respondents are subject to Section 301(a) of the Act, 33 U.S.C. § 1311, and that EPA has jurisdiction over any "person" who "discharges pollutants" from a "point source" to "waters of the United States." Respondents neither admit nor deny the deficiencies specified in the Form.

APPROVED BY EPA:



Date: 10/13/2018

Edward J. Kowalski, Director
Office of Compliance and Enforcement

EPA is authorized to enter into this Consent Agreement and Final Order ("Agreement") under the authority vested in the Administrator of EPA by Section 309(g)(2)(A) of the Act, 33 U.S.C. § 1319(g)(2)(A), and by 40 C.F.R. § 22.13(b). The parties enter into this Agreement in order to settle the civil violation(s) alleged in this Agreement for a penalty of \$7,600. Respondents consent to the assessment of this penalty, and waive the right to: (1) contest the finding(s) specified in the Form; (2) a hearing pursuant to Section 309(g)(2) of the Act, 33 U.S.C. § 1319(g)(2); and (3) appeal pursuant to Section 309(g)(8), 33 U.S.C. § 1319(g)(8).

APPROVED BY RESPONDENT:

Name
(print): Dario Scaggs

Title
(print): President Summit Development Inc.

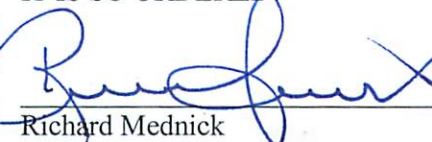
Signature:  Date: 10/25/18

Additionally, Respondents certify, subject to civil and criminal penalties for making a false statement to the United States Government, that any deficiencies identified in the Form have been corrected. Respondents shall submit a written report with this Agreement detailing the specific actions taken to correct the violations cited herein.

More than 40 days have elapsed since the issuance of public notice pursuant to Section 309(g)(4)(A) of the Act, 33 U.S.C. § 1319(g)(4)(A), and EPA has received no comments concerning this matter.

Respondents certify that they have submitted bank, cashiers, or certified checks, with case name and docket number noted, totaling the amount specified above, payable to the "Treasurer, United States of America," via certified mail, to:

Having determined that this Agreement is authorized by law, IT IS SO ORDERED:



Date: 2/26/19

Richard Mednick
Regional Judicial Officer, Region 10



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 10

1200 Sixth Avenue, Seattle, Suite 155 Washington 98101

EXPEDITED SETTLEMENT AGREEMENT

Docket Number: CWA-10-2019-0012; NPDES Nos. IDR1000RW & "unpermitted"

RECEIVED

FEB 26 PM 12:37

HEARINGS CLERK
EPA -- REGION 10

Granite Excavation & Summit Development, Inc. ("Respondents") are "persons," within the meaning of Section 502(5) of the Clean Water Act ("Act"), 33 U.S.C. § 1362(5), and 40 C.F.R. § 122.2.

U.S. EPA, Region 10
Fines and Penalties, Cincinnati Finance Center
In the Matter of: Granite Excavation & Summit Development, Inc.

Docket No.: CWA-10-2019-0012
P.O. Box 979077
St. Louis, MO 63197-9000

Attached is an "Expedited Settlement Offer Worksheet Deficiencies Form" ("Form"), which is incorporated by reference. By its signature, Complainant ("EPA") finds that Respondents are responsible for the deficiencies specified in the Form.

This Agreement settles EPA's civil penalty claims against Respondents for the Clean Water Act violation(s) specified in this Agreement. EPA does not waive its rights to take any enforcement action against Respondents for any other past, present, or future civil or criminal violation of the Act or of any other federal statute or regulation. EPA does not waive its right to issue a compliance order for any uncorrected deficiencies or violation(s) described in the Form. EPA has determined this Agreement to be appropriate.

Respondents had an unauthorized discharge of storm water in violation of Section 301(a) of the Clean Water Act, 33 U.S.C. § 1311, and/or failed to comply with their National Pollutant Discharge Elimination System ("NPDES") storm water permit issued under Section 402 of the Act, 33 U.S.C. § 1342.

This Agreement is binding on the parties signing below and effective upon filing with the Regional Hearing Clerk.

EPA finds, and Respondents admit, that Respondents are subject to Section 301(a) of the Act, 33 U.S.C. § 1311, and that EPA has jurisdiction over any "person" who "discharges pollutants" from a "point source" to "waters of the United States." Respondents neither admit nor deny the deficiencies specified in the Form.

APPROVED BY EPA:

Date: 10/10/2018

Edward J. Kowalski, Director
Office of Compliance and Enforcement

EPA is authorized to enter into this Consent Agreement and Final Order ("Agreement") under the authority vested in the Administrator of EPA by Section 309(g)(2)(A) of the Act, 33 U.S.C. § 1319(g)(2)(A), and by 40 C.F.R. § 22.13(b). The parties enter into this Agreement in order to settle the civil violation(s) alleged in this Agreement for a penalty of \$7,600. Respondents consent to the assessment of this penalty, and waive the right to: (1) contest the finding(s) specified in the Form; (2) a hearing pursuant to Section 309(g)(2) of the Act, 33 U.S.C. § 1319(g)(2); and (3) appeal pursuant to Section 309(g)(8), 33 U.S.C. § 1319(g)(8).

APPROVED BY RESPONDENT:

Name (print): Rhett Collins

Title (print): Safety SWPPP Manager

Signature: [Signature] Date: 11-9-18

Additionally, Respondents certify, subject to civil and criminal penalties for making a false statement to the United States Government, that any deficiencies identified in the Form have been corrected. Respondents shall submit a written report with this Agreement detailing the specific actions taken to correct the violations cited herein.

More than 40 days have elapsed since the issuance of public notice pursuant to Section 309(g)(4)(A) of the Act, 33 U.S.C. § 1319(g)(4)(A), and EPA has received no comments concerning this matter.

Respondents certify that they have submitted bank, cashiers, or certified checks, with case name and docket number noted, totaling the amount specified above, payable to the "Treasurer, United States of America," via certified mail, to:

Having determined that this Agreement is authorized by law, IT IS SO ORDERED:

Date: 2/26/19

Richard Mednick
Regional Judicial Officer, Region 10

Certificate of Service

The undersigned certifies that the original of the attached **CONSENT AGREEMENT AND FINAL ORDER, In the Matter of: Granite Excavation & Summit Development, Inc.; Docket No.: CWA-10-2019-0012**, was filed with the Regional Hearing Clerk and served on the addressees in the following manner on the date specified below:

The undersigned certifies that a true and correct copy of the document was delivered to:

Christian F. Gebhardt, Compliance Officer
U.S. Environmental Protection Agency
1200 Sixth Avenue, OCE-201
Suite 155
Seattle, Washington 98101

Further, the undersigned certifies that a true and correct copy of the aforementioned document was placed in the United States mail certified/return receipt to:

Rhett Collins, Safety, SWPPP Manager
Granite Excavation
23 Warm Lake Road
Cascade, Idaho 83611

Dave Scaggs, President
Summit Development, Inc.
9408 West Burnett Drive
Boise, Idaho 83709

DATED this 26 day of February, 2019



Signature

Teresa Young
Regional Hearing Clerk
EPA Region 10