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Public Notice: Golden Spike Foundation, Brigham City Corporation Clean Water Act Consent Agreement

Publish Date: December 9, 2024

Summary

The EPA is providing notice of an opportunity for the public to comment on a Consent Agreement. The Consent Agreement settles allegations by the EPA that the Golden Spike Foundation and Brigham City Corporation (Respondents) have violated the Clean Water Act (CWA) by discharging pollutants from a construction site located west of I-15, between West Forest Street and 800 North (Site) located in Brigham City, Utah as a result of construction activities involving discharges of dredged or fill material in

How to Comment

Comments Due: January 8, 2025

Comments must include the commentor's name and complete mailing address as well as a statement that the comment submitter wishes to participate in any future proceedings in this

violation of section 301(a) of the CWA, 33 U.S.C. § 1311(a), which prohibits the discharge of a pollutant unless authorized, among other things, by a permit issued under section 404 of the CWA, 33 U.S.C. § 1344.

Background

The EPA has alleged that the Respondents discharged dredged or fill material into Waters of the United States, including wetlands and relatively permanent waters tributary to the Black Slough, for the purposes of constructing the Golden Spike Monument Park. The Respondents failed to obtain authorization under a CWA section 404 permit for discharges to the Waters of the United States. Under the Consent Agreement, the Respondents have agreed to pay a civil administrative penalty of \$55,000 and perform a Supplemental Environmental Project valued at \$30,000 to resolve its civil penalty liability for these alleged violations.

The addresses of the EPA and Respondents are listed below.

EPA

EPA Region 8, 1595 Wynkoop Street, Denver, Colorado 80202-1129. The EPA Region 8's Acting Water Enforcement Branch Manager is identified in the Consent Agreement as the Complainant.

Respondents

- Golden Spike Foundation, 60 S 600 E Ste 150, Salt Lake City, Utah 84102
- Brigham City Corporation, 20 North Main, PO Box 1005, Brigham City, Utah 84302

matter. Please also reference the EPA Docket Number for this matter: CWA-08-2025-0003.

Please submit written comments to:

Kate Tribbett (8RC)
(R8_Hearing_Clerk@epa.gov)
Regional Hearing Clerk
U.S. EPA, Region 8
1595 Wynkoop Street
Denver, CO 80202-1129

Telephone: (303) 312-7059

The EPA is authorized by section 309(g) of the CWA, 33 U.S.C. § 1319(g), to issue an order assessing a civil administrative penalty for violations of CWA requirements, after providing (1) an opportunity for the person to be assessed the penalty to request a hearing to contest the penalty, and (2) notification to the public of its rights to submit written comments and to participate in any hearing.

The EPA encourages the public to comment on the Consent Agreement. The Consent Agreement will be available for public review for a comment period of 30 days after the publication of this notice. After the close of this comment period, the EPA will, if appropriate in view of any comments received, enter an order approving the Consent Agreement. The order, if any, would be issued at least ten (10) days after the close of the public comment period and at least forty (40) days after publication or posting of this notice, in accordance with 40 C.F.R. § 22.45(b) and (c)(3). The Consent Agreement is available for review by contacting the person listed in the "How to Comment" box on the right side of this page.

For Further Information

Persons wishing to receive a copy of the Consent Agreement or other documents in this proceeding (including the regulations in 40 C.F.R. part 22, which establish procedures for the hearing) should contact the EPA Regional Hearing Clerk identified above.

Docket Numbers

- CWA-08-2025-0003