
HB 507 Construction Amendments

2024 Legislative Session



UTAH DEPARTMENT *of*
ENVIRONMENTAL QUALITY
**WATER
QUALITY**

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HB 507 Goals

*Changes
expected
during
2025
General
Session*

Standardized construction stormwater permitting statewide

Create consistency and transparency in BMPs, SWPPPs, inspections, fees, and enforcement

Implementation Date: 1/1/25

Regulatory Structure

HB 507:

MS4 may not make requirements for permits that are more stringent than corresponding federal regulations (CWA)

US EPA

Promulgates Clean Water Act
NPDES Permits

Utah
DWQ

State Primacy for administering CWA
Utah Water Quality Act
Administers MS4 and Construction Stormwater Permits

Utah
MS4s

MS4 permits require implementation and enforcement of construction stormwater MCM

HB 507 Definitions

“Applicant” = Operator/Owner (individual(s) who sign NOI)

“Application “ = Notice of Intent (NOI)

“Municipal System” = Regulated MS4

“Electronic site inspection” = geo-located and time-stamped photos taken, evaluated, and submitted electronically by the operator to the MS4

— HB 507 requirements:

MS4s shall:

- 1. Develop a list of preferred construction BMPs and publish on their website**
- 2. Complete SWPPP reviews within 14 days of a complete submittal**
- 3. Develop a checklist for SWPPP review**
- 4. Develop/publish/implement SOPs/forms for construction site inspections**
- 5. Have a process for the operator to notify the MS4 of completion of construction/final stabilization (existing NOT process)**

— HB 507 requirements:

MS4s shall not:

- 1. Impose a fine related to a construction stormwater permit**
- 2. Impose a stop work order for a BMP violation if the operator has selected the preferred BMPs for the site conditions and implemented/maintained the BMP properly**

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MS4 Inspection

Requirements

MS4s shall conduct inspections through an electronic site inspection

On site inspection may be conducted if the MS4 can document a reason justifying an on-site inspection

Pre-construction inspections may be conducted in person on-site, or using an electronic site inspection tool

The operator or operator's designee must participate in the pre-construction inspection

HB 507 Escalating Enforcement Process

01. ———

Notify operator of violation in writing

02. ———

Provide >24 hrs for operator to correct

03. ———

Perform inspection to verify violation corrected

HB 507 Escalating Enforcement Process

04. ———

If not corrected, issue a written warning that construction maybe stopped if the violation is not corrected within no less than another 24-hour period

05. ———

Perform inspection to verify violation corrected

06. ———

If not corrected, notify operator in writing that the violation has not been corrected

HB 507 Escalating Enforcement Process

07. ———

May issue stop work order until inspection performed by MS4 to verify that the violation is corrected

- **MS4 may recoup costs incurred to correct a violation if the operator refuses AFTER the preceding steps have been exhausted AND IF the violation is determined to be a significant threat to water quality or the storm drain system.**
- **Stop work order may be issued earlier than described IF there is a clearly documented immediate threat to water quality**
- **Process may not be imposed > 30 days after the day on which the MS4 provides the notice of violation**

Potential Next Steps

USWAC MS4 Unification Sub-Committee



Revise ordinances if necessary and SWMP



Develop Statewide Construction BMP Manual



Standardize MS4 Construction Stormwater Websites



Develop standardized SWPPP review checklist/ inspection SOP/form

Questions/Discussion