

**PART 1: PERMIT SCOPE AND COVERAGE**

- 1.1 Persons required to obtain authorization for discharge. No person may conduct construction activities that disturb an area greater than or equal to one acre without authorization for storm water discharge from the Executive Secretary. (See Utah Admin. Code Sections R317-8-3.9(6)(d)(10) and R317-8-3.9(6)(e)(1).) In addition, no person may conduct construction activities that disturb an area smaller than one acre if the disturbance is part of a larger common plan of development or sale that will ultimately disturb an area greater than or equal to one acre. *Id.* See Part 6.5 of this Permit for a definition of “construction activities.”
- 1.2 Permit Area and Eligibility.
- 1.2.1. Construction activities located within the State of Utah, except for Indian Country (see Part 6.16 of this Permit for a definition of “Indian Country”) may be eligible to be covered under this Permit.
- 1.2.2. Eligibility for authorization to discharge under this Permit is conditioned upon:
- Preparation of a Storm Water Pollution Prevention Plan (“SWPPP”) (see Part 3 of this permit) prior to submission of a Notice of Intent (“NOI”);
  - Submission of a complete and accurate Notice of Intent to be covered by this Permit (see Part 1.8 of this Permit); and
  - Payment of applicable fees.
- 1.3 Authorization to Discharge. This Permit authorizes discharges of storm water from construction activities that disturb an area greater than or equal to one acre, and from construction activities that disturb an area smaller than one acre if the disturbance is part of a larger common plan of development or sale that will ultimately disturb an area greater than or equal to one acre. This authorization is subject to all of the terms and conditions of this Permit, including the requirement that the discharger must submit a Notice of Intent (“NOI”), and the prohibitions on discharges specified in Part 1.6.
- 1.4 Allowable Storm Water Discharges. Subject to compliance with the terms and conditions of this Permit, a Permittee is authorized to discharge pollutants in:
- 1.4.1. Storm water associated with construction activity as that term is defined in Part 6.5 of this Permit (but see Part 1.4.3 of this Permit for limitations on discharges from construction support activities);
- 1.4.2. Storm water discharges designated by the Executive Secretary as needing a storm water permit under R317-8-3.9(6)(e)(2);
- 1.4.3. Discharges from construction support activities as that term is defined in Part 6.6 of this Permit, provided:
- The support activity is directly related to the construction site required to have UPDES permit coverage for discharges of storm water associated with construction activity;
  - The support activity is not a commercial operation serving multiple unrelated construction projects by different owners/operators, and does not operate beyond the completion of the construction activity at the last construction project it supports; and
  - Appropriate controls and measures are identified in a Storm Water Pollution