

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8  
1595 Wynkoop Street, Denver, CO 80202-1129**

**PUBLIC NOTICE  
OPPORTUNITY FOR PUBLIC COMMENT ON A  
COMBINED COMPLAINT AND CONSENT AGREEMENT BETWEEN  
KILGORE COMPANIES, LLC  
AND THE  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
TO RESOLVE ALLEGED VIOLATIONS OF  
THE CLEAN WATER ACT**

**PURPOSE OF PUBLIC NOTICE**

The purpose of this notice is to solicit written comments on the Combined Complaint and Consent Agreement (CCCA) between Kilgore Companies, LLC (Respondent), and the United States Environmental Protection Agency (EPA), bearing Docket #CWA-08-2015-0003. The EPA alleged that the Respondent violated the requirements of the Clean Water Act (CWA) by failing to comply with the requirements of its stormwater discharge permit at the Parley's Canyon Aggregate Pit, a sand and gravel pit, located at mile post exit 131 on Interstate 80 east of Salt Lake City, Utah (the facility). Specifically, the EPA alleged that the Respondent failed to keep the storm water management plan (SWPPP) on-site, failed to implement the SWPPP, failed to include required elements in SWPPP, failed to implement discharge control measures, failed to maintain discharge control measures, failed to conduct and report sampling, failed to conduct visual monitoring of discharges, failed to conduct routine inspections of the facility, and failed to conduct comprehensive site evaluations at the facility. The CCCA is entered into by the parties for the purpose of simultaneously commencing and concluding this matter, as authorized by Title 40 of the Code of Federal Regulations (40 C.F.R.), Section 22.13(b) and executed pursuant to 40 C.F.R. § 22.18(b)(2) and (3). In the CCCA, Respondent agrees to pay a penalty of \$75,000. The CCCA is issued under the National Pollutant Discharge Elimination System (NPDES) provisions of the CWA. These regulations govern the discharge of wastewater to "Waters of the United States". The addresses of EPA and respondent are listed here.

Respondent: Kilgore Companies, LLC, 7057 West 2100 South, Magna, Utah  
84044

EPA: Assistant Regional Administrator, Office of Enforcement, Compliance & Environmental Justice, EPA Region 8, 1595 Wynkoop Street, Denver, Colorado  
80202-1129.

EPA desires to receive written comments from any interested party having knowledge of the alleged violations or who can provide any information useful to ensure that any penalty assessed is appropriate.

## **PUBLIC COMMENTS**

Written comments on the CCCA are encouraged and will be accepted at the address listed below for a period of forty (40) days after the publication of this notice. Written comments submitted by the public as well as information submitted by Respondent will be available for public review, subject to the provisions of law restricting the disclosure of confidential information. Any person submitting written comments has a right to participate in a hearing, if one is held. The complaint is available for review between 9:00 a.m. and 4:00 p.m. at the address listed below and on the internet at: <http://yosemite.epa.gov/oa/rhc/epaadmin.nsf>.

Please submit written comments to:

Tina Artemis (8RC)  
Regional Hearing Clerk  
U.S. EPA, Region 8  
1595 Wynkoop Street  
Denver, Colorado 80202-1129.  
Telephone: (303) 312-6765

**FOR FURTHER INFORMATION:** Persons wishing to receive a copy of other documents in this proceeding (such as the regulations in 40 C.F.R. part 22, which establish procedures for the hearing), or to comment upon the proposed penalty assessment or upon any other aspect of the matter, should contact the Regional Hearing Clerk identified above. No action will be taken by the EPA to finalize a settlement in this matter until 40 days after this public notice.