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July 2, 2020

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Salt Lake County Health Department

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**FLOOD CONTROL
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Bart Barker, General Manager

Greater Salt Lake Municipal Services District (MSD)

2001 S State Street # N3-600

Salt Lake City, Utah 84190

Re: MEMORANDUM OF UNDERSTANDING

**Cooperation and Enforcement of Salt Lake County's UPDES Stormwater
discharge permit**

This Memorandum of Understanding (MOU) is entered into by and between the Salt Lake County Health Department (Health Department), Salt Lake County Public Works Department – Flood Control/ Engineering Division, Salt Lake County Public Works- Engineering and the Greater Salt Lake Municipal Services District (MSD) and together are sometimes referred to as the “PARTIES,” in the enforcement of the Salt Lake County UPDES Stormwater Discharge Permit UTS0000001.

Whereas, The Salt Lake County Health Department is organized as a County health department and exists pursuant to the Utah Code Ann. 26A-1-103 and chapter 9.04 of the Salt Lake County Code of Ordinances; and

Whereas, the Health Department is responsible for enforcing state laws, administrative rules, local ordinances, standards and regulations relating to public health, sanitation, safety and environmental quality as provided for in the Utah Local Health Department Act, Utah Code Ann. 26A-1-114; and

Whereas, pursuant to 26A-1-114(1), the Health Department may enforce state laws, local ordinances, department rules and local health department standards and regulations in all incorporated and unincorporated areas of Salt Lake County; and

Whereas, the Health Department has adopted health regulations including Regulation # 13 prohibiting the discharge or release of pollutants or contaminants into storm sewers, drains, gutters or waters of the State; and

Whereas, Health Regulation # 13 is also incorporated in Section 9.32.010 of the Salt Lake County Code of Ordinances; and

Whereas, Utah Code Ann, 17-8-5 provides the county legislative body may promulgate regulations to protect channels, storm sewers, and drains and may provide for the enforcement of those regulations; and

Whereas, Salt Lake County has enacted section 17.08.020 of the Salt Lake County Code of Ordinances, which provides for the safe disposal of natural storm waters and flood waters and which prohibits the interference, damage or use of any flood control, storm drainage or water quality facility without having first received written permission from the division; and

Whereas, Salt lake County has adopted 17.08.100 of the Salt Lake County Code of Ordinances which makes it unlawful for any person to place or cause to be placed in a drain, channel, reservoir, detention basin or any other flood control facility any

matter of any kind that may degrade the quality of the water without having first receiving written permission from the Engineering or Townships Division: and

Whereas, Section 1.12.010 of the Salt Lake County Code of Ordinances provides that the violation of any provisions of an ordinance constitutes a class B Misdemeanor; and

Whereas, 26A-1-120(1) of the Utah Local Health Department Act provides that the County Attorney shall prosecute criminal violations of the Public Health Laws and Rules and 26A-1-123 Unlawful Acts-- Criminal and civil liability of the Departments of Health and Environmental Quality; and

Whereas, the Parties wish to enter into this MOU to formalize the procedure for the enforcement and inspections of applicable statutes, ordinances and health regulations to protect water quality.

Now, therefore, in consideration of the following mutual promises, terms and conditions, it is agreed by the parties as follows:

1. Parties Responsibilities of the health Department

- 1.1 The Health Departments Environmental Health Division will assist Salt Lake County Flood Control Engineering and Public Works Engineering in the investigation of incidents involving spills, releases or discharge of pollutants, contaminants, or waste into waterways and drainage systems. The Health Department will work with the responsible party and the Flood Control Engineering/ Public Works Engineering to ensure the spill or discharge is remediated as required by rule or regulation;
- 1.2 The Health Department agrees to respond to any reports from the Flood Control Engineering/Public Works Engineering regarding spills, releases or the discharge of pollutants, contaminants or waste in gutters, storm drains and flood control facilities;
- 1.3 The Health Department will also report to the Flood Control Engineering/Public Works Engineering any complaints received or violations discovered by the Health Department personnel, during routine inspections or complaints at restaurants and other establishments applicable which present a potential for a stormwater violation, discharge or spill in accordance with the UPDES UTS0000001 Permit issued to Salt Lake County as a large MS4;
- 1.4 The Health Department will provide annual reports to the Flood Control Engineering/Public Works Engineering Divisions that includes the status of the complaints and actions taken in the response to complaints in the

Unincorporated County and municipalities served by the MSD, to resolve and finalize by documentation cases for the UPDES Permit annual report, and the Illegal and Illicit Discharge Elimination (IDDE) control measures requirements;

- 1.5 The Health Department agrees through its regulations adopted by the Salt Lake County Board of Health, pursuant to Section 9.04.060 of the County Code of Ordinances, which contains procedures for the enforcement of violations through civil, administrative or criminal proceedings pending the severity of the violation, to help determine the severity of the enforcement of a violation.
- 1.6 The Health Department will initiate and assist Salt County Flood Control Engineering/Public Works Engineering in appropriate enforcement actions to compel compliance and pursue sanctions for violations that coincide with the County's UPDES Discharge Permit, UTS000001;
- 1.7 Warning letters and Notice of Violations letters issued for stormwater discharges in unincorporated areas and municipalities served by the MSD, will be provided a courtesy copy to the Watershed Section Manager in the Flood Control Engineering Office at 2001 S State Street #N3-120 Salt Lake City, Utah 84190;
- 1.8 The Health Department will participate in the County's Flood Control and Water Quality Management Planning Program designed to enhance and protect water quality by making an annual contribution of \$5,000.00 to the County Stormwater Coalition Education Campaigns;
- 1.9 The Health Department will provide household hazardous waste facilities to all citizens of incorporated municipalities and Unincorporated Salt Lake County. The household hazardous waste program allows for the public to dispose of leftover products that contain corrosive, toxic, ignitable, or reactive substances (such as paint, cleaners, oil and pesticides). This includes services such as mailers, ads, collection events and ABOP disposal locations for antifreeze, batteries, oils and paint. Generators of (CESQG) are not allowed to dispose of hazardous waste at these facilities and must dispose of them at an approved landfill;
- 1.10 The Health Department will help collaborate an Industrial Education Program for all municipalities of Salt Lake County, with a Stormwater Pollution Prevention Campaign and will assist Flood Control Engineering/Public Works Engineering with any enforcement related to violations associated to the UPDES Permit UTS000001;
- 1.11 The Health Department will notify Salt Lake County Flood Control Engineering/Public Works Engineering of spills or responses in other cities that are adjacent to the boundary with unincorporated areas and municipalities served by the MSD on an annual basis, with immediate threats reported as identified.

2.0 Responsibility of the Greater Salt Lake Municipal Services District and Flood Control Engineering/Public Works Engineering Divisions

- 2.1 The County Flood Control Engineering/Public Works Engineering will report to the Health Department any incidents involving spills, releases or the discharge of pollutants, contaminants or wastes into the gutters and stormdrains within unincorporated areas and municipalities served by the MSD covered by the permit;
- 2.2 Incidents within the unincorporated areas and municipalities served by the MSD will be reported immediately to the Health Department 24 Hour Hot line at (801) 580-6681 or to (385) 468 -3862 during regular business hours;
- 2.3 Flood Control Engineering/Public Works Engineering offices shall participate with the Health Department in investigating or the enforcement action within unincorporated areas and municipalities served by the MSD initiated by the Health Department;
- 2.4 Participation shall include but not be limited to information regarding permits, stormwater systems and mapping, tracking spills or stormdrain systems, dye testing and recommendations for the extent of clean-up in the stormdrain system within unincorporated areas and municipalities served by the MSD;
- 2.5 The Greater Salt Lake Municipal Services District will handle the Stormwater Pollution Prevention Permitting approvals and enforcement in accordance with the UPDES permit within the unincorporated areas and municipalities served by the MSD per the existing contract;
- 2.6 The Greater Salt Lake Municipal Services District shall manage the construction and post construction activities related to stormwater and the UPDES Permit including engineering controls. Related activities include but are not limited to plan approvals, installation and post construction inspections, management and maintenance of engineered controls within the unincorporated areas and municipalities served by the MSD;

3.0 Coordination & Training

- 3.1 Representatives of the Parties will participate in the investigation and enforcement of the alleged violations of the Health Regulations and

Rules within the unincorporated areas and municipalities served by the MSD. Ordinances to protect storm sewers and drains as required by the UPDES Stormwater Discharge Permit. In addition, the parties shall confer to determine an appropriate legal remedy on a case-by-case basis, including administrative, civil and criminal actions;

- 3.2 The Parties agree to pursue training resources with the goal of improving water quality, environmental enforcement, public awareness and compliance.

4.0 EFFECTIVE DATE

- 4.1 This M.O.U shall continue in effect until terminated by either party giving six (6) months written notice in advance to the other party's designated representative.

Gary Edwards, Executive Director

Salt Lake County Health Department

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Salt Lake County Flood Control Engineering Division

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