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# Stormwater Enforcement/Construction: Colorado Department of Public Health & Environment Notice of Violation Addressing Larimer County Residential Development

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The Colorado Department of Public Health & Environment (“CDPHE”) issued on May 1st a Notice of Violation (“NOV”) to BC Brand Partners, LLC (“BC”) alleging violations of a Clean Water Act National Pollutant Discharge Elimination System (“NPDES”) Construction General Permit. See Number: SO-260501-1.

The NOV states that BC on or about April 19, 2022, initiated construction activities related to residential development, located in Larimer County, Colorado.

The Water Quality Division of CDPHE is stated to have received an application from BC on February 1, 2022, for coverage under the Colorado Discharge Permit System (“CDPS”) General Permit Number COR400000 for Stormwater Discharges Associated with Construction Activity (“Permit”), for a planned disturbance of 12 acres within the previously referenced residential development.

Representatives of the Water Quality Division are stated to have conducted an on-site inspection of the development on two dates in 2024. The inspector is stated to have:

- Interviewed representatives of the residential development.
- Reviewed stormwater management system records.
- Performed a physical inspection of the development.

The NOV alleges the following violations of the 2019/2024 Permits:

- Deficient or Incomplete Stormwater Management Plan.
- Failure to Perform Complete Inspections of the Stormwater Management System.
- Failure to Install, Maintain, or Properly Select Control Measures.
- Failure to Perform Complete Inspections of the Stormwater Management System.
- Failure to Install, Maintain, or Properly Select Control Measures.

BC is required to submit to the Water Quality Division an answer affirming or denying each paragraph of the Findings of Fact and responding to the Notice of Violation.

A copy of the NOV can be found [here](#).