IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF		
	)	**EXPEDITED**
Granite Excavation, Inc.	)	**SETTLEMENT**
23 Warm Lake Hwy	)	**AGREEMENT AND**
Cascade, ID 83611	)	**CONSENT ORDER**
	)	**Case No.: ID-2026-0037**

I. Notice of Violation

The undersigned representatives of the Idaho Department of Environmental Quality (Department) and Granite Excavation, Inc. (Respondent) enter into this Expedited Settlement Agreement (Agreement) to resolve Respondent's administrative enforcement civil penalty liability for alleged violations of the Idaho Pollutant Discharge Elimination System (IPDES) 2022 Construction General Permit for Discharge Activities, Permit No. IDR10C1GA (Permit), at the River District Phases 3A and 4 site located in Cascade, Idaho, (Site).

The Department alleges Respondent had violations of multiple permit conditions as listed in the May 28, 2025, inspection report (incorporated by reference into this Agreement), in violation of the "Idaho Pollutant Discharge Elimination System Rules" (IDAPA 58.01.25). Respondent is a "person" as defined in IDAPA 58.01.25.010.66. The respondent is responsible for the alleged violations specified in the attached IPDES Expedited Settlement Agreement (ESA) Penalty Summary, which is incorporated into this Agreement by reference.

The Department finds, and Respondent admits, that the Department has jurisdiction over this matter pursuant to the Idaho Environmental Protection and Health Act, Idaho Code §§ 39-101 et. Seq., including without limitation Idaho Code § 39-108, 175E and IDAPA 58.01.25.500. By entering into this Agreement, submitting documentation of alleged violation resolution, and paying the enclosed penalty, the parties agree a compliance conference is not needed and will not be scheduled or held. Respondent is aware of their right to forego the Agreement offer and instead, request a compliance conference within fifteen (15) days of the date of receipt of a Notice of Violation under Idaho Code § 39-108.

II. Expedited Settlement Agreement And Consent Order

To settle this matter, without any admission of any alleged violation, the Respondent agrees to pay an administrative civil penalty of $6,395. The Respondent must return this signed Agreement to the Department along with proof of penalty payment and documentation showing that the violations have been resolved. By signing this Agreement, the Respondent certifies the following:

(1) Authority to Bind: They have the authority to sign for the party represented and to bind that party to its terms.

(2) Consent Order Status: This Agreement constitutes a Consent Order under Idaho Code § 39-108(3)(a). A Consent Order shall be effective immediately upon signing by both parties and shall preclude any civil enforcement action for the same alleged violations and facts alleged in the inspection report. If a party does not comply with the terms of the Consent Order, the Department may seek and obtain, in any appropriate district court, specific performance of the Consent Order and such other relief as authorized in this chapter.

(3) Corrective Action and Documentation: The alleged violations listed in this Agreement have been corrected, and the Respondent has submitted true and accurate documentation to the Department of such resolution.

(4) Federal Tax Treatment: Consistent with section 162(f)(1) of the Internal Revenue Code, 26 U.S.C. § 162(f)(1), Respondent will not deduct penalties paid under this Agreement for federal tax purposes; and

(5) Proof of Payment: Respondent has provided proof of payment of the civil penalty, with Case No.: ID-2026-0037 noted.

This Agreement does not relieve Respondent from any civil action and damages that may exist for injury or damage resulting from any other alleged violation of the Idaho Environmental Protection and Health Act, Idaho Code §§ 39-101 et. seq., or the rules, permits, and orders promulgated thereunder, or relief for any other violation of law, including civil penalties, injunctive or other equitable relief, or criminal sanctions. This Consent Order will be admissible as evidence in any proceeding to enforce this Consent Order. Nothing in this Agreement shall relieve Respondent of the duty to comply with any regulations, order, or permit issued pursuant to the Idaho Pollutant Discharge Elimination System.

Upon the Department's receipt of the signed Agreement, the penalty payment, and documentation of alleged violation resolution, the Department will provide notice of, and a reasonable opportunity for, public comment on the Agreement. The Department will address any comments on the Agreement in accordance with Idaho Code § 39-108(9).

DATED THIS 21st DAY OF October, 2026

Michelle Valona

Michelle Valona
Certifying Official
Authorized Representative of Granite Excavation, Inc.

DATED THIS _____DAY OF _____, 2026

_____

Mary Anne Nelson
Surface and Wastewater Division Administrator
Idaho Department of Environmental Quality