

understanding, memorandum of agreement, contract, or other signed document that establishes the obligations of each party.

4.5.1.4 Written acceptance of this obligation is mandatory and must be maintained as a part of the SWMP. Conducting maintenance on a structure does not imply that the entity conducting the maintenance is the owner or operator of that structure. Even though the permittee may contract with another entity for control measure implementation, it is the permittee's responsibility to submit all NOIs, Annual Reports, Certification Statements, or any other information requested by EPD.

4.5.2 If the other entity fails to implement the control measure on the permittee's behalf, the permittee remains liable for any enforcement actions due to the failure to implement and/or report.

4.6 Stormwater Management Program Modifications

4.6.1 The SWMP may be modified by the permittee at any time. Written notification of any modifications must be submitted and EPD approval of the SWMP modification received.

4.6.2 EPD may require the permittee to modify the SWMP as needed to comply with the goals and requirements of the State Act, but specifically for any of the following reasons:

4.6.2.1 A change has occurred which will significantly impact the potential for the discharge of pollutants to the waters of the State of Georgia;

4.6.2.2 The permittee's program proves ineffective in controlling pollutants from the MS4 to the maximum extent practicable;

4.6.2.3 An adverse impact to water quality has been documented as a result of discharges from the MS4; or

4.6.2.4 To include more stringent requirements necessary to comply with new State or Federal statutory or regulatory requirements.

The Director shall notify the permittee of the required modifications in writing and set forth a schedule for the permittee to develop and implement the modification(s). The permittee may propose alternative SWMP modifications to EPD.