

2.     NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE

It shall not be a defense of the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the conditions of this permit.

3.     INSPECTION AND ENTRY

The permittee shall allow the Director of the EPD, the Regional Administrator of EPA, and their authorized representatives, agents, or employees after they present credentials to:

- a.     Enter the permittee's premises where a regulated activity or facility is located, or where any records required by this permit are kept;
- b.     Review and copy any records required by this permit;
- c.     Inspect any facilities, equipment, practices, or operations regulated or required by this permit; and
- d.     Sample any substance or parameter at any location.

4.     DUTY TO PROVIDE INFORMATION

The permittee shall furnish any information required by the EPD to determine whether cause exists to modify, revoke and reissue, or terminate this permit or to determine compliance with this permit. The permittee shall also furnish the EPD with requested copies of records required by this permit.

5.     TRANSFER OF OWNERSHIP

A permit may be transferred to another person by a permittee if:

- a.     The permittee notifies the Director in writing at least 30 days in advance of the proposed transfer;
- b.     An agreement is written containing a specific date for transfer of permit responsibility including acknowledgment that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on. This agreement must be submitted to the Director at least 30 days in advance of the proposed transfer; and
- c.     The Director does not notify the current permittee and the new permittee within 30 days of EPD intent to modify, revoke and reissue, or terminate the permit. The Director may require that a new application be filed instead of agreeing to the transfer of the permit.