

designation. Following review and comment on the IWP or MIP by EPD, the permittee will incorporate necessary revisions into the IWP or MIP. Once approved, the IWP or MIP will become part of the SWMP.

4.5 Sharing Responsibility

4.5.1 The permittee may share implementation of one or more of the minimum control measures or BMPs with another entity, or the entity may assume full responsibility for that measure or BMP. However, the permittee may rely on another entity only if:

4.5.1.1 The other entity is either implementing or will be implementing the control measure or BMP;

4.5.1.2 The particular control measure or component of that measure is at least as stringent as the corresponding permit requirement; and

4.5.1.3 The other entity agrees to implement the control measure or BMP on the permittee's behalf through a written agreement, memorandum of 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 or BMP 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 or BMP 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 to EPD at least 30 days prior to implementation of the modification. EPD approval of the SWMP modification must be 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: