

6.2 Need to Halt or Reduce Activity Not a Defense

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

6.3 Duty to Reapply/Continuation of an Expired General Permit

6.3.1 If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit by submitting an NOI in accordance with the requirements of this permit, using an NOI form provided by EPD. The NOI must be submitted at least 30 days prior to the expiration date of this permit to remain covered under the continued permit.

6.3.2 If this permit is not reissued or replaced prior to the expiration date, it may be administratively continued in accordance with the Administrative Procedures Act and remain in force and effect. Any permittee who was granted permit coverage prior to the expiration date will automatically remain covered by the continued permit until one of the following occurs:

- Reissuance or replacement of this permit, at which time the permittee must comply with the NOI conditions of the new permit to maintain authorization to discharge; or
- Issuance of an Individual permit for the permittee's discharge; or
- A formal permit decision by the Director not to reissue this general permit. At that time, the permittee must seek coverage under an alternative permit or an individual permit.

6.4 Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

6.5 Proper Operation and Maintenance

The permittee shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances), owned or operated by the permittee to achieve compliance with the terms and conditions of this permit and with the requirements of the SWMP. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of adequate backup or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

6.6 Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for permit modification, revocation, reissuance, or termination,