

NPDES GENERAL NOTES

THIS PLAN HAS BEEN PREPARED TO MEET THE REQUIREMENTS UNDER THE STATE OF GEORGIA DEPARTMENT OF NATURAL RESOURCES, ENVIRONMENTAL PROTECTION DIVISION (EPD), GENERAL PERMIT NO. 100001 FOR AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES), STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY FOR STAND ALONE CONSTRUCTION PROJECTS.

I.C.1 CONSTRUCTION ACTIVITIES

- CONSTRUCTION ACTIVITIES. THIS PERMIT AUTHORIZES, SUBJECT TO THE CONDITIONS OF THIS PERMIT.
 - ALL DISCHARGES OF STORM WATER ASSOCIATED WITH STAND ALONE CONSTRUCTION PROJECTS THAT WILL RESULT IN LAND DISTURBANCE EQUAL TO OR GREATER THAN ONE (1) ACRE OCCURRING ON OR BEFORE, AND CONTINUING AFTER, THE EFFECTIVE DATE OF THIS PERMIT, (HENCEFORTH REFERRED TO AS EXISTING STORM WATER DISCHARGES FROM CONSTRUCTION ACTIVITIES) EXCEPT FOR DISCHARGES IDENTIFIED UNDER PART I.C.3.; AND
 - ALL DISCHARGES OF STORM WATER ASSOCIATED WITH STAND ALONE CONSTRUCTION PROJECTS THAT WILL RESULT IN LAND DISTURBANCE EQUAL TO OR GREATER THAN ONE (1) ACRE OCCURRING AFTER THE EFFECTIVE DATE OF THIS PERMIT, (HENCEFORTH REFERRED TO AS EXISTING STORM WATER DISCHARGES FROM CONSTRUCTION ACTIVITIES);
 - COVERAGE UNDER THIS PERMIT IS NOT REQUIRED FOR DISCHARGES OF STORM WATER ASSOCIATED WITH MINOR LAND DISTURBING ACTIVITIES (SUCH AS HOME GARDENS AND INDIVIDUAL HOME LANDSCAPING, REPAIRS, MAINTENANCE WORK, FENCES AND OTHER RELATED ACTIVITIES WHICH RESULT IN MINOR SOIL EROSION) CONDUCTED OUTSIDE OF THE 25 FOOT BUFFER ALONG THE BANKS OF ALL STATE WATERS REQUIRING A BUFFER AND OUTSIDE OF THE 50 FOOT BUFFER ALONG THE BANKS OF ALL STATE WATERS CLASSIFIED AS 'TROUT STREAMS' REQUIRING A BUFFER ON INDIVIDUAL RESIDENTIAL LOTS SOLD TO HOMEOWNERS WHERE ALL PLANNED CONSTRUCTION ACTIVITIES ON THAT LOT HAVE BEEN COMPLETED AND HAVE UNDERGONE FINAL STABILIZATION.

I.C.2 MIXED STORM WATER DISCHARGES

THIS PERMIT MAY ONLY AUTHORIZE A STORM WATER DISCHARGE FROM A CONSTRUCTION SITE OR CONSTRUCTION ACTIVITIES THAT IS MIXED WITH A STORM WATER DISCHARGE FROM AN INDUSTRIAL SOURCE OR ACTIVITY OTHER THAN CONSTRUCTION WHERE:

- THE INDUSTRIAL SOURCE OR ACTIVITY OTHER THAN CONSTRUCTION IS LOCATED ON THE SAME SITE AS THE CONSTRUCTION ACTIVITY AND IS AN INTEGRAL PART OF THE CONSTRUCTION ACTIVITY;
- THE STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY FROM THE AREAS OF THE SITE WHERE CONSTRUCTION ACTIVITIES ARE OCCURRING ARE IN COMPLIANCE WITH THE TERMS OF THIS PERMIT, AND
- STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY FROM THE AREAS OF THE SITE WHERE INDUSTRIAL ACTIVITY OTHER THAN CONSTRUCTION ARE OCCURRING ARE COVERED BY A DIFFERENT NPDES GENERAL PERMIT OR INDIVIDUAL PERMIT AUTHORIZING SUCH DISCHARGES AND THE DISCHARGES ARE IN COMPLIANCE WITH A DIFFERENT NPDES PERMIT.

I.C.3 LIMITATIONS ON COVERAGE

THE FOLLOWING STORM WATER DISCHARGES FROM CONSTRUCTION SITES ARE NOT AUTHORIZED BY THIS PERMIT:

- STORM WATER DISCHARGES ASSOCIATED WITH AN INDUSTRIAL ACTIVITY THAT ORIGINATE FROM THE SITE AFTER CONSTRUCTION ACTIVITIES HAVE BEEN COMPLETED AND THE SITE HAS UNDERGONE FINAL STABILIZATION;
- DISCHARGES THAT ARE MIXED WITH SOURCES OF NON-STORM WATER OTHER THAN DISCHARGES WHICH ARE IDENTIFIED IN PART III.A.2. OF THIS PERMIT AND WHICH ARE IN COMPLIANCE WITH PART IV.D.7. (NON-STORM WATER DISCHARGES) OF THIS PERMIT;
- STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY THAT ARE SUBJECT TO AN EXISTING NPDES INDIVIDUAL OR GENERAL PERMIT. SUCH DISCHARGES MAY BE AUTHORIZED UNDER THIS PERMIT AFTER AN EXISTING PERMIT EXPIRES PROVIDED THE EXISTING PERMIT DID NOT ESTABLISH NUMERIC LIMITATIONS FOR SUCH DISCHARGES, AND
- STORM WATER DISCHARGES FROM CONSTRUCTION SITES THAT THE DIRECTOR (EPD) HAS DETERMINED TO BE OR MAY REASONABLY BE EXPECTED TO BE CONTRIBUTING TO A VIOLATION OF A WATER QUALITY STANDARD.

I.C.4 COMPLIANCE WITH WATER QUALITY STANDARD

NO DISCHARGES AUTHORIZED BY THIS PERMIT SHALL CAUSE VIOLATIONS OF GEORGIA'S IN-STREAM WATER QUALITY STANDARDS AS PROVIDED BY THE RULES AND REGULATIONS FOR WATER QUALITY CONTROL, CHAPTER 391-3-6-.03

PART II NOTICE OF INTENT (NOI)

THE CONTRACTOR WHO INTENDS TO OBTAIN THIS PERMIT SHALL PREPARE, SIGN & SUBMIT THE NOTICE OF INTENT DOCUMENTS IN ACCORDANCE WITH THE REQUIREMENTS OF THIS PART AT LEAST 14 DAYS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES. NOTICES ARE TO BE SUBMITTED BY RETURN RECEIPT CERTIFIED MAIL TO BOTH THE DISTRICT OFFICE OF EPD AND TO THE LOCAL AIRSUSING AUTHORITY JURISDICTION TO ISSUE A LAND DISTURBING ACTIVITY PERMIT UNDER THIS PERMIT FOR MORE INFORMATION. PRIMARY PERMITTEE A SINGLE NOTICE OF INTENT FOR THE PRIMARY PERMITTEE (I.E. ONE NOI) MUST BE SUBMITTED BY THE OWNER OR THE OPERATOR OR BOTH) SHALL BE SIGNED IN ACCORDANCE WITH THE TERMS OF THIS PERMIT AND SHALL INCLUDE THE INFORMATION LISTED UNDER PART IV.B.1 OF THIS PERMIT. FEES, ANY APPLICABLE REGULATIONS, SHALL BE SUBMITTED BY THE PRIMARY PERMITTEE IN ACCORDANCE WITH THE RULES AND REGULATIONS FOR WATER QUALITY CONTROL AND REGULATED BY THE BOARD OF NATURAL RESOURCES, BY SUBMITTING AND NOTICING TO THE BOARD OF NATURAL RESOURCES. UNDER THIS PERMIT THE PRIMARY PERMITTEE AGREES TO PAY ANY FEES REQUIRED BY THIS PERMIT NOW OR IN THE FUTURE BY SUCH RULES AUTHORIZED UNDER O.C.G.A. SECTION 12-5-23(a)(5)(A), WHICH ALLOW THE BOARD OF NATURAL RESOURCES TO ESTABLISH A FEE SYSTEM. FEES MAY BE ASSESSED ON LAND DISTURBING ACTIVITY PROPOSED TO OCCUR ON OR AFTER THE EFFECTIVE DATE OF THIS PERMIT AND SHALL BE PAID IN ACCORDANCE WITH SUCH RULES.

PART III SPECIAL CONDITIONS, MANAGEMENT PRACTICES, PERMIT VIOLATIONS AND OTHER LIMITATIONS

A. PROHIBITION ON NON-STORM WATER DISCHARGES.

- EXCEPT AS PROVIDED IN PART I.C.2. AND III.A.2., ALL DISCHARGES COVERED BY THIS PERMIT SHALL BE COMPOSED ENTIRELY OF STORM WATER.
- THE FOLLOWING NON-STORM WATER DISCHARGES MAY BE AUTHORIZED BY THIS PERMIT PROVIDED THE NON-STORM WATER COMPONENT OF THE DISCHARGE IS EXPLICITLY LISTED IN THE EROSION, SEDIMENTATION AND POLLUTION CONTROL PLAN AND IS IN COMPLIANCE WITH PART IV.D.7.: DISCHARGES FROM FIRE FIGHTING ACTIVITIES, FIRE HYDRANT FLUSHING, POTABLE WATER SOURCES INCLUDING WATER LINE FLUSHING, IRRIGATION DRAINAGE, AIR CONDITIONING CONDENSATE, SPRINGS, UNCONTAMINATED GROUND WATER, AND FOUNDATION OR FLOORING DRAINS WHERE FLOWS ARE NOT CONTAMINATED WITH PROCESS MATERIALS OR POLLUTANTS.

B. RELEASES IN EXCESS OF REPORTABLE QUANTITIES.

- THE DISCHARGE OF HAZARDOUS SUBSTANCES OR OIL IN THE STORM WATER DISCHARGE(S) FROM A SITE SHALL BE PREVENTED. THIS PERMIT DOES NOT RELIEVE THE PERMITTEE OF THE REPORTING REQUIREMENTS OF GEORGIA'S OIL OR HAZARDOUS MATERIAL SPILLS OR RELEASES ACT (O.C.G.A. §§12-14-2, ET SEQ.), 40 CFR PART 117 AND 40 CFR PART 302 WHERE A RELEASE CONTAINING A HAZARDOUS SUBSTANCE IN AN AMOUNT EQUAL TO OR IN EXCESS OF A REPORTING QUANTITY ESTABLISHED UNDER EITHER GEORGIA'S OIL OR HAZARDOUS MATERIAL SPILLS OR RELEASES ACT (O.C.G.A. §§12-14-2, ET SEQ.), 40 CFR 117 OR 40 CFR 302 OCCURS DURING A 24 HOUR PERIOD. THE PERMITTEE IS REQUIRED TO NOTIFY EPD AT (404) 866-4883 OR (800) 241-4113 AND THE NATIONAL RESPONSE CENTER (NRC) AT (800) 424-8802 IN ACCORDANCE WITH THE REQUIREMENTS OF GEORGIA'S OIL OR HAZARDOUS MATERIAL SPILLS OR RELEASES ACT (O.C.G.A. §§12-14-2, ET SEQ.), 40 CFR 117 AND 40 CFR 302 AS SOON AS HE/SHE HAS KNOWLEDGE OF THE DISCHARGE.
- THIS PERMIT DOES NOT AUTHORIZE THE DISCHARGE OF HAZARDOUS SUBSTANCES OR OIL RESULTING FROM AN ON-SITE SPILL. STATE OF DEPARTMENT OF NATURAL RESOURCES PERMIT NO. GAR100001 ENVIRONMENTAL PROTECTION DIVISION

C. DISCHARGES INTO, OR WITHIN ONE MILE UPSTREAM OF AND WITHIN THE SAME WATERSHED AS, ANY PORTION OF A BIOTA IMPAIRED STREAM SEGMENT.

FOR CONSTRUCTION ACTIVITIES WHERE THE NOI WAS SUBMITTED WITHIN 90 DAYS AFTER THE EFFECTIVE DATE OF THIS PERMIT, THE REQUIREMENTS OF PART III.C. OF THIS PERMIT ARE NOT APPLICABLE.

ANY PERMITTEE WHO INTENDS TO OBTAIN COVERAGE UNDER THIS PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY INTO AN IMPAIRED STREAM SEGMENT, OR WITHIN ONE (1) LINEAR MILE UPSTREAM OF AND WITHIN THE SAME WATERSHED AS, ANY PORTION OF AN IMPAIRED STREAM SEGMENT IDENTIFIED AS "NOT SUPPORTING" ITS DESIGNATED USE(S), AS SHOWN ON GEORGIA'S 2008 AND SUBSEQUENT "305(B)303(D) LIST DOCUMENTS (FINAL)" AT THE TIME OF NOI SUBMITTAL, MUST SATISFY THE REQUIREMENTS OF PART III.C. OF THIS PERMIT IF THE IMPAIRED STREAM SEGMENT HAS BEEN LISTED FOR CRITERIA VIOLATED "BIO F" (IMPAIRED FISH COMMUNITY) AND/OR "BIO M" (IMPAIRED MACROINVERTEBRATE COMMUNITY), WITHIN CATEGORY 4A, 4B OR 5, AND THE POTENTIAL CAUSE IS EITHER "NP" (NONPOINT SOURCE) OR "UR" (URBAN RUNOFF). THOSE DISCHARGES THAT ARE LOCATED WITHIN ONE (1) LINEAR MILE OF AN IMPAIRED STREAM SEGMENT, BUT ARE NOT LOCATED WITHIN THE WATERSHED OF ANY PORTION OF THAT STREAM SEGMENT, ARE EXCLUDED FROM THIS REQUIREMENT.

D. MANAGEMENT PRACTICES AND PERMIT VIOLATIONS.

- BEST MANAGEMENT PRACTICES, AS SET FORTH IN THIS PERMIT, ARE REQUIRED FOR ALL CONSTRUCTION ACTIVITIES, AND MUST BE IMPLEMENTED IN ACCORDANCE WITH THE DESIGN SPECIFICATIONS CONTAINED IN THE "MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA" (MANUAL) PUBLISHED BY THE STATE SOIL AND WATER CONSERVATION COMMISSION AS OF JANUARY 1ST OF THE YEAR IN WHICH THE LAND-DISTURBING ACTIVITY WAS PERMITTED TO PREVENT OR REDUCE THE POLLUTION OF WATERS OF GEORGIA, STATE OF GEORGIA PART 14 OF 33 DEPARTMENT OF NATURAL RESOURCES PERMIT NO. GAR100001 ENVIRONMENTAL PROTECTION DIVISION PROPER DESIGN, INSTALLATION, AND MAINTENANCE OF BEST MANAGEMENT PRACTICES SHALL CONSTITUTE A COMPLETE DEFENSE TO ANY ACTION BY THE DIRECTOR OR TO ANY OTHER ALLEGATION OF NONCOMPLIANCE WITH PART III.D.3. AND PART III.D.4.
- FAILURE TO PROPERLY DESIGN, INSTALL, OR MAINTAIN BEST MANAGEMENT PRACTICES SHALL CONSTITUTE A VIOLATION OF THIS PERMIT FOR EACH DAY ON WHICH SUCH FAILURE OCCURS. MAINTENANCE AS A RESULT OF THE PERMITTEE'S ROUTINE INSPECTIONS SHALL NOT BE CONSIDERED A VIOLATION FOR THE PURPOSE OF THIS PARAGRAPH. IF DURING THE COURSE OF THE PERMITTEE'S ROUTINE INSPECTION BMP FAILURES ARE OBSERVED WHICH HAVE RESULTED IN EXCESSIVE EROSION OR POLLUTANT RELEASE, THE PERMITTEE SHALL CORRECT THE BMP FAILURES AND SHALL SUBMIT A SUMMARY OF THE INSPECTIONS TO EPD IN ACCORDANCE WITH PART V.A.2. OF THIS PERMIT.
- DISCHARGE OF STORM WATER RUNOFF FROM DISTURBED AREAS WHERE BEST MANAGEMENT PRACTICES HAVE NOT BEEN PROPERLY DESIGNED, INSTALLED, AND MAINTAINED SHALL CONSTITUTE A SEPARATE VIOLATION FOR EACH DAY ON WHICH SUCH DISCHARGE RESULTS IN THE TURBIDITY OF RECEIVING WATER(S) BEING INCREASED BY MORE THAN TEN (10) NEPHELOMETRIC TURBIDITY UNITS FOR WATERS CLASSIFIED AS TROUT STREAMS OR MORE THAN TWENTY-FIVE (25) NEPHELOMETRIC TURBIDITY UNITS FOR WATERS SUPPORTING WARM WATER FISHERIES. REGARDLESS OF A PERMITTEE'S CERTIFICATION UNDER PART II.B.1.1. THIS PARAGRAPH SHALL NOT APPLY TO ANY LAND DISTURBANCE ASSOCIATED WITH THE CONSTRUCTION OF SINGLE FAMILY HOMES WHICH ARE NOT PART OF A SUBDIVISION OR PLANNED COMMON DEVELOPMENT UNLESS FIVE (5) ACRES OR MORE WILL BE DISTURBED.
- WHEN THE PERMITTEE HAS ELECTED TO MONITOR OUTFALL(S), THE DISCHARGE OF STORM WATER RUNOFF FROM DISTURBED AREAS WHERE BEST MANAGEMENT PRACTICES HAVE NOT BEEN PROPERLY DESIGNED, INSTALLED, AND MAINTAINED SHALL CONSTITUTE A SEPARATE VIOLATION FOR EACH DAY ON WHICH SUCH CONDITION RESULTS IN THE TURBIDITY OF THE DISCHARGE EXCEEDING THE VALUE SELECTED FROM APPENDIX B APPLICABLE TO THE CONSTRUCTION SITE. AS SET FORTH THEREIN, THE NEPHELOMETRIC TURBIDITY UNIT (NTU) VALUE SHALL BE SELECTED FROM APPENDIX B BASED UPON THE SIZE OF THE CONSTRUCTION SITE, THE SURFACE WATER DRAINAGE AREA AND WHETHER THE RECEIVING WATER(S) SUPPORTS WARM WATER FISHERIES OR IS A TROUT STREAM AS INDICATED IN THE RULES AND REGULATIONS FOR WATER QUALITY CONTROL, CHAPTER 391-3-6 AT WWW.GAEPD.ORG.

IV.A.5 INITIAL INSPECTION

FOR STAND ALONE PROJECTS THAT BEGIN CONSTRUCTION ACTIVITY AFTER THE EFFECTIVE DATE OF THIS PERMIT, THE PRIMARY PERMITTEE MUST RETAIN THE DESIGN PROFESSIONAL WHO PREPARED THE EROSION, SEDIMENTATION AND POLLUTION CONTROL PLAN, EXCEPT WHEN THE PRIMARY PERMITTEE HAS REQUESTED IN WRITING AND EPD HAS AGREED TO AN ALTERNATE DESIGN PROFESSIONAL. TO INSPECT THE INSTALLATION OF THE INITIAL SEDIMENT STORAGE REQUIREMENTS AND PERMITTER CONTROL BMPs WHICH THE DESIGN PROFESSIONAL DESIGNED WITHIN SEVEN (7) DAYS AFTER INSTALLATION. THE DESIGN PROFESSIONAL SHALL DETERMINE IF THESE BMPs HAVE BEEN INSTALLED AND ARE BEING MAINTAINED AS DESIGNED. THE DESIGN PROFESSIONAL SHALL REPORT THE RESULTS OF THE INSPECTION TO THE PRIMARY PERMITTEE WITHIN SEVEN (7) DAYS AND THE PERMITTEE MUST CORRECT ALL DEFICIENCIES WITHIN TWO (2) BUSINESS DAYS OF RECEIPT OF THE INSPECTION REPORT FROM THE DESIGN PROFESSIONAL UNLESS WEATHER RELATED SITE CONDITIONS ARE SUCH THAT ADDITIONAL TIME IS REQUIRED.

IV.D.4 INSPECTIONS

A. PERMITTEE REQUIREMENTS.

- EACH DAY WHEN ANY TYPE OF CONSTRUCTION ACTIVITY HAS TAKEN PLACE AT A PRIMARY PERMITTEE'S SITE, CERTIFIED PERSONNEL PROVIDED BY THE PRIMARY PERMITTEE SHALL INSPECT: (a) ALL AREAS AT THE PRIMARY PERMITTEE'S SITE WHERE PETROLEUM PRODUCTS ARE STORED, USED, OR HANDLED FOR SPILLS AND LEAKS FROM VEHICLES AND EQUIPMENT AND (b) ALL LOCATIONS AT THE PRIMARY PERMITTEE'S SITE WHERE VEHICLES ENTER OR EXIT THE SITE FOR EVIDENCE OF OFF-SITE SEDIMENT TRACKING. THESE INSPECTIONS MUST BE CONDUCTED UNTIL A NOTICE OF TERMINATION IS SUBMITTED.
- MEASURE RAINFALL ONCE EACH 24 HOURS EXCEPT ANY NON-WORKING SATURDAY, NON-WORKING SUNDAY AND NON-WORKING FEDERAL HOLIDAY UNTIL A NOTICE OF TERMINATION IS SUBMITTED. MEASUREMENT OF RAINFALL MAY BE SUSPENDED IF ALL AREAS OF THE SITE HAVE UNDERGONE FINAL STABILIZATION OR ESTABLISHED A CROP OF ANNUAL VEGETATION AND A SEEDING OF TARGET PERENNIALS APPROPRIATE FOR THE REGION.
- CERTIFIED PERSONNEL (PROVIDED BY THE PRIMARY PERMITTEE) SHALL INSPECT THE FOLLOWING AT LEAST ONCE EVERY SEVEN (7) CALENDAR DAYS AND WITHIN 24 HOURS OF THE END OF A STORM THAT IS 0.5 INCHES RAINFALL OR GREATER (UNLESS SUCH STORM ENDS AFTER 5:00 PM ON ANY FRIDAY OR ON ANY NON-WORKING SATURDAY, NON-WORKING SUNDAY OR ANY NON-WORKING FEDERAL HOLIDAY IN WHICH CASE THE INSPECTION SHALL BE COMPLETED BY THE END OF THE NEXT BUSINESS DAY AND/OR WORKING DAY, WHICHEVER OCCURS FIRST): (a) DISTURBED AREAS OF THE PRIMARY PERMITTEE'S CONSTRUCTION SITE; (b) AREAS USED BY THE PRIMARY PERMITTEE FOR STORAGE OF MATERIALS THAT ARE EXPOSED TO PRECIPITATION; AND (c) STRUCTURAL CONTROL MEASURES. EROSION AND SEDIMENT CONTROL MEASURES IDENTIFIED IN THE PLAN APPLICABLE TO THE PRIMARY PERMITTEE'S SITE SHALL BE OBSERVED TO ENSURE THAT THEY ARE OPERATING CORRECTLY. WHEN DISCHARGE LOCATIONS OR POINTS ARE ACCESSIBLE, THEY SHALL BE INSPECTED TO ASCERTAIN WHETHER EROSION CONTROL MEASURES ARE EFFECTIVE IN PREVENTING SIGNIFICANT IMPACTS TO RECEIVING WATER(S). FOR AREAS OF A SITE THAT HAVE UNDERGONE FINAL STABILIZATION OR ESTABLISHED A CROP OF ANNUAL VEGETATION AND A SEEDING OF TARGET PERENNIALS APPROPRIATE FOR THE REGION, THE PERMITTEE MUST COMPLY WITH PART IV.D.4.a.(4). INSPECTIONS MUST BE CONDUCTED UNTIL A NOTICE OF TERMINATION IS SUBMITTED.
- CERTIFIED PERSONNEL PROVIDED BY THE PRIMARY PERMITTEE SHALL INSPECT AT LEAST ONCE EACH MONTH DURING THE TERM OF THIS PERMIT (I.E., UNTIL A NOTICE OF TERMINATION IS RECEIVED BY EPD) THE AREAS OF THE SITE THAT HAVE UNDERGONE FINAL STABILIZATION OR ESTABLISHED A CROP OF ANNUAL VEGETATION AND A SEEDING OF TARGET PERENNIALS APPROPRIATE FOR THE REGION. THESE AREAS SHALL BE INSPECTED TO DETERMINE THE POTENTIAL FOR POLLUTANTS ENTERING THE DRAINAGE SYSTEM AND THE RECEIVING WATER(S). EROSION AND SEDIMENT CONTROL MEASURES IDENTIFIED IN THE PLAN SHALL BE OBSERVED TO ENSURE THAT THEY ARE OPERATING CORRECTLY. WHERE DISCHARGE LOCATIONS OR POINTS ARE ACCESSIBLE, THEY SHALL BE INSPECTED TO ASCERTAIN WHETHER EROSION CONTROL MEASURES ARE EFFECTIVE IN PREVENTING SIGNIFICANT IMPACTS TO RECEIVING WATER(S).
- BASED ON THE RESULTS OF EACH INSPECTION, THE SITE DESCRIPTION AND THE EROSION, SEDIMENTATION AND POLLUTION CONTROL PLAN, THE PLAN SHALL BE REVISED AS APPROPRIATE NOT LATER THAN SEVEN (7) CALENDAR DAYS FOLLOWING EACH INSPECTION. IMPLEMENTATION OF SUCH CHANGES SHALL BE MADE AS SOON AS PRACTICAL BUT IN NO CASE LATER THAN SEVEN (7) CALENDAR DAYS FOLLOWING EACH INSPECTION.
- A REPORT OF EACH INSPECTION THAT INCLUDES THE NAME(S) OF PERSONNEL MAKING EACH INSPECTION, THE DATE(S) OF EACH INSPECTION, CONSTRUCTION PHASE (I.E. INITIAL, INTERMEDIATE OR FINAL), MAJOR OBSERVATIONS RELATING TO THE IMPLEMENTATION OF THE EROSION, SEDIMENTATION AND POLLUTION CONTROL PLAN, AND ACTIONS TAKEN IN ACCORDANCE WITH PART IV.D.4.a.(5). OF THE PERMIT SHALL BE MADE AND RETAINED AT THE SITE OR BE READILY AVAILABLE AT A DESIGNATED ALTERNATE LOCATION UNTIL THE ENTIRE SITE OR THAT PORTION OF A CONSTRUCTION PROJECT THAT HAS BEEN PHASED HAS UNDERGONE FINAL STABILIZATION AND A NOTICE OF TERMINATION IS SUBMITTED TO EPD. SUCH REPORTS SHALL BE READILY AVAILABLE BY END OF THE SECOND BUSINESS DAY AND/OR WORKING DAY AND SHALL IDENTIFY ANY INCIDENTS OF BEST MANAGEMENT PRACTICES THAT HAVE NOT BEEN PROPERLY INSTALLED AND/OR MAINTAINED AS DESCRIBED IN THE PLAN. WHERE THE REPORT DOES NOT IDENTIFY ANY INCIDENTS, THE INSPECTION REPORT SHALL CONTAIN A CERTIFICATION THAT THE BEST MANAGEMENT PRACTICES ARE IN COMPLIANCE WITH THE EROSION, SEDIMENTATION AND POLLUTION CONTROL PLAN. THE REPORT SHALL BE SIGNED IN ACCORDANCE WITH PART V.G.2 OF THIS PERMIT.

IV.D.5 MAINTENANCE

THE PLAN SHALL INCLUDE A DESCRIPTION OF PROCEDURES TO ENSURE THE TIMELY MAINTENANCE OF VEGETATION, EROSION AND SEDIMENT CONTROL MEASURES AND OTHER PROTECTIVE MEASURES IDENTIFIED IN THE SITE PLAN.

IV.D.6 SAMPLING REQUIREMENTS

THIS PERMIT REQUIRES THE MONITORING OF NEPHELOMETRIC TURBIDITY IN RECEIVING WATER(S) OR OUTFALLS IN ACCORDANCE WITH THIS PERMIT. THIS PARAGRAPH SHALL NOT APPLY TO ANY LAND DISTURBANCE ASSOCIATED WITH THE CONSTRUCTION OF SINGLE FAMILY HOMES WHICH ARE NOT PART OF A SUBDIVISION OR PLANNED COMMON DEVELOPMENT UNLESS FIVE (5) ACRES OR MORE WILL BE DISTURBED. THE FOLLOWING PROCEDURES CONSTITUTE EPD'S GUIDELINES FOR SAMPLING TURBIDITY.

a. SAMPLING REQUIREMENTS SHALL INCLUDE THE FOLLOWING:

- A USGS TOPOGRAPHIC MAP, A TOPOGRAPHIC MAP OR A DRAWING (REFERRED TO AS A TOPOGRAPHIC MAP) THAT IS A SCALE EQUAL TO OR MORE DETAILED THAN A 1:24000 MAP SHOWING THE LOCATION OF THE SITE OR THE STAND ALONE CONSTRUCTION. (A) THE LOCATION OF ALL PERENNIAL AND INTERMITTENT STREAMS AND OTHER WATER BODIES AS SHOWN ON A USGS TOPOGRAPHIC MAP, AND ALL OTHER PERENNIAL AND INTERMITTENT STREAMS AND OTHER WATER BODIES LOCATED DURING MANDATORY FIELD VERIFICATION, INTO WHICH THE STORM WATER IS DISCHARGED AND (B) THE RECEIVING WATER AND/OR OUTFALL SAMPLING LOCATIONS. WHEN THE PERMITTEE HAS CHOSEN TO USE A USGS TOPOGRAPHIC MAP AND THE RECEIVING WATER(S) IS NOT SHOWN ON THE USGS TOPOGRAPHIC MAP, THE LOCATION OF THE RECEIVING WATER(S) MUST BE HAND-DRAWN ON THE USGS TOPOGRAPHIC MAP FROM WHERE THE STORM WATER(S) ENTERS THE RECEIVING WATER(S) TO THE POINT WHERE THE RECEIVING WATER(S) COMBINES WITH THE FIRST BLUE LINE STREAM SHOWN ON THE USGS TOPOGRAPHIC MAP.
- A WRITTEN NARRATIVE OF SITE SPECIFIC ANALYTICAL METHODS USED TO COLLECT, HANDLE AND ANALYZE THE SAMPLES INCLUDING QUALITY CONTROL/QUALITY ASSURANCE PROCEDURES. THIS NARRATIVE MUST INCLUDE PRECISE SAMPLING METHODOLOGY FOR EACH SAMPLING LOCATION.
- WHEN THE PERMITTEE HAS DETERMINED THAT SOME OR ALL SAMPLES WILL BE MONITORED, A RATIONALE MUST BE INCLUDED FOR THE NTU VALUE(S) SELECTED FROM APPENDIX B. THIS RATIONALE MUST INCLUDE THE SIZE OF THE CONSTRUCTION SITE, THE CALCULATION OF THE SIZE OF THE SURFACE WATER DRAINAGE AREA, AND THE TYPE OF RECEIVING WATER(S) (I.E., TROUT STREAM OR SUPPORTING WARM WATER FISHERIES), AND
- ANY ADDITIONAL INFORMATION DETERMINES NECESSARY TO BE PART OF THE PLAN. EPD WILL PROVIDE WRITTEN NOTICE TO THE PERMITTEE OF THE INFORMATION NECESSARY AND THE TIME LINE FOR THE PERMIT.

b. SAMPLE TYPE AND SAMPLING SHALL BE COLLECTED BY "GRAB SAMPLES" AND THE ANALYSIS OF THESE SAMPLES MUST BE CONDUCTED IN ACCORDANCE WITH METHODOLOGY AND TEST PROCEDURES ESTABLISHED BY 40 CFR PART 136 (UNLESS OTHERWISE TEST PROCEDURES HAVE BEEN APPROVED BY THE GUIDANCE DOCUMENT TITLED "STORM WATER SAMPLING GUIDANCE DOCUMENT, EPA 833-9-02-001" AND GUIDANCE DOCUMENTS THAT MAY BE PREPARED BY THE EPD.

- SAMPLES MUST BE TAKEN AT THE LOCATION AND AT THE TIME SPECIFIED IN THE PLAN.
- SAMPLES SHOULD BE WELL MIXED BEFORE TRANSFERRING TO A SECONDARY CONTAINER.
- LARGE MOUTH, WELL CLEANED AND RINSED GLASS OR PLASTIC JARS SHOULD BE USED FOR COLLECTING SAMPLES. THE JARS SHOULD BE CLEANED THOROUGHLY TO AVOID CONTAMINATION.
- MANUAL, AUTOMATIC OR RISING STAGE SAMPLING MAY BE UTILIZED. SAMPLES REQUIRED BY THIS PERMIT SHOULD BE ANALYZED IMMEDIATELY, BUT IN NO CASE LATER THAN 48 HOURS AFTER COLLECTION. HOWEVER, SAMPLES FROM AUTOMATIC SAMPLERS MUST BE COLLECTED NO LATER THAN THE NEXT BUSINESS DAY AFTER THEIR ACCUMULATION. UNLESS FLOW THROUGH AUTOMATED ANALYSIS IS UTILIZED, DILUTION OF SAMPLES IS NOT REQUIRED. SAMPLES MAY BE ANALYZED DIRECTLY WITH A PROPERLY CALIBRATED TURBIDIMETER. SAMPLES ARE NOT REQUIRED TO BE COOLED.
- SAMPLING AND ANALYSIS OF THE RECEIVING WATER(S) OR OUTFALLS BEYOND THE MINIMUM FREQUENCY STATED IN THIS PERMIT MUST BE REPORTED TO EPD AS SPECIFIED IN PART IV.E.

c. SAMPLING POINTS.

- FOR CONSTRUCTION ACTIVITIES THE PRIMARY PERMITTEE MUST SAMPLE ALL RECEIVING WATER(S), OR ALL OUTFALL(S), OR A COMBINATION OF RECEIVING WATER(S) AND OUTFALL(S). SAMPLES TAKEN FOR THE PURPOSE OF COMPLIANCE WITH THIS PERMIT SHALL BE REPRESENTATIVE OF THE MONITORED ACTIVITY AND REPRESENTATIVE OF THE WATER QUALITY OF THE RECEIVING WATER(S) AND/OR THE STORM WATER OUTFALLS USING THE FOLLOWING MINIMUM GUIDELINES:
 - THE UPSTREAM SAMPLE FOR EACH RECEIVING WATER(S) MUST BE TAKEN IMMEDIATELY UPSTREAM OF THE CONFLUENCE OF THE FIRST STORM WATER DISCHARGE FROM THE PERMITTED ACTIVITY (I.E., THE DISCHARGE FARTHEST UPSTREAM AT THE SITE) BUT DOWNSTREAM OF ANY OTHER STORM WATER DISCHARGES NOT ASSOCIATED WITH THE PERMITTED ACTIVITY, WHERE APPROPRIATE. SEVERAL UPSTREAM SAMPLES FROM ACROSS THE RECEIVING WATER(S) MAY NEED TO BE TAKEN AND THE ARITHMETIC AVERAGE OF THE TURBIDITY OF THESE SAMPLES USED FOR THE UPSTREAM TURBIDITY VALUE.
 - THE DOWNSTREAM SAMPLE FOR EACH RECEIVING WATER(S) MUST BE TAKEN DOWNSTREAM OF THE CONFLUENCE OF THE LAST STORM WATER DISCHARGE FROM THE PERMITTED ACTIVITY (I.E., THE DISCHARGE FARTHEST DOWNSTREAM AT THE SITE) BUT UPSTREAM OF ANY OTHER STORM WATER DISCHARGE NOT ASSOCIATED WITH THE PERMITTED ACTIVITY, WHERE APPROPRIATE. SEVERAL DOWNSTREAM SAMPLES FROM ACROSS THE RECEIVING WATER(S) MAY NEED TO BE TAKEN AND THE ARITHMETIC AVERAGE OF THE TURBIDITY OF THESE SAMPLES USED FOR THE DOWNSTREAM TURBIDITY VALUE.

(c) IDEALLY THE SAMPLES SHOULD BE TAKEN FROM THE HORIZONTAL AND VERTICAL CENTER OF THE RECEIVING WATER(S) OR THE STORM WATER OUTFALL CHANNEL(S).

(d) CARE SHOULD BE TAKEN TO AVOID STIRRING THE BOTTOM SEDIMENTS IN THE RECEIVING WATER(S) OR IN THE OUTFALL STORM WATER CHANNEL.

(e) THE SAMPLING CONTAINER SHOULD BE HELD SO THAT THE OPENING FACES UPSTREAM.

(f) THE SAMPLES SHOULD BE KEPT FREE FROM FLOATING DEBRIS.

(g) PERMITTEES DO NOT HAVE TO SAMPLE SHEET FLOW THAT FLOWS ONTO UNDISTURBED NATURAL AREAS OR AREAS STABILIZED BY THE PROJECT. FOR PURPOSES OF THIS SECTION, STABILIZED SHALL MEAN, FOR UNPAVED AREAS AND AREAS NOT COVERED BY PERMANENT STRUCTURES AND AREAS LOCATED OUTSIDE THE WASTE DISPOSAL UNIT AND LANDFILL CELL, HAS BEEN CERTIFIED BY EPD FOR WASTE DISPOSAL. 10% OF THE SOIL SURFACE IS UNIFORMITY COVERED IN PERMANENT VEGETATION WITH A DENSITY OF 70% OR GREATER, OR LANDSCAPED ACCORDING TO THE PLAN (UPSTREAM COVERED WITH LANDSCAPING MATERIAL, PLANNED LANDSCAPED AREAS), OR EQUIVALENT PERMANENT COVER IN MEASUREMENTS DEFINED IN THE MANUAL (EXCLUDING A LAYER OF ANNUAL VEGETATION AND A SEEDING OF TARGET CROP PERENNIALS APPROPRIATE FOR THE REGION).

(h) ALL SAMPLING PURSUANT TO THIS PERMIT MUST BE DONE IN SUCH A WAY (INCLUDING GENERAL ACCEPTED SAMPLING METHODS, LOCATIONS, TIMING, AND FREQUENCY) AS TO ACCURATELY REFLECT WHETHER STORM WATER RUNOFF FROM THE CONSTRUCTION SITE IS IN COMPLIANCE WITH THE STANDARD SET FORTH IN PARTS II.D.3. OR III.D.4., WHICHEVER IS APPLICABLE.

(i) SAMPLING FREQUENCY:

- THE PRIMARY PERMITTEE MUST SAMPLE IN ACCORDANCE WITH THE PLAN AT LEAST ONCE FOR EACH RAINFALL EVENT DESCRIBED BELOW. FOR A QUALIFYING EVENT, THE PERMITTEE SHALL SAMPLE AT THE BEGINNING OF ANY STORM WATER DISCHARGE TO A MONITORED SITE IS IN COMPLIANCE WITH THE MONITORED OUTFALL LOCATION WITHIN FORTY-FIVE (45) MINUTES OR AS SOON AS POSSIBLE.
- HOWEVER, WHERE MANUAL AND AUTOMATIC SAMPLING ARE IMPOSSIBLE (AS DEFINED IN THIS PERMIT), OR ARE BEYOND THE PERMITTEE'S CONTROL, THE PERMITTEE SHALL TAKE SAMPLES AS SOON AS POSSIBLE, BUT IN NO CASE MORE THAN TWELVE (12) HOURS AFTER THE BEGINNING OF THE STORM WATER DISCHARGE.
- SAMPLING BY THE PERMITTEE SHALL OCCUR FOR THE FOLLOWING EVENTS:
 - FOR EACH AREA OF THE SITE THAT DISCHARGES TO A RECEIVING WATER OR FROM AN OUTFALL, THE FIRST RAIN EVENT THAT REACHES OR EXCEEDS 0.5 INCH WITH A STORM WATER DISCHARGE THAT OCCURS DURING NORMAL BUSINESS HOURS AS DEFINED IN THIS PERMIT AFTER ALL CLEARING AND GRUBBING OPERATIONS HAVE BEEN COMPLETED, BUT PRIOR TO COMPLETION OF MASS GRADING OPERATIONS, IN THE DRAINAGE AREA OF THE LOCATION SELECTED AS THE SAMPLING LOCATION;
 - IN ADDITION TO (a) ABOVE, FOR EACH AREA OF THE SITE THAT DISCHARGES TO A RECEIVING WATER OR FROM AN OUTFALL, THE FIRST RAIN EVENT THAT REACHES OR EXCEEDS 0.5 INCH WITH A STORM WATER DISCHARGE THAT OCCURS DURING NORMAL BUSINESS HOURS AS DEFINED IN THIS PERMIT EITHER 90 DAYS AFTER THE FIRST SAMPLING EVENT OR AFTER ALL MASS GRADING OPERATIONS HAVE BEEN COMPLETED, BUT PRIOR TO SUBMITTAL OF A NOI, IN THE DRAINAGE AREA OF THE LOCATION SELECTED AS THE SAMPLING LOCATION, WHICHEVER COMES FIRST;
 - AT THE TIME OF SAMPLING PERFORMED PURSUANT TO (a) AND (b) ABOVE, IF BMPs IN ANY AREA OF THE SITE THAT DISCHARGES TO A RECEIVING WATER OR FROM AN OUTFALL ARE NOT PROPERLY DESIGNED, INSTALLED AND MAINTAINED, CORRECTIVE ACTION SHALL BE DEFINED AND IMPLEMENTED WITHIN TWO (2) BUSINESS DAYS, AND TURBIDITY SAMPLES SHALL BE TAKEN FROM DISCHARGES FROM THAT AREA OF THE SITE FOR EACH SUBSEQUENT RAIN EVENT THAT REACHES OR EXCEEDS 0.5 INCH DURING NORMAL BUSINESS HOURS UNTIL THE SELECTED TURBIDITY STANDARD IS ATTAINED, OR UNTIL POST-STORM EVENT INSPECTIONS DETERMINE THAT BMPs ARE PROPERLY DESIGNED, INSTALLED AND MAINTAINED;
 - WHERE SAMPLING PURSUANT TO (a), (b), OR (c) ABOVE IS REQUIRED BUT NOT POSSIBLE (OR NOT REQUIRED BECAUSE THERE WAS NO DISCHARGE), THE PERMITTEE, IN ACCORDANCE WITH PART IV.D.4.a.(6), MUST INCLUDE A WRITTEN JUSTIFICATION IN THE INSPECTION REPORT OF WHY SAMPLING WAS NOT PERFORMED. PROVIDING THIS JUSTIFICATION DOES NOT RELIEVE THE PERMITTEE OF ANY SUBSEQUENT SAMPLING OBLIGATIONS UNDER (a), (b) OR (c) ABOVE; AND
 - EXISTING CONSTRUCTION ACTIVITIES, I.E., THOSE THAT ARE OCCURRING ON OR BEFORE THE EFFECTIVE DATE OF THIS PERMIT, THAT HAVE MET THE SAMPLING REQUIRED BY (a) ABOVE SHALL SAMPLE IN ACCORDANCE WITH (b). THOSE EXISTING CONSTRUCTION ACTIVITIES THAT HAVE MET THE SAMPLING REQUIRED BY (b) ABOVE SHALL NOT BE REQUIRED TO CONDUCT ADDITIONAL SAMPLING OTHER THAN AS REQUIRED BY (c) ABOVE.

(j) SAMPLING PURSUANT TO THIS PERMIT MUST BE DONE IN SUCH A WAY (INCLUDING GENERAL ACCEPTED SAMPLING METHODS, LOCATIONS, TIMING, AND FREQUENCY) AS TO ACCURATELY REFLECT WHETHER STORM WATER RUNOFF FROM THE CONSTRUCTION SITE IS IN COMPLIANCE WITH THE STANDARD SET FORTH IN PARTS II.D.3. OR III.D.4., WHICHEVER IS APPLICABLE.

(k) SAMPLING FREQUENCY:

- THE PRIMARY PERMITTEE MUST SAMPLE IN ACCORDANCE WITH THE PLAN AT LEAST ONCE FOR EACH RAINFALL EVENT DESCRIBED BELOW. FOR A QUALIFYING EVENT, THE PERMITTEE SHALL SAMPLE AT THE BEGINNING OF ANY STORM WATER DISCHARGE TO A MONITORED SITE IS IN COMPLIANCE WITH THE MONITORED OUTFALL LOCATION WITHIN FORTY-FIVE (45) MINUTES OR AS SOON AS POSSIBLE.
- HOWEVER, WHERE MANUAL AND AUTOMATIC SAMPLING ARE IMPOSSIBLE (AS DEFINED IN THIS PERMIT), OR ARE BEYOND THE PERMITTEE'S CONTROL, THE PERMITTEE SHALL TAKE SAMPLES AS SOON AS POSSIBLE, BUT IN NO CASE MORE THAN TWELVE (12) HOURS AFTER THE BEGINNING OF THE STORM WATER DISCHARGE.
- SAMPLING BY THE PERMITTEE SHALL OCCUR FOR THE FOLLOWING EVENTS:
 - FOR EACH AREA OF THE SITE THAT DISCHARGES TO A RECEIVING WATER OR FROM AN OUTFALL, THE FIRST RAIN EVENT THAT REACHES OR EXCEEDS 0.5 INCH WITH A STORM WATER DISCHARGE THAT OCCURS DURING NORMAL BUSINESS HOURS AS DEFINED IN THIS PERMIT AFTER ALL CLEARING AND GRUBBING OPERATIONS HAVE BEEN COMPLETED, BUT PRIOR TO COMPLETION OF MASS GRADING OPERATIONS, IN THE DRAINAGE AREA OF THE LOCATION SELECTED AS THE SAMPLING LOCATION;
 - IN ADDITION TO (a) ABOVE, FOR EACH AREA OF THE SITE THAT DISCHARGES TO A RECEIVING WATER OR FROM AN OUTFALL, THE FIRST RAIN EVENT THAT REACHES OR EXCEEDS 0.5 INCH WITH A STORM WATER DISCHARGE THAT OCCURS DURING NORMAL BUSINESS HOURS AS DEFINED IN THIS PERMIT EITHER 90 DAYS AFTER THE FIRST SAMPLING EVENT OR AFTER ALL MASS GRADING OPERATIONS HAVE BEEN COMPLETED, BUT PRIOR TO SUBMITTAL OF A NOI, IN THE DRAINAGE AREA OF THE LOCATION SELECTED AS THE SAMPLING LOCATION, WHICHEVER COMES FIRST;
 - AT THE TIME OF SAMPLING PERFORMED PURSUANT TO (a) AND (b) ABOVE, IF BMPs IN ANY AREA OF THE SITE THAT DISCHARGES TO A RECEIVING WATER OR FROM AN OUTFALL ARE NOT PROPERLY DESIGNED, INSTALLED AND MAINTAINED, CORRECTIVE ACTION SHALL BE DEFINED AND IMPLEMENTED WITHIN TWO (2) BUSINESS DAYS, AND TURBIDITY SAMPLES SHALL BE TAKEN FROM DISCHARGES FROM THAT AREA OF THE SITE FOR EACH SUBSEQUENT RAIN EVENT THAT REACHES OR EXCEEDS 0.5 INCH DURING NORMAL BUSINESS HOURS UNTIL THE SELECTED TURBIDITY STANDARD IS ATTAINED, OR UNTIL POST-STORM EVENT INSPECTIONS DETERMINE THAT BMPs ARE PROPERLY DESIGNED, INSTALLED AND MAINTAINED;
 - WHERE SAMPLING PURSUANT TO (a), (b), OR (c) ABOVE IS REQUIRED BUT NOT POSSIBLE (OR NOT REQUIRED BECAUSE THERE WAS NO DISCHARGE), THE PERMITTEE, IN ACCORDANCE WITH PART IV.D.4.a.(6), MUST INCLUDE A WRITTEN JUSTIFICATION IN THE INSPECTION REPORT OF WHY SAMPLING WAS NOT PERFORMED. PROVIDING THIS JUSTIFICATION DOES NOT RELIEVE THE PERMITTEE OF ANY SUBSEQUENT SAMPLING OBLIGATIONS UNDER (a), (b) OR (c) ABOVE; AND
 - EXISTING CONSTRUCTION ACTIVITIES, I.E., THOSE THAT ARE OCCURRING ON OR BEFORE THE EFFECTIVE DATE OF THIS PERMIT, THAT HAVE MET THE SAMPLING REQUIRED BY (a) ABOVE SHALL SAMPLE IN ACCORDANCE WITH (b). THOSE EXISTING CONSTRUCTION ACTIVITIES THAT HAVE MET THE SAMPLING REQUIRED BY (b) ABOVE SHALL NOT BE REQUIRED TO CONDUCT ADDITIONAL SAMPLING OTHER THAN AS REQUIRED BY (c) ABOVE.

(l) SAMPLING PURSUANT TO THIS PERMIT MUST BE DONE IN SUCH A WAY (INCLUDING GENERAL ACCEPTED SAMPLING METHODS, LOCATIONS, TIMING, AND FREQUENCY) AS TO ACCURATELY REFLECT WHETHER STORM WATER RUNOFF FROM THE CONSTRUCTION SITE IS IN COMPLIANCE WITH THE STANDARD SET FORTH IN PARTS II.D.3. OR III.D.4., WHICHEVER IS APPLICABLE.

(m) SAMPLING FREQUENCY:

- THE PRIMARY PERMITTEE MUST SAMPLE IN ACCORDANCE WITH THE PLAN AT LEAST ONCE FOR EACH RAINFALL EVENT DESCRIBED BELOW. FOR A QUALIFYING EVENT, THE PERMITTEE SHALL SAMPLE AT THE BEGINNING OF ANY STORM WATER DISCHARGE TO A MONITORED SITE IS IN COMPLIANCE WITH THE MONITORED OUTFALL LOCATION WITHIN FORTY-FIVE (45) MINUTES OR AS SOON AS POSSIBLE.
- HOWEVER, WHERE MANUAL AND AUTOMATIC SAMPLING ARE IMPOSSIBLE (AS DEFINED IN THIS PERMIT), OR ARE BEYOND THE PERMITTEE'S CONTROL, THE PERMITTEE SHALL TAKE SAMPLES AS SOON AS POSSIBLE, BUT IN NO CASE MORE THAN TWELVE (12) HOURS AFTER THE BEGINNING OF THE STORM WATER DISCHARGE.
- SAMPLING BY THE PERMITTEE SHALL OCCUR FOR THE FOLLOWING EVENTS:
 - FOR EACH AREA OF THE SITE THAT DISCHARGES TO A RECEIVING WATER OR FROM AN OUTFALL, THE FIRST RAIN EVENT THAT REACHES OR EXCEEDS 0.5 INCH WITH A STORM WATER DISCHARGE THAT OCCURS DURING NORMAL BUSINESS HOURS AS DEFINED IN THIS PERMIT AFTER ALL CLEARING AND GRUBBING OPERATIONS HAVE BEEN COMPLETED, BUT PRIOR TO COMPLETION OF MASS GRADING OPERATIONS, IN THE DRAINAGE AREA OF THE LOCATION SELECTED AS THE SAMPLING LOCATION;
 - IN ADDITION TO (a) ABOVE, FOR EACH AREA OF THE SITE THAT DISCHARGES TO A RECEIVING WATER OR FROM AN OUTFALL, THE FIRST RAIN EVENT THAT REACHES OR EXCEEDS 0.5 INCH WITH A STORM WATER DISCHARGE THAT OCCURS DURING NORMAL BUSINESS HOURS AS DEFINED IN THIS PERMIT EITHER 90 DAYS AFTER THE FIRST SAMPLING EVENT OR AFTER ALL MASS GRADING OPERATIONS HAVE BEEN COMPLETED, BUT PRIOR TO SUBMITTAL OF A NOI, IN THE DRAINAGE AREA OF THE LOCATION SELECTED AS THE SAMPLING LOCATION, WHICHEVER COMES FIRST;
 - AT THE TIME OF SAMPLING PERFORMED PURSUANT TO (a) AND (b) ABOVE, IF BMPs IN ANY AREA OF THE SITE THAT DISCHARGES TO A RECEIVING WATER OR FROM AN OUTFALL ARE NOT PROPERLY DESIGNED, INSTALLED AND MAINTAINED, CORRECTIVE ACTION SHALL BE DEFINED AND IMPLEMENTED WITHIN TWO (2) BUSINESS DAYS, AND TURBIDITY SAMPLES SHALL BE TAKEN FROM DISCHARGES FROM THAT AREA OF THE SITE FOR EACH SUBSEQUENT RAIN EVENT THAT REACHES OR EXCEEDS 0.5 INCH DURING NORMAL BUSINESS HOURS UNTIL THE SELECTED TURBIDITY STANDARD IS ATTAINED, OR UNTIL POST-STORM EVENT INSPECTIONS DETERMINE THAT BMPs ARE PROPERLY DESIGNED, INSTALLED AND MAINTAINED;
 - WHERE SAMPLING PURSUANT TO (a), (b), OR (c) ABOVE IS REQUIRED BUT NOT POSSIBLE (OR NOT REQUIRED BECAUSE THERE WAS NO DISCHARGE), THE PERMITTEE, IN ACCORDANCE WITH PART IV.D.4.a.(6), MUST INCLUDE A WRITTEN JUSTIFICATION IN THE INSPECTION REPORT OF WHY SAMPLING WAS NOT PERFORMED. PROVIDING THIS JUSTIFICATION DOES NOT RELIEVE THE PERMITTEE OF ANY SUBSEQUENT SAMPLING OBLIGATIONS UNDER (a), (b) OR (c) ABOVE; AND
 - EXISTING CONSTRUCTION ACTIVITIES, I.E., THOSE THAT ARE OCCURRING ON OR BEFORE THE EFFECTIVE DATE OF THIS PERMIT, THAT HAVE MET THE SAMPLING REQUIRED BY (a) ABOVE SHALL SAMPLE IN ACCORDANCE WITH (b). THOSE EXISTING CONSTRUCTION ACTIVITIES THAT HAVE MET THE SAMPLING REQUIRED BY (b) ABOVE SHALL NOT BE REQUIRED TO CONDUCT ADDITIONAL SAMPLING OTHER THAN AS REQUIRED BY (c) ABOVE.

(n) SAMPLING PURSUANT TO THIS PERMIT MUST BE DONE IN SUCH A WAY (INCLUDING GENERAL ACCEPTED SAMPLING METHODS, LOCATIONS, TIMING, AND FREQUENCY) AS TO ACCURATELY REFLECT WHETHER STORM WATER RUNOFF FROM THE CONSTRUCTION SITE IS IN COMPLIANCE WITH THE STANDARD SET FORTH IN PARTS II.D.3. OR III.D.4., WHICHEVER IS APPLICABLE.

(o) SAMPLING FREQUENCY:

- THE PRIMARY PERMITTEE MUST SAMPLE IN ACCORDANCE WITH THE PLAN AT LEAST ONCE FOR EACH RAINFALL EVENT DESCRIBED BELOW. FOR A QUALIFYING EVENT, THE PERMITTEE SHALL SAMPLE AT THE BEGINNING OF ANY STORM WATER DISCHARGE TO A MONITORED SITE IS IN COMPLIANCE WITH THE MONITORED OUTFALL LOCATION WITHIN FORTY-FIVE (45) MINUTES OR AS SOON AS POSSIBLE.
- HOWEVER, WHERE MANUAL AND AUTOMATIC SAMPLING ARE IMPOSSIBLE (AS DEFINED IN THIS PERMIT), OR ARE BEYOND THE PERMITTEE'S CONTROL, THE PERMITTEE SHALL TAKE SAMPLES AS SOON AS POSSIBLE, BUT IN NO CASE MORE THAN TWELVE (12) HOURS AFTER THE BEGINNING OF THE STORM WATER DISCHARGE.
- SAMPLING BY THE PERMITTEE SHALL OCCUR FOR THE FOLLOWING EVENTS:
 - FOR EACH AREA OF THE SITE THAT DISCHARGES TO A RECEIVING WATER OR FROM AN OUTFALL, THE FIRST RAIN EVENT THAT REACHES OR EXCEEDS 0.5 INCH WITH A STORM WATER DISCHARGE THAT OCCURS DURING NORMAL BUSINESS HOURS AS DEFINED IN THIS PERMIT AFTER ALL CLEARING AND GRUBBING OPERATIONS HAVE BEEN COMPLETED, BUT PRIOR TO COMPLETION OF MASS GRADING OPERATIONS, IN THE DRAINAGE AREA OF THE LOCATION SELECTED AS THE SAMPLING LOCATION;
 - IN ADDITION TO (a) ABOVE, FOR EACH AREA OF THE SITE THAT DISCHARGES TO A RECEIVING WATER OR FROM AN OUTFALL, THE FIRST RAIN EVENT THAT REACHES OR EXCEEDS 0.5 INCH WITH A STORM WATER DISCHARGE THAT OCCURS DURING NORMAL BUSINESS HOURS AS DEFINED IN THIS PERMIT EITHER