PART IV. EROSION, SEDIMENTATION AND POLLUTION CONTROL PLAN

I. EXCEPT AS PROVIDED IN PART IV.(II), BELOW, NO CONSTRUCTION ACTIVITIES SHALL BE CONDUCTED WITHIN A 25 FOOT BUFFER ALONG THE BANKS OF ALL STATE WATERS, AS MEASURED HORIZONTALLY FROM THE POINT WHERE VEGETATION HAS BEEN WRESTED BY NORMAL STREAM FLOW OR WAVE ACTION, EXCEPT WHERE THE DIRECTOR HAS DETERMINED TO ALLOW A VARIANCE THAT IS AT LEAST AS PROTECTIVE OF NATURAL RESOURCES AND THE ENVIRONMENT IN ACCORDANCE WITH THE PROVISIONS OF O.C.G.A. 12-7-6, OR WHERE A DRAINAGE STRUCTURE OR A ROADWAY DRAINAGE STRUCTURE MUST BE CONSTRUCTED, PROVIDED THAT ADEQUATE EROSION CONTROL MEASURES ARE INCORPORATED IN THE PROJECT PLANS AND SPECIFICATIONS AND ARE IMPLEMENTED. THE BUFFER SHALL NOT APPLY TO THE FOLLOWING ACTIVITIES PROVIDED THAT ADEQUATE EROSION CONTROL MEASURES ARE INCORPORATED INTO THE PROJECT PLANS AND SPECIFICATIONS ARE IMPLEMENTED:
1. PUBLIC DRINKING WATER SYSTEM RESERVOIRS.
2. STREAM CROSSINGS FOR WATER LINES AND SEWER LINES, PROVIDED THAT THE STREAM CROSSINGS OCCUR AT AN ANGLE, AS MEASURED FROM THE POINT OF CROSSING, WITHIN 25 DEGREES OF PERPENDICULAR TO THE STREAM AND CAUSE A WIDTH OF DISTURBANCE OF NOT MORE THAN 50 FEET WITHIN THE BUFFER, AND NATIVE RIPARIAN VEGETATION IS RE-ESTABLISHED IN ANY BARE OR DISTURBED AREAS WITHIN THE BUFFER.
3. BUFFER CROSSING FOR FENCES, PROVIDED THAT THE CROSSINGS OCCUR AT AN ANGLE, AS MEASURED FROM THE POINT OF CROSSING, WITHIN 25 DEGREES OF PERPENDICULAR TO THE STREAM AND CAUSE A WIDTH OF DISTURBANCE OF NOT MORE THAN 5 FEET WITHIN THE BUFFER, AND NATIVE RIPARIAN VEGETATION IS RE-ESTABLISHED IN ANY BARE OR DISTURBED AREAS WITHIN THE BUFFER.
5. STREAM CROSSINGS FOR AERIAL UTILITY LINES, PROVIDED THAT: (A) THE NEW UTILITY LINE RIGHT-OF-WAY WIDTH DOES NOT EXCEED 100 LINEAR FEET, (B) UTILITY LINES ARE ROUTED AND CONSTRUCTED SO AS TO MINIMIZE THE NUMBER OF STREAM CROSSINGS AND DISTURBANCES TO THE BUFFER, (C) ONLY TREES AND TREE DEBRIS ARE REMOVED FROM WITHIN THE BUFFER RESULTING IN ONLY MINOR SOIL EROSION (I.E., DISTURBANCE TO UNDERLYING VEGETATION IS MINIMIZED), AND (D) NATIVE RIPARIAN VEGETATION IS RE-ESTABLISHED AND ANY BARE OR DISTURBED AREAS WITHIN THE BUFFER. THE PLAN SHALL INCLUDE A DESCRIPTION OF THE STREAM CROSSINGS WITH DETAILS OF THE BUFFER DISTURBANCE INCLUDING AREA AND LENGTH OF BUFFER DISTURBANCE, ESTIMATED LENGTH OF TIME OF BUFFER DISTURBANCE, AND JUSTIFICATION.
6. NO CONSTRUCTION ACTIVITIES SHALL BE CONDUCTED WITHIN A 50 FOOT BUFFER, AS MEASURED HORIZONTALLY FROM THE POINT WHERE VEGETATION HAS BEEN WRESTED BY NORMAL STREAM FLOW OR WAVE ACTION, ALONG THE BANKS OF ANY STATE WATERS CLASSIFIED AS "TROUT STREAMS" EXCEPT WHEN APPROVAL IS OBTAINED BY THE DIRECTOR THAT ADEQUATE BUFFER REQUIREMENTS IN ACCORDANCE WITH THE PROVISIONS OF O.C.G.A. 12-7-6, OR WHERE A ROADWAY DRAINAGE STRUCTURE MUST BE CONSTRUCTED; PROVIDED, HOWEVER, THAT SMALL SPRINGS AND STREAMS CLASSIFIED AS "TROUT STREAMS" WHICH DISCHARGE AN AVERAGE ANNUAL FLOW OF 25 GALLONS PER MINUTE OR LESS SHALL HAVE A 25 FOOT BUFFER UNLESS THEY MAY BE PIPED, AT THE DISCRETION OF THE PERMITTEE, PURSUANT TO THE TERMS OF A RULE PROVIDING FOR A GENERAL VARIANCE PROMULGATED BY THE BOARD OF NATURAL RESOURCES INCLUDING NOTIFICATION OF SUCH TO EPD AND THE LOCAL ISSUING AUTHORITY OF THE LOCATION AND EXTENT OF THE PIPING AND PRESCRIBED METHODOLOGY FOR MINIMIZING THE IMPACT OF SUCH PIPING AND FOR MEASURING THE VOLUME OF WATER DISCHARGED BY THE STREAM. ANY SUCH PIPE MUST STOP SHORT OF THE DOWNSTREAM PERMITTEE'S PROPERTY AND THE PERMITTEE MUST COMPLY WITH THE BUFFER REQUIREMENT FOR ANY ADJACENT TROUT STREAMS. THE BUFFER SHALL NOT APPLY TO THE FOLLOWING ACTIVITIES PROVIDED THAT ADEQUATE EROSION CONTROL MEASURES ARE INCORPORATED INTO THE PROJECT PLANS AND SPECIFICATIONS ARE IMPLEMENTED:
1. PUBLIC DRINKING WATER SYSTEM RESERVOIRS.
2. STREAM CROSSINGS FOR WATER LINES AND SEWER LINES, PROVIDED THAT THE STREAM CROSSINGS OCCUR AT AN ANGLE, AS MEASURED FROM THE POINT OF CROSSING, WITHIN 25 DEGREES OF PERPENDICULAR TO THE STREAM AND CAUSE A WIDTH OF DISTURBANCE OF NOT MORE THAN 50 FEET WITHIN THE BUFFER, AND NATIVE RIPARIAN VEGETATION IS RE-ESTABLISHED IN ANY BARE OR DISTURBED AREAS WITHIN THE BUFFER.
4. BUFFER CROSSING FOR FENCES, PROVIDED THAT THE CROSSINGS OCCUR AT AN ANGLE, AS MEASURED FROM THE POINT OF CROSSING, WITHIN 25 DEGREES OF PERPENDICULAR TO THE STREAM AND CAUSE A WIDTH OF DISTURBANCE OF NOT MORE THAN 5 FEET WITHIN THE BUFFER, AND NATIVE RIPARIAN VEGETATION IS RE-ESTABLISHED IN ANY BARE OR DISTURBED AREAS WITHIN THE BUFFER.
5. STREAM CROSSINGS FOR AERIAL UTILITY LINES, PROVIDED THAT: (A) THE NEW UTILITY LINE RIGHT-OF-WAY WIDTH DOES NOT EXCEED 100 LINEAR FEET, (B) UTILITY LINES ARE ROUTED AND CONSTRUCTED SO AS TO MINIMIZE THE NUMBER OF STREAM CROSSINGS AND DISTURBANCES TO THE BUFFER, (C) ONLY TREES AND TREE DEBRIS ARE REMOVED FROM WITHIN THE BUFFER RESULTING IN ONLY MINOR SOIL EROSION (I.E., DISTURBANCE TO UNDERLYING VEGETATION IS MINIMIZED), AND (D) NATIVE RIPARIAN VEGETATION IS RE-ESTABLISHED IN ANY BARE OR DISTURBED AREAS WITHIN THE BUFFER. THE PLAN SHALL INCLUDE A DESCRIPTION OF THE STREAM CROSSINGS WITH DETAILS OF THE BUFFER DISTURBANCE INCLUDING AREA AND LENGTH OF BUFFER DISTURBANCE, ESTIMATED LENGTH OF TIME OF BUFFER DISTURBANCE, AND JUSTIFICATION; AND

III. EXCEPT AS PROVIDED ABOVE, IF NOTICE REQUIRED PURSUANT TO PART IV.(I), AND (II), NO CONSTRUCTION ACTIVITIES SHALL BE CONDUCTED WITHIN A BUFFER AND A BUFFER SHALL REMAIN IN ITS NATURAL, UNDISTURBED, STATE OF VEGETATION UNTIL ALL ACTIVITIES ON THE CONSTRUCTION SITE ARE COMPLETED. DURING COVERAGE UNDER THIS PERMIT, A BUFFER CANNOT BE THINNED OR TRIMMED OF VEGETATION AND A PROTECTIVE, NATURATIVE COVER MUST REMAIN TO PROTECT WATER QUALITY AND AQUATIC HABITAT AND A NATURAL CANOPY MUST BE LEFT IN SUFFICIENT QUANTITY TO KEEP SHADE ON THE STREAM BED.

THE EROSION, SEDIMENTATION AND POLLUTION CONTROL PLAN SHALL IDENTIFY ALL POTENTIAL SOURCES OF POLLUTION WHICH MAY REASONABLY BE EXPECTED TO AFFECT THE QUALITY OF STORM WATER DISCHARGES FROM THE CONSTRUCTION SITE. IN ADDITION, THE PLAN SHALL DESCRIBE AND THE APPLICABLE PERMITTEE SHALL ENSURE THE IMPLEMENTATION OF PRACTICES WHICH WILL BE USED TO REDUCE THE POLLUTANTS IN STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY AT THE SITE AND TO ASSURE COMPLIANCE WITH THE TERMS AND CONDITIONS OF THIS PERMIT. THE APPLICABLE PERMITTEE SHALL IMPLEMENT SUCH PRACTICES AND THE PROVISIONS OF THE PLAN REQUIRED UNDER THIS PART AS A CONDITION OF THIS PERMIT.

EXCEPT AS PROVIDED IN PART IV.A.2., A SINGLE EROSION, SEDIMENTATION AND POLLUTION CONTROL PLAN MUST BE PREPARED BY THE PRIMARY PERMITTEE FOR THE STAND ALONE CONSTRUCTION PROJECT.

A. DEADLINES FOR PLAN PREPARATION AND COMPLIANCE

5. FOR STAND ALONE PROJECTS THAT BEGIN CONSTRUCTION ACTIVITY AFTER THE EFFECTIVE DATE OF THIS PERMIT, THE PRIMARY PERMITTEE MUST MAINTAIN THE EROSION, SEDIMENTATION AND POLLUTION CONTROL PLAN UP-TO-DATE FOR THE DURATION OF THE PROJECT. THE PLAN MUST BE PREPARED BY THE DESIGN PROFESSIONAL WHO PREPARED THE EROSION, SEDIMENTATION AND POLLUTION CONTROL PLAN, EXCEPT WHEN THE PRIMARY PERMITTEE HAS NOTIFIED IN WRITING AND EPD HAS AGREED TO AN ALTERNATE DESIGN PROFESSIONAL TO INSPECT THE INSTALLATION OF THE INITIAL SEDIMENT STORAGE REQUIREMENTS AND PERIMETER 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.
6. FOR STORM– OR EMERGENCY–RELATED REPAIR WORK, THE PERMITTEE SHALL IMPLEMENT APPROPRIATE BMPS AND CERTIFIED PERSONNEL (PROVIDED BY THE PRIMARY PERMITTEE) SHALL INSPECT 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. IF THE STORM– OR EMERGENCY–RELATED REPAIR WORK WILL NOT BE COMPLETED WITHIN SIXTY (60) DAYS OF COMMENCEMENT OF CONSTRUCTION ACTIVITY, A SINGLE COPY OF THE PLAN SHALL BE SUBMITTED TO EPD AND THE PERMITTEE SHALL COMPLY WITH ALL REQUIREMENTS OF THIS PERMIT ON THE SIXTY–FIRST (61ST) DAY.

C. KEEPING PLANS CURRENT. THE PRIMARY PERMITTEE(S) SHALL AMEND THEIR PLAN WHENEVER THERE IS A CHANGE IN DESIGN, CONSTRUCTION, OPERATION, OR MAINTENANCE, WHICH HAS A SIGNIFICANT EFFECT ON BMPS WITH A HYDRAULIC COMPONENT (I.E., THOSE BMPS WHERE THE DESIGN IS BASED UPON RAINFALL INTENSITY, DURATION AND/OR VOLUME OF RUNOFF) AND/OR IF THE PLAN PROVES TO BE INEFFECTIVE IN ELIMINATING OR SIGNIFICANTLY MINIMIZING POLLUTANTS FROM SOURCES IDENTIFIED UNDER PART IV.D.2. AMENDMENTS TO THE PLAN MUST BE CERTIFIED BY A DESIGN PROFESSIONAL AS PROVIDED IN THIS PERMIT.

1. **WASTE DISPOSAL.**
LOCATE WASTE COLLECTION AREAS AWAY FROM STREETS, GUTTERS, WATERCOURSES AND STORM DRAINS. WASTE COLLECTION AREAS, SUCH AS DUMPSTERS, ARE OFTEN BEST LOCATED NEAR CONSTRUCTION SITE ENTRANCES TO MINIMIZE TRAFFIC ON SITE. CONSIDERATION SHOULD INCLUDE SECONDARY CONTAINMENT AROUND LIQUID WASTE COLLECTION AREAS TO FURTHER MINIMIZE THE LIKELIHOOD OF CONTAMINATED RUNOFF OR SPILLS. SOLID MATERIALS, INCLUDING BUILDING MATERIALS, SHALL NOT BE DISCHARGED TO WATERS OF THE STATE, EXCEPT AS AUTHORIZED BY A SECTION 404 PERMIT.
2. OFF–SITE VEHICLE TRACKING OF DIRT, SOILS, AND SEDIMENTS AND THE GENERATION OF DUST SHALL BE MINIMIZED OR ELIMINATED TO THE MAXIMUM EXTENT PRACTICAL. THE PLAN SHALL INCLUDE THE BEST MANAGEMENT PRACTICE TO BE IMPLEMENTED AT THE SITE OR CONSTRUCTION ACTIVITY.
3. ALL PERMITTEES SHALL ENSURE AND DEMONSTRATE THAT THEIR PLAN IS IN COMPLIANCE WITH APPLICABLE STATE AND LOCAL WASTE DISPOSAL, SANITARY SEWER OR SEPTIC SYSTEM REGULATIONS.
4. THE PLAN SHALL INCLUDE BEST MANAGEMENT PRACTICES FOR THE REMEDIATION OF ALL PETROLEUM SPILLS AND LEAKS AS APPROPRIATE.
5. THE PLAN SHALL INCLUDE BEST MANAGEMENT PRACTICES FOR CONCRETE WASHDOWN OF TOOLS, CONCRETE MIXER CHUTES, HOPPERS AND THE REAR OF VEHICLES. WASHOUT OF THE DRUM AT THE CONSTRUCTION SITE IS PROHIBITED. ADDITIONAL INFORMATION ABOUT BEST MANAGEMENT PRACTICES FOR CONCRETE WASHOUT IS AVAILABLE AT WWW.EPA.GOV/NPDES/PUBS/CONCRETEWASHOUT.PDF.
6. ALL PERMITTEES ARE REQUIRED TO MINIMIZE THE DISCHARGE OF POLLUTANTS FROM DEWATERING TRENCHES AND EXCAVATIONS. DISCHARGES ARE PROHIBITED UNLESS MANAGED BY APPROPRIATE CONTROLS.

ITEM # 3D

D.2.A. INSPECTIONS.

A. PERMITTEE REQUIREMENTS.
1. EACH DAY WHEN ANY TYPE OF CONSTRUCTION ACTIVITY WAS 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.
2. MEASURE AND RECORD RAINFALL WITHIN DISTURBED AREAS OF THE SITE THAT HAVE NOT MET FINAL STABILIZATION ONCE EVERY 24 HOURS EXCEPT ANY NON–WORKING SATURDAY, NON–WORKING SUNDAY AND NON–WORKING FEDERAL HOLIDAY. THE DATA COLLECTED FOR THE PURPOSE OF COMPLIANCE WITH THIS PERMIT SHALL BE REPRESENTATIVE OF THE MONITORED AREA. THE MONITORING SHALL NOT BE SUSPENDED IF ALL AREAS OF THE SITE HAVE UNDERGONE FINAL STABILIZATION OR ESTABLISHED CROP ANNUAL VEGETATION AND A SEEDING OF TARGET PERENNIALS APPROPRIATE FOR THE REGION.
3. 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 OF 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 THAT ARE EXPOSED TO PRECIPITATION ; AND (C) STRUCTURAL CONTROL MEASURES REQUIRED TO SEDIMENT CONTROL MEASURES IDENTIFIED IN THE PLAN APPLICABLE TO THE PRIMARY PERMITTEE'S SITE. DURING THE INSPECTIONS, THE INSPECTOR SHALL ENSURE THAT THEY ARE OPERATING CORRECTLY. WHERE DISCHARGES OCCUR AT 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 THE 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 III.C.4.A.(4). THESE INSPECTIONS MUST BE CONDUCTED UNTIL A NOTICE OF TERMINATION IS SUBMITTED.
4. CERTIFIED PERSONNEL (PROVIDED BY THE PRIMARY PERMITTEE) SHALL INSPECT AT LEAST ONCE PER MONTH DURING THE TERM OF THIS PERMIT (I.E., THE 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 FOR EVIDENCE OF, OR THE POTENTIAL FOR, POLLUTANTS ENTERING THE DRAINAGE SYSTEM. WHERE 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).
5. BASED ON THE RESULTS OF EACH INSPECTION, THE SITE DESCRIPTION AND THE POLLUTION PREVENTION AND CONTROL MEASURES IDENTIFIED IN 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.
6. A REPORT OF EACH INSPECTION THAT INCLUDES THE NAME(S) OF CERTIFIED 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 ALL 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.

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.

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.

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A. SAMPLING REQUIREMENTS SHALL INCLUDE THE FOLLOWING:
1. A USGS TOPOGRAPHIC MAP, A TOPOGRAPHIC MAP OR A DRAWING (REFERRED TO AS A TOPOGRAPHIC MAP) THAT IS AT THE SAME SCALE EQUAL TO OR MORE DETAILED THAN A 1:24,000 MAP SHOWING THE LOCATION OF THE SITE OR THE STAND ALONE CONSTRUCTION; (A) THE LOCATION OF ALL PERENNIAL AND INTERMITTENT STREAMS AND/OR 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 FOR ALL LOCATIONS WHERE 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;
2. A WRITTEN NARRATIVE OF SITE SPECIFIC ANALYTICAL METHODS USED TO COLLECT, HANDLE AND ANALYZE WITH PART III.D.2. OF THIS PERMIT; AND QUALITY ASSURANCE PROCEDURES. THIS NARRATIVE MUST INCLUDE PRECISE SAMPLING METHODOLOGY FOR EACH SAMPLING LOCATION.
3. WHEN THE PERMITTEE HAS DETERMINED THAT SOME OR ALL OUTFALLS WILL BE MONITORED FOLLOWING A PHASING OF BMPS, THE PERMITTEE MUST ATTACH TO THE PLAN APPENDIX B. THIS RATIONALE MUST INCLUDE THE SIZE OF THE CONSTRUCTION SITE, THE ACREAGE AND THE SIZE OF THE SURFACE WATER DRAINAGE AREA, AND ANY OTHER TYPE OF RECEIVING WATER(S) (I.E., TROUT STREAM OR SUPPORTING WARM WATER FISHERIES); AND
4. ANY ADDITIONAL INFORMATION EPD DETERMINES NECESSARY TO BE PART OF THE PLAN. THE PLAN WILL PROVIDE WRITTEN NOTICE TO THE PERMITTEE OF THIS NECESSITY AND THE TIME LINE FOR SUBMITTAL.

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B. SAMPLE TYPE. ALL SAMPLES SHALL BE COLLECTED BY 'GRAB SAMPLES" AND THE ANALYSIS OF THESE SAMPLES MUST BE CONDUCTED IN ACCORDANCE WITH METHODOLOGY AND TEST PROCEDURES ESTABLISHED IN PART III.D.2. OF THIS PERMIT UNLESS OTHER TEST PROCEDURES HAVE BEEN APPROVED); THE GUIDANCE DOCUMENT TITLED "NPDES STORM WATER SAMPLING GUIDANCE DOCUMENT," EPD–WQ–B33–93–02– 00" AND GUIDANCE DOCUMENTS THAT MAY BE PREPARED BY THE EPD.
1. SAMPLE CONTAINERS SHOULD BE LABELED PRIOR TO COLLECTING THE SAMPLES.
2. SAMPLES SHOULD BE WELL MIXED BEFORE TRANSFERRING TO A SECONDARY CONTAINER.
3. LARGE SAMPLE VOLUMES, CLEANED AND RINSED GLASSWARE OR PLASTIC JARS SHOULD BE USED FOR COLLECTING SAMPLES. THE JARS SHOULD BE CLEANED THOROUGHLY TO AVOID CONTAMINATION.
4. MANUAL, AUTOMATIC OR RISING STAGE SAMPLING MAY BE UTILIZED. SAMPLES REQUIRED BY THIS PERMIT SHOULD BE ANALYZED IMMEDIATELY, BUT IN ANY CASE LATER THAN 48 HOURS FROM COLLECTION. HOWEVER, SAMPLES FROM AUTOMATIC SAMPLERS MUST BE COLLECTED NO LATER THAN THE NEXT BUSINESS DAY AFTER THEIR ACCUMULATION, UNLESS FOR A SUMMARY OF THESE VIOLATIONS MUST BE SUBMITTED IN ACCORDANCE WITH PART III.C.2. OF THIS PERMIT. AUTOMATIC SAMPLING IS UTILIZED AND THE AUTOMATIC SAMPLER IS NOT ACTIVATED DURING THE QUALIFYING EVENT, THE PERMITTEE MUST UTILIZE MANUAL SAMPLING OR RISING STAGE SAMPLING DURING THE NEXT QUALIFYING EVENT. DILUTION OF SAMPLES IS NOT REQUIRED. SAMPLES MAY BE ANALYZED DIRECTLY WITH A PROPERLY CALIBRATED TURBIDIMETER. SAMPLES ARE NOT REQUIRED TO BE COOLED.
5. SAMPLING AND ANALYSIS OF RUNOFF FROM 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.
1. 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). SAMPLE SELECTION AND THE SAMPLING FREQUENCY UNDER 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:
   a. THE UPSTREAM SAMPLE FOR EACH RECEIVING WATER(S) MUST BE TAKEN IMMEDIATELY UPSTREAM FROM THE CONFLUENCE OF THE 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 ADDITIONAL RECEIVING WATER(S) MAY NEED TO BE TAKEN AND THE ARITHMETIC AVERAGE OF THE TURBIDITY OF THESE SAMPLES USED FOR THE UPSTREAM TURBIDITY VALUE.
   b. 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 ACROSS THE RECEIVING WATER(S) MAY NEED TO BE TAKEN AND THE ARITHMETIC AVERAGE OF THE TURBIDITY OF THESE WATER DISCHARGES USED FOR THE DOWNSTREAM TURBIDITY VALUE.
   c. ALL GRAB 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 JUST BELOW THE FLOWING FACES UPSTREAM.
   f. THE SAMPLES SHOULD BE KEPT FREE FROM FLOATING DEBRIS.
   g. PERMITTEES DO NOT HAVE TO SAMPLE SHEETFLOW THAT FLOWS ONTO UNDISTURBED NATURAL AREAS OR AREAS STABILIZED BY THE PROJECT. FOR PURPOSES OF THIS SECTION, STABILIZEDSHALL MEAN, FOR UNPAVED AREAS AND AREAS NOT COVERED BY PERMANENT STRUCTURES AND AREAS LOCATED OUTSIDE THE WASTE DISPOSAL LIMITS OF A LANDFILL CELL THAT HAS BEEN CERTIFIED BY EPD FOR WASTE DISPOSAL 100% OF THE SOIL SURFACE IS UNIFORMLY COVERED IN PERMANENT VEGETATION WITH A DENSITY OF 70% OR GREATER, OR LANDSCAPED ACCORDING TO THE PLAN (UNIFORM, IS COVERED WITH LANDSCAPING MATERIALS IN PLANNED LANDSCAPED AREAS), OR EQUIVALENT PERMANENT STABILIZATION MEASURES AS DEFINED IN THE MANUAL (EXCLUDING A CROP 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 GENERALLY ACCEPTED SAMPLING METHODS, SAMPLING CONTROL, 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 III.D.3. OR III.D.4., WHICHEVER IS APPLICABLE.

ITEM # 3D

D. SAMPLING FREQUENCY.

D. SAMPLING FREQUENCY
1. THE PRIMARY PERMITTEE MUST SAMPLE IN ACCORDANCE WITH THE PLAN AT LEAST ONCE FOR EACH RAINFALL EVENT DESCRIBED BELOW FOR A QUALIFYING EVENT, SAMPLES MUST BE TAKEN WITHIN FORTY–FIVE (45) MINUTES OF AND AS SOON AS PRACTICABLE.
2. 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 DISCHARGE BEGINS FOR A QUALIFYING EVENT.
3. SAMPLING BY THE PERMITTEE SHALL OCCUR FOR THE FOLLOWING EVENTS:
   a. FOR EACH AREA OF THE SITE THAT DISCHARGES STORM WATER OR FOR 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 GRADING AND GRUBBING OPERATIONS HAVE BEEN COMPLETED, BUT PRIOR TO COMPLETION OF MASS GRADING OPERATIONS, IN THE DRAINAGE AREA FOR THAT OUTFALL OR RECEIVING WATER; AND
   b. IN ADDITION TO (A) ABOVE, FOR EACH AREA OF THE SITE THAT DISCHARGES TO 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 90 DAYS AFTER THE PREVIOUS SAMPLING EVENT OR AFTER ALL MASS GRADING OPERATIONS HAVE BEEN COMPLETED, BUT PRIOR TO SUB