

2. If alternative standards are applied, shall be reviewed and approved by the Department.

(3) A person may not begin or perform any construction unless the person:

(i) Obtains an approved sediment control plan;

(ii) Implements the measures contained in the approved sediment control plan;

(iii) Conducts the construction as specified in the sequence of construction contained in the approved sediment control plan;

(iv) Maintains the provisions of the approved sediment control plan; and

(v) Implements any sediment control measures reasonably necessary to control sediment runoff.

(4) In consultation with the person responsible for performing the construction, the Department, jurisdictions delegated enforcement authority under § 4-103(e)(2) of this subtitle, or the appropriate approval agency may require modifications to an approved sediment control plan if the approved plan is not adequate to control sediment or erosion.

(5) A person performing construction that proposes a major change to an approved sediment control plan shall submit the proposed change to the appropriate approval authority for review and approval.

(6) A SOIL CONSERVATION DISTRICT MAY DELEGATE APPROVAL AUTHORITY UNDER PARAGRAPH (2) OF THIS SUBSECTION TO A MUNICIPAL CORPORATION IN MONTGOMERY COUNTY THAT:

(I) HAS ITS OWN SEDIMENT CONTROL REVIEW PROVISIONS THAT ARE AT LEAST AS STRINGENT AS THE PROVISIONS OF THE GRADING AND SEDIMENT CONTROL PLAN OF THE SOIL CONSERVATION DISTRICT; AND

(II) ISSUES SEDIMENT CONTROL PERMITS; AND

(III) MEETS THE NECESSARY PERFORMANCE STANDARDS ESTABLISHED BY WRITTEN AGREEMENT BETWEEN THE DISTRICT AND THE MUNICIPAL CORPORATION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2000.

Approved May 11, 2000.