

(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 ANY 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.

(b) (4) In Montgomery County, notwithstanding the provisions of subsection (c) of this section and § 4-103(a)(1) of this subtitle, the soil conservation district may delegate to the County Department of Environmental Protection, by written agreement between the district and the Department of the Environment, the authority to review and approve or reject any sediment control plans for nonagricultural [land-altering activities] CONSTRUCTION.

~~(2) IF A STATE OR FEDERAL UNIT UNDERTAKES ANY CONSTRUCTION, THE DEPARTMENT OF THE ENVIRONMENT SHALL REVIEW AND APPROVE THIS ACTION AND ENFORCE THE PROVISIONS OF THIS SUBTITLE AND ANY PLANS APPROVED UNDER THIS SUBTITLE.~~

(c) In Prince George's and Montgomery Counties, the Washington Suburban Sanitary Commission, after consultation with and advice of the soil conservation districts of the two counties and the Department of the Environment, shall prepare and adopt rules and regulations for erosion and sediment control requirements for utility construction work. The rules and regulations shall be adopted and enforced as are others of the Commission under authority conferred by other laws. These rules and regulations apply to any utility construction work in Prince George's and Montgomery Counties. The provisions of this subsection do not apply until the soil conservation district in each county approves erosion and sediment control requirements for utility construction work in that county.

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[The provisions of § 4-105 do not apply to any State or federal unit. If a State or federal unit undertakes any land clearing, soil movement, or construction activity, the Department of the Environment shall review and approve this action.]

IF A STATE OR FEDERAL UNIT UNDERTAKES ANY CONSTRUCTION AS DEFINED IN § 4-105(A)(1) OF THIS SUBTITLE, THE DEPARTMENT OF THE ENVIRONMENT SHALL REVIEW AND APPROVE THIS ACTION AND ENFORCE THE PROVISIONS OF THIS SUBTITLE AND ANY PLANS APPROVED UNDER THIS SUBTITLE.

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