
SECTION 7.0

ILLICIT DISCHARGE AND DETECTION PROGRAM

7.1 Overview

[4.7.1 A description of a program, including a Illicit Discharge and Detection Program (IDDP), including a schedule, to detect and remove illicit discharges and improper disposal into the MS4. The proposed program shall include:]

[4.7.1.2 A description of procedures to conduct on-going field screening activities during the life of the permit, including areas or locations that will be evaluated by such field screens.]

[4.7.1.7 An assessment of whether the procedures otherwise implemented in response to this paragraph are sufficient to identify instances of exfiltration from the sanitary sewer to the storm sewers, and if not a description of additional activities to be undertaken to control exfiltration.]

Illicit discharges of non-storm water into MS4s negatively impact the water quality in the receiving waters. The role of an Illicit Discharge and Detection Program (IDDP) is to prevent non-storm water discharges through investigation, public awareness, and reporting. Since NDOT is not a typical MS4, it is unlikely a discharger would have access to the NDOT storm drain system to complete an illegal connection. Additionally, it is implausible that a routine field-screening program could be practically attained because of the size of NDOT's system. However, NDOT will develop an IDDP to meet the applicable Permit requirements. NDOT's Maintenance District will incorporate the IDDP into routine maintenance activities. NDOT's legal authority as discussed in Section 1.5 of this SWMP will provide regulations to control illicit discharges.

This section describes the elements of the IDDP to be developed to effectively detect and prevent illicit discharges. The section is organized as follows:

- Section 7.2 introduces the Investigative Procedures for Illicit Discharges.
- Section 7.3 defines Conditionally Exempt Discharges.
- Section 7.4 explains the Spill Prevention and Response Procedures.
- Section 7.5 describes Public Reporting.

7.2 Investigative Procedures

[4.2.1.4 Carry out all inspection, surveillance, and monitoring procedures necessary to determine compliance and noncompliance with the prohibition of illicit discharges to the MS4s.]

[4.7.1.3 A description of procedures to be followed to investigate portions of the separate storm sewer system that, based on the results of the field screen, or other appropriate information, indicate a reasonable potential of containing illicit discharges or other sources of non-stormwater]

[4.14.1.5.2 Drain inlets, which contain significant materials, must be considered for an Illicit Discharge and Detection Program (IDDP) investigation and considered for an enhanced BMP program focused on reducing the sources of the material found in the inlet.]

NDOT's Maintenance activities include routine inspections of drainage structures. To investigate and control illicit discharges NDOT will train their maintenance personnel to recognize illicit discharges during routine inspections and report such occurrences for further investigation. The Illicit Connection/Illicit Discharge Detection and Reporting BMP describes the procedure for identifying and reporting non-storm water discharges and is detailed in the BMP Manual. Illicit discharges are reported to the Maintenance Supervisor II and Environmental Services who will notify the appropriate agencies. Additionally, NDOT will depend on cooperation with other MS4s and their authorities to control discharges from the small MS4s into NDOT's storm drain system.

7.3 Conditionally Exempt Discharges

[4.7.1.1 "A description of a program, including inspections, to implement and enforce an ordinance, orders or similar means to prevent illicit discharges to the MS4. This program description shall address all types of illicit discharges, however the following category of non-stormwater discharges or flows shall only be addressed where such discharges are identified by NDOT as sources of pollutants to waters of the United States:]

The IDDP will address all types of illicit discharges with the exemption of the following list of conditionally exempt discharges, which shall be addressed when identified by NDOT as pollutant sources to the Waters of the United States:

- water line flushing
- landscape irrigation
- diverted stream flows
- rising ground waters
- uncontaminated ground water infiltration to separate sewers

- uncontaminated pumped ground water
- discharges from potable water sources
- foundation drains
- air conditioning condensation
- irrigation water
- springs
- water from crawl space pumps
- footing drains
- lawn watering
- individual residential car washing
- flows from riparian habitats and wetlands
- dechlorinated swimming pool discharges
- street wash water

7.4 Spill Prevention and Response Procedures

[4.7.1.4 A description of procedures to prevent, contain, and respond to spills that may discharge into the municipal separate storm sewer;]

Spill prevention, containment, and response are important elements in protecting the storm drain system and receiving waters from hazardous discharges. NDOT's Transportation Policies and Procedures Manual outlines the official NDOT policies addressing hazardous waste. It is NDOT's policy to educate employees in hazardous waste management. NDOT's Environmental Services provides assistance and guidance, when requested, to NDOT's maintenance staff in addressing hazardous waste management issues.

NDOT also addresses spill prevention and control at NDOT construction projects. The BMP Manual details the Spill Prevention and Control BMP in the Waste Management and Materials Pollution Control BMPs section. The working detail of the BMP describes the procedures to prevent and control spills and protect receiving waters from containments. The Spill Prevention and Control BMP is directed toward construction sites however the description of handling hazardous waste is consistent with NDOT's policies.

Spills are defined as any pollutant, hazardous material, or contaminant spilled, leaked, pumped, poured, emitted, emptied, discharged, injected, escaped, leached, dumped, or disposed of into the

environment. Procedures for classification, clean-up, and storage are described in the working details of the BMP. NDOT employees are trained to identify the “reportable” and “non-reportable” spills and recognize the potential hazards to humans and the environment from spills. NDOT’s policy is to report spills of any quantity that affect a waterway in the state. Reportable spills are reported to NDEP and NDOT’s Environmental Services Division as follows:

- NDOT’s Environmental Services Division -775.888.7013
- NDEP -1.888.331.NDEP (6337)

NDOT is evaluating maintenance stations for spill prevention, control, and countermeasure requirements. Based on the evaluation, site specific plans will be prepared as necessary.

7.5 Public Reporting

[4.7.1.5 A description of a program to facilitate public reporting of the presence of illicit discharges or water quality impacts associated with discharges from MS4s;]

Public reporting of illicit discharges is described in the Public Outreach and Education element of this SWMP. The Public Outreach and Education element will educate the public of illicit discharge indicators and provide the necessary contact information to facilitate public reporting. NDOT’s previous participation with the other MS4s’ storm water management programs included a public outreach effort specific to illicit discharges. NDOT will coordinate with other MS4s to develop this outreach element.