



# Illicit Discharge Detection and Elimination Program & Procedures

September 2016



## Program Overview

This serves as a guidance document for the City of Cloquet to help fulfill the requirements of the Minnesota Pollution Control Agency's *General Permit Authorization to Discharge Stormwater Associated with Small MS4's Under the NPDES/SDS Permit Program, Permit No. MNR040000 (Part III.D.3)*.

The primary focus of this Illicit Discharge Detection and Elimination (IDDE) document is to help city staff identify, investigate, respond and eliminate any discharge to the municipal separate storm sewer system (MS4) that is not composed entirely of stormwater.

Cloquet City Code Chapter 18 is the regulatory mechanism the City of Cloquet uses to regulate and prohibit the discharge of non-stormwater into ponds, wetlands, streams and lakes. Additionally, the City of Cloquet's Storm Water Pollution Prevention Program (SWPPP) has IDDE components integrated throughout the entire document

The SWPPP document and subsequent permit revisions can be found on the City website

<http://www.ci.cloquet.mn.us>

## Purpose

Whether at home or at work, all individuals who live or work in the city can help to prevent and identify illicit discharges as they happen. The storm sewer system is designed to convey surface water runoff from natural precipitation. Any material entering into the storm sewer other than stormwater is considered an illicit discharge and is prohibited from entering the system. Water Resources staff has developed education and training materials that are applicable to an employee's job responsibilities to help further educate staff on illicit discharge and water quality issues.

It is important that any suspected illicit discharges are reported to the proper parties right away, as time is of the essence when it comes to protecting water quality from harmful chemicals, sewage or other illicit discharges. The responding party will vary depending on the location of the IDDE, its severity and quantity and the time of day when it's observed. Examples of illicit discharges and who to contact is listed in Table 1. Additionally, examples of what to do with small, medium and large spills are listed in the Procedure sections. A flow chart has been created for illicit discharge response and is included at the end of this document.

The list in Table 1 outlines common illicit discharge sources and which staff department is responsible for addressing this issue.

**\*\* The responsible party for a spill also needs to contact the State Duty Officer at 1-800-422-0798**

### **115.061 DUTY TO NOTIFY AND AVOID WATER POLLUTION.**

(a) Except as provided in paragraph (b), it is the duty of every person to notify the agency immediately of the discharge, accidental or otherwise, of any substance or material under its control which, if not recovered, may cause pollution of waters of the state, and the responsible person shall recover as rapidly and as thoroughly as possible such substance or material and take immediately such other action as may be reasonably possible to minimize or abate pollution of waters of the state caused thereby.

(b) Notification is not required under paragraph (a) for a discharge of five gallons or less of petroleum, as defined in section [115C.02, subdivision 10](#). This paragraph does not affect the other requirements of paragraph (a).

**Table 1**

<b>Illicit Discharge Sources</b>	<b>Responding Entities</b>
Concrete Washout	Public Works Department 218-879-6758 during business hours 218-624-0391 after hours emergency
Dumping in Storm Drains and Drainage Ways	Public Works Department 218-879-6758 during business hours 218-624-0391 after hours emergency
Erosion and Sediment Control	Public Works Department 218-879-6758 during business hours 218-624-0391 after hours emergency
Vehicle Accidents	Emergency Services 911
Dumping on Park Land	Public Works Department 218-879-6758 during business hours 218-624-0391 after hours emergency
Garbage and Recycling	Community Development 218-879-2507 during business hours 218-624-0391 after hours emergency
Solid & Hazardous Waste	Fire Department 218-499-4274 during business hours 911 after hours or emergency
Industrial NPDES Stormwater or SDS Permitted Sites	See Table 3
Internal/Outdoor Plumbing Cross Connections	Public Works Department 218-879-6758 during business hours 218-624-0391 after hours emergency
Sanitary Sewer Blockage or Overflows	Public Works Department 218-879-6758 during business hours 218-624-0391 after hours emergency
Yard Waste Leaves and Grass Clippings	Public Works Department 218-879-6758 during business hours 218-624-0391 after hours emergency

Not all discharges into the storm sewer system are considered illicit discharges. The list below contains all of the exemptions outlined in Chapter 18 or the City Code.

**Table 2**

Water Line Flushing	- Landscape Irrigation	- Diverted Stream Flows
- Rising Ground Waters	- Foundation Drains	- Uncontaminated Pumped Ground Water
- Discharges from Potable Water Sources	- Street Wash Water	- 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	- Uncontaminated Ground Water Infiltration

### Inspections

The City of Cloquet proactively inspects at least 20% of the Water Quality Ponds, Wetlands and outfalls each year. Additionally, structural BMPs designed to treat storm water runoff are inspected annually and stockpiles and material storage and handling areas are inspected quarterly. Illicit Discharge Detection and Elimination is incorporated into all inspection and maintenance activities as required by the Minnesota Pollution Control Agency's - *Permit No. MNR040000 (Part IIID.6.e)*. When feasible, IDDE inspections should be conducted during dry-weather conditions (periods of 72 hours or more of no precipitation).

When pollutants are detected, whether it is during routine inspections or in response to a complaint, the City of Cloquet is responsible for identifying and stopping the source of pollution. The responsible party for the violation shall be responsible for the clean up of any illicit discharges into the storm sewer system. The procedure below shall be followed in all cases.

### Procedure

The City has an Illicit Discharge phone number with RSPT (218-529-3281) for the public to report suspected illicit discharges. When a complaint is received, Public Works Department will inspect the complaint and determine the appropriate action to take. The goal is to respond to an illicit discharge report in a timely manner. City of Cloquet field staff are trained annually on how to spot and report possible illicit discharges. The responsible City staff as outlined in Table 1 will investigate all illicit discharge incidents reported to them. If the type of spill encountered isn't outlined in Table 1, please contact the Public Works Department at 218-879-6758. The following procedure should be followed when responding to an illicit discharge complaint.

## 1) Receive Report

- Collect information
  - Brief description of the issue
  - Location of the suspicious discharge or connection
    - Address & Exact location of discharge
  - Description of the discharge
  - Contact information of complainant
    - All reports to remain anonymous, for follow up purposes only.
- **ALL INFORMATION NEEDS TO BE DOCUMENTED.**
- Responsible City Staff Department must respond as soon as possible to the call.

## 2) Identification

The responsible staff as listed in Table 1, must visit the site of the complaint as quickly as possible and attempt to identify the illicit discharge. Methods of identification shall include, but not be limited to:

- Visual observation
- Sampling of material
  - If the material cannot be identified, a sample should be taken for testing at a local laboratory.
- If staff feels the discharge poses a threat to life or property, 911 will be immediately called.
  - Examples: explosive liquids or other chemicals draining into the storm sewer

## 3) Investigation

Staff should attempt to trace the illicit discharge to its source. Methods will vary based on the type, location and source of the discharge. In all cases, the use of Geographic Information System (GIS) Mapping will be essential. The following types of investigative techniques should be used as applicable.

- Trace the "trail" of the discharge upstream to its source
- Utilize CCTV to find illicit connections into storm sewer pipes
- Dye testing (to verify the source)
- Sample upstream and downstream of the discharge

In all cases, documentation is critical.

## 4) Elimination

Depending on the situation, the response to the illicit discharge will vary. Staff will follow the Enforcement Response Procedure outlined on the attached ERP form. In all cases, findings related to the illicit discharge should be documented.

In all cases of petroleum spills larger than 5 gallons, the Minnesota State Duty Officer (651-649-5451) shall be contacted by the responsible party for the spill.

### One time discharges

- Verbal / written notification to the identified source and explain to them that the discharge is illegal.
- Determine the severity of the problem and whether or not legal follow up is necessary
- Ensure there is no additional risk to the storm sewer system or the environment
- Notify other agencies as appropriate. These could include; MPCA, DNR and the Duty Officer.
- document all information

### Sanitary Sewer Leaks

- Review the extent and nature of the problem
  - Repair infrastructure as soon as possible
- Ensure there is no additional risk to the storm sewer system or the environment
- Notify other agencies as appropriate. These could include; MPCA, DNR and the Duty Officer.
- document all information

### Non-Point Source Pollution

- Determine if the problem can reasonably be corrected
- Document the situation with photographs
- Perform/schedule corrective action as necessary
- document all information

## **5) Enforcement**

Enforcement will vary depending on the nature of the discharge and the violating party's response to the situation. Generally the enforcement will begin at a lower level and ramp up as needed to gain correction and compliance. The following is a list of actions that may take place depending on the situation.

- Verbal Warning
- A Written Warning is sent to the violating party listing corrected actions that need to take place
- Stop Work Order
- Written Citation
- City hires a contractor to clean up the site and charges the Owner for the costs.
- Legal Action

## **6) Documentation and Tracking**

All Illicit Discharge incidents should be documented and tracked until the problem has been completely resolved. All information pertinent to the illicit discharge shall be documented.

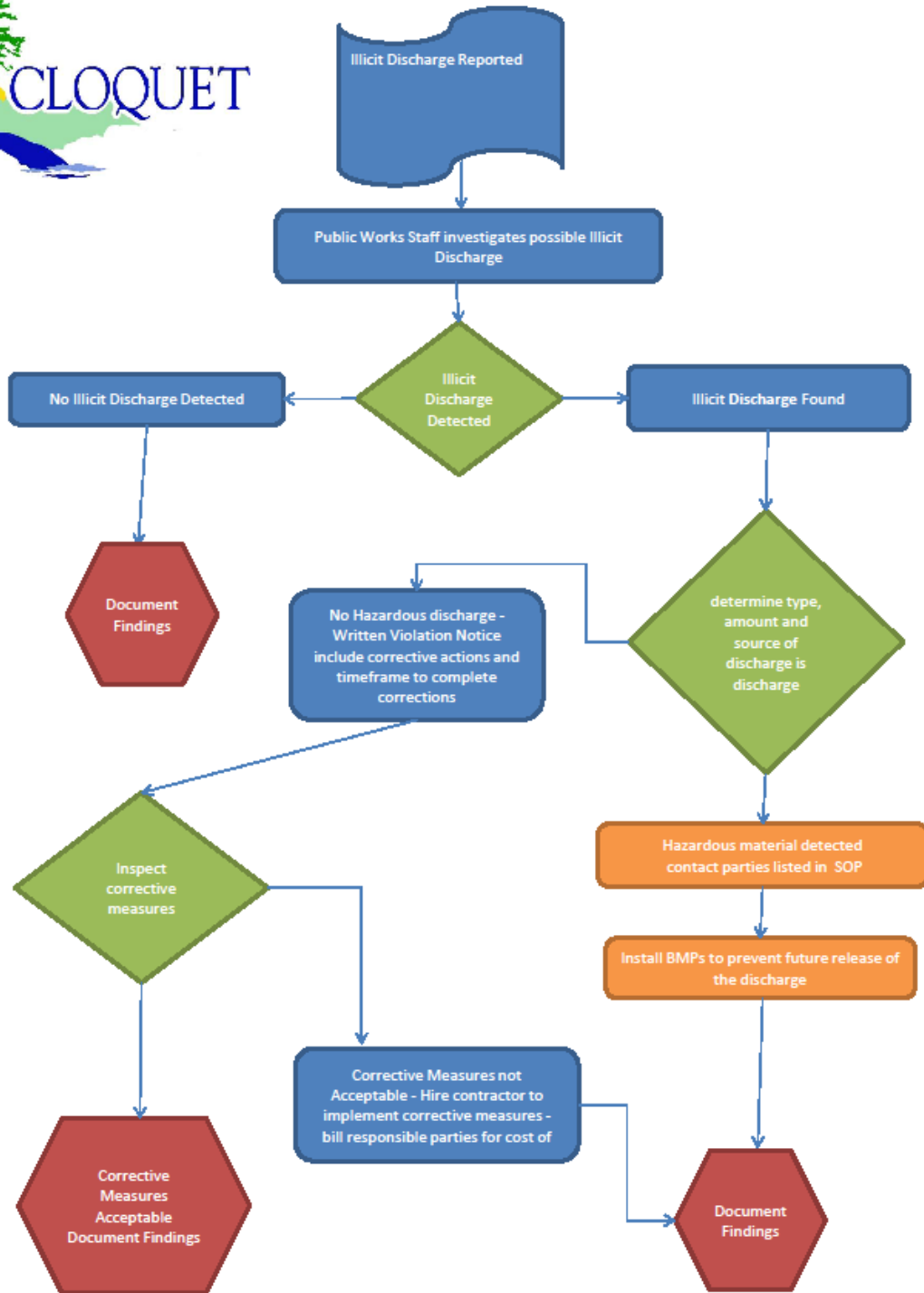
## MPCA – Active Industrial Stormwater General Permit Sites

The following is a list of the Minnesota Pollution Control Agency's Industrial Stormwater (ISW) General Permit holders within the City of Cloquet's municipal boundary. Cloquet is not responsible for inspecting these facilities as they are handled through the ISW General Permit Program. The list below is for informational purposes only. All Industrial Stormwater Permit related questions should be referred to the Minnesota Pollution Control Agency.

**Table 3**

MPCA Permit No.	Address	effective Start Date	facility Name	permit Type
MNR053BZS	1364 Lawrence Rd	4/5/2015	Alanen Pre Cast Concrete	Industrial Stormwater Permit
MNR053BW6	901 Highway 33 S	4/5/2015	Brenny Dahl Block Co Inc	Industrial Stormwater Permit
MNR053CWG	125 Wheaton Rd	2/24/2016	Cloquet - Carlton Cnty Airport	Industrial Stormwater Permit
MNRNE3CFX	508 Cloquet Ave	4/5/2015	Cloquet Demolition Landfill	No Exposure Exclusion
MNR0538T2	1101 Industry Ave	4/5/2015	Cloquet Sanitary Service	Industrial Stormwater Permit
MNRNE39WJ	1302 18th St	4/5/2015	Safety-Kleen Systems Inc - Cloquet	No Exposure Exclusion
MNR053C6C	2201 Ave B	4/5/2015	Sappi Cloquet LLC	Industrial Stormwater Permit
MNR053C6D	2201 Avenue B	10/7/2015	Sappi Fine Paper Cloquet Mill CTRR	Industrial Stormwater Permit
MNR0535V3	2201 Avenue B	10/8/2010	Sappi Fine Paper Cloquet Mill CTRR	Industrial Stormwater Permit
MNR053C6B	2201 Avenue B	4/5/2015	Sappi Fine Paper Cloquet Mill Scanlon Woodyard	Industrial Stormwater Permit
MNR0535V2	2201 Avenue B	10/8/2010	Sappi Fine Paper Scanlon Wood Yard	Industrial Stormwater Permit
MNR05398D	805 Tall Pine Ln	4/5/2015	Savanna Pallets - Cloquet Plant	Industrial Stormwater Permit
MNR05399B	761 Highway 45 S	4/5/2015	Shamrock Environmental Landfill	Industrial Stormwater Permit
MNR053BQG	35 Arch St	4/5/2015	USG Interiors LLC - Cloquet	Industrial Stormwater Permit

# Illicit Discharge Detection & Elimination Enforcement Response Procedure







## Illicit Discharge Enforcement Response Procedure

This Enforcement Response Procedure (ERP) is to be used as a guidance document for enforcement procedures related to the Stormwater Program. This ERP is based on the enforcement provisions of Chapter 18 of City Code. In the event of any conflict between this ERP and the ordinance/code, the ordinance/code shall govern.

**Name of Person Responsible for Violation:**

**Date of Violation:**

**Location of Violation:**

**Major Road Intersection:**

**Violation Type:**  Spill     Illicit Discharge     Illicit Connection

Other:

**1<sup>st</sup> Offense:**  Yes     No, **Number of Offenses:**

**Date(s) of Offense(s):**

DESCRIPTION OF VIOLATION(S) (INCLUDE ORDINANCE OR OTHER REGULATORY MECHANISM BROKEN)

Most violations result in a Verbal Warning or Written Notice of Violation (NOV) at a minimum. Failure to comply with a notice or order from the City will subject the user to escalating enforcement actions including stop work order, abatement, and/or civil and criminal penalties. All enforcement actions shall document the following:

ENFORCEMENT ACTION TAKEN			
	Type	Date Issued	Date Resolved
<input type="checkbox"/>	Verbal Warning		
<input type="checkbox"/>	Written Notice		
<input type="checkbox"/>	Stop Work Order		
<input type="checkbox"/>	Citation		

**City of Cloquet - Illicit Discharge ERP**

<input type="checkbox"/>	City Corrected Violation and Charged Owner		
<input type="checkbox"/>	Legal Action		
<input type="checkbox"/>	Other:		

<b>CORRECTIVE ACTIONS REQUIRED</b>			
<b>Corrective Action</b>	<b>Req. Completion Date</b>	<b>Field Verification Date</b>	<b>Field Verified By</b>
<b>Attach Sheet to Document if More Space is Needed</b>			

HAS THIS VIOLATION BEEN RESOLVED:  YES  NO?

IF YES, DATE(S) VIOLATION(S) HAS BEEN RESOLVED:

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name Printed