



Illicit Discharge Detection and Elimination (IDDE) Policy

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Background

Christopher Newport University (CNU) is the owner and operator of registered small municipal separate storm sewer system (MS4). A Stormwater Quality and Quantity Management Study was developed for the University by Koontz-Bryant in 2002 and revised in 2008. This study contains detailed information on the existing stormwater conveyance system at the University. Based on the stormwater study, the University area encompasses 142.5 acres. The study also provides a map (updated in 2008) showing drainage areas and storm sewer mapping. CNU further had a Stormwater Master Plan developed in 2019 by VHB that updates the stormwater plan for the campus, providing an approximate total institutional footprint of 152 acres that includes the MS4 area and other facilities that CNU operates in the adjacent City of Newport News MS4.

1. Purpose of Policy

The purpose of this policy is to provide for the protection of the environment at CNU, and the surrounding areas, through the regulation of non-stormwater discharges to the storm drainage system to the maximum extent practicable as required by federal, state, and local law. This policy establishes MS4 in order to comply with requirements of the National Pollutant Discharge Elimination System ([NPDES](#)) permit process, as implemented through the Virginia Stormwater Management Program ([VSMP](#)) permit for CNU. The objectives of this policy are as follows:

- A. To prevent or minimize to the maximum extent practicable, the discharge of pollutants from University properties and operations into the storm drainage system.
- B. To develop, implement and enforce a program to detect and eliminate illicit discharges, as defined by [9VAC25-870-400](#) and [9VAC25-870-10](#), into the regulated small MS4.
- C. To comply with the requirements of CNU's stormwater permit.

2. Definitions

Best Management Practices (BMPs): Activities, prohibitions of practices, general housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

Contractor: Any individual or company, including a subcontractor, hired to perform services on university property.

Hazardous substance: Any substance designated under the Code of Virginia or 40 CFR Part 116 pursuant to § 311 of the CWA.

Illicit discharge: Any discharge to a municipal separate storm sewer that is not composed entirely of stormwater, except discharges pursuant to a separate VPDES or state permit (other than the state permit for discharges from the municipal separate storm sewer), discharges resulting from firefighting activities, and discharges identified by and in compliance with 9VAC25-870-400 D 2 c (3).

Municipal separate storm sewer (MS4): A conveyance or system of conveyances otherwise known as a municipal separate storm sewer system, including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains:

- 1) Owned or operated by a federal, state, city, town, county, district, association, or other public body, created by or pursuant to state law, having jurisdiction or delegated authority for erosion and sediment control and stormwater management, or a designated and approved management agency under § 208 of the CWA that discharges to surface waters;
- 2) Designed or used for collecting or conveying stormwater;
- 3) That is not a combined sewer; and
- 4) That is not part of a publicly owned treatment works.

Municipal Separate Storm Sewer System (MS4): All separate storm sewers that are defined as "large" or "medium" or "small" municipal separate storm sewer systems or designated under [9VAC25-870-380](#).

Municipal Separate Storm Sewer System Management Program or MS4 Program: A management program covering the duration of a permit for a municipal separate storm sewer system that includes a comprehensive planning process that involves public participation and intergovernmental coordination, to reduce the discharge of pollutants to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the CWA and regulations and the Virginia Stormwater Management Act and attendant regulations, using management practices, control techniques, and system, design and engineering methods, and such other provisions that are appropriate.

National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit: A permit issued by EPA (or by a State under authority delegated pursuant to 33 USC §1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-stormwater discharge: Any discharge to the storm drain system that is not composed entirely of stormwater.

Outfall: When used in reference to municipal separate storm sewers, a point source at the point where a municipal separate storm sewer discharges to surface waters and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other surface waters and are used to convey surface waters.

Point source: Any discernible, confined, and discrete conveyance including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel, or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

Pollutant: Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and

pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

Source: Any building, structure, facility, installation, or activity from which there is or may be a discharge of pollutants.

State waters: All water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands.

Stormwater: Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

Wetlands: Those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

Visitor: A person who is not enrolled at, compensated by, or an affiliate of the University.

3. Applicability

This policy is applicable to all students, faculty, staff, contractors, and visitors of the University. This policy shall apply to all water entering the storm drain system generated on any lands owned or operated by the University.

4. Responsibility for Administration.

The University shall administer, implement, and enforce the provisions of this policy.

5. Compatibility with Other Regulations

This policy is not intended to modify or repeal any other policy, ordinance, rule, regulation, or other provision of law. The requirements of this policy are in addition to the requirements of any other policy, ordinance, rule, regulation, or other provision of law, and where any provision of this policy imposes restrictions different from those imposed by any other policy, ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

6. Severability

The provisions of this policy are declared to be severable. If any provision of this policy is held invalid, this determination will not affect the other provisions or application of this policy.

7. Illicit Discharges

No CNU employee, student, visitor, contractor, or department shall cause or allow discharges into the University's storm drainage system which are not composed entirely of stormwater, except for the allowed discharges provided in the Virginia Stormwater Management Program (VSMP) Regulations

(9VAC25-870). The spilling, dumping, or disposal of materials other than stormwater to the storm drainage system are strictly prohibited.

Prohibited discharges include, but are not limited to:

- Wastewater from washout of concrete
- Wastewater from the washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials
- Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance
- Oils, toxic substances, or hazardous substances from spills or other releases
- Soaps, solvents, or detergents used in equipment and vehicle washing

8. Allowed Discharges

The following discharges to the storm drainage system are allowed, as per [9VAC25-890-20](#) as they are considered to be not significant contributors of pollutants to the MS4:

- Discharges that are covered under a separate individual or general VPDES or VSMP permit for non-stormwater discharges.
- Discharges or flows which are not significant contributors of pollutants to the municipal separate storm sewer system:
 - Water line flushing, managed in a manner to avoid an instream impact;
 - Landscape irrigation;
 - Diverted stream flows;
 - Rising groundwaters;
 - Uncontaminated groundwater infiltration, as defined at 40 CFR 35.2005(20);
 - Uncontaminated pumped groundwater;
 - 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;
 - Discharges or flows from firefighting activities;
 - Discharges from noncommercial fundraising car washes if the washing uses only biodegradable, phosphate-free, water-based cleaners; or
 - Other activities generating discharges identified by the department as not requiring VPDES authorization.

9. Procedures

Inspections

CNU shall, at a minimum, visually inspect all outfalls once per year to evaluate the physical condition of the outfalls and to ensure that there no flows present from potential illicit discharges. In the event a flow is observed, or evidence suggests that illicit discharges may exist, further investigation shall be administered by any of the following methods as appropriate:

1. Date of inspection and follow-up
2. Tracing discharge up the storm sewer system;
3. Sampling of a discharge for analysis in order to determine if a pollutant is present and to identify the pollutant;
4. Implement BMPs to eliminate illicit discharges;
5. Scheduling of follow up observations; and,
6. Any other appropriate measures deemed necessary.

Flows suspected of containing illicit discharges due to the presence of odors, colors or sheens shall be further analyzed, which may include testing. If determined to be a naturally occurring issue and not an illicit discharge, no further analysis will be performed. Test parameters may include but are not limited to ammonia, detergent, chlorine, phosphorus, nitrogen, pH, conductivity, turbidity, temperature, and dissolved oxygen. The results of the inspections and testing shall be maintained in a format to allow tracking of outfall locations, inspection dates, chemical tests conducted, and follow-up procedures implemented to correct any detected illicit discharge. The physical condition of the outfall shall also be noted during the inspections. Illicit discharge data will be used in the preparation of the annual report to the Virginia Department of Environmental Quality.

Notification of Spills and Illicit Discharges

Once a spill or illicit discharge has been observed, the incident shall be immediately reported to the University MS4 Program Coordinator. In the event the program coordinator is unavailable, any member of the Stormwater Pollution Prevention Team or University Police may be notified. Failure to provide notification of the incident shall be a violation of this policy.

The MS4 Program Coordinator, or designee, shall conduct and an initial investigation within one business day of receiving notification. The MS4 Program Coordinator shall determine appropriate measures taken in order to prevent further discharge(s) and to begin remediation of pollution.

Tracking

Field surveys and instances of illicit discharges or spills shall be tracked in our [IDDE Database](#) and include:

1. Date discharge observed/reported;
2. Location of discharge;
3. Summary;
 - a. Results of investigation;
 - b. Any follow-up to investigation;
 - c. Resolution of investigation; and,
4. Date investigation closed.

Enforcement and Penalties

Whenever the University finds that a violation of this Policy has occurred, CNU may order compliance by written notice to the responsible party. Such notice may require without limitation:

1. The performance of monitoring, analyses, and reporting;
2. The elimination of prohibited discharges or connections;
3. Cessation of any violating discharges, practices, or operations;
4. The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
5. Payment of any fee, penalty, or fine assessed against Christopher Newport University to cover remediation cost;
6. The implementation of new stormwater management practices; and
7. Disciplinary action up to and including dismissal, where appropriate.

The listed requirements will be at the expense of the responsible party. In the event that adequate measures are not initiated, the University may issue work orders to correct the violation and bill the responsible party for expenses incurred.

10. Training and Education

A training program for Stormwater Pollution Prevention/Good Housekeeping and IDDE is presented to applicable employees upon hire and no less than once per 24 months. Educational materials for Stormwater Pollution Prevention and IDDE are distributed through various forms of media to the members of the University.