

Christopher Newport University
Illicit Discharge Detection and Elimination (IDDE) Policy
Newport News, Virginia

1. Purpose of Policy

The purpose of this policy is provide for the health, safety, and general welfare of the students, staff and faculty of Christopher Newport University through the regulation of non-stormwater discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. This policy establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (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 hazardous substances or oil from Christopher Newport University properties and operations into the storm drainage system and natural waters within Christopher Newport University.
- B. To develop, implement and enforce a program to detect and eliminate illicit discharges, as defined at 4VAC50-60-10, into the regulated small MS4.
- C. To comply with the requirements of the Christopher Newport University's stormwater permit.

2. Definitions

"Best Management Practices (BMPs)" means schedules of 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.

"Hazardous substance" means any substance designated under the Code of Virginia or 40 CFR Part 116 (2000) pursuant to § 311 of the CWA.

"Illicit discharge" means any discharge to a municipal separate storm sewer that is not composed entirely of stormwater, except discharges pursuant to a VPDES or VSMP permit (other than the VSMP permit for discharges from the municipal separate storm sewer),

discharges resulting from fire fighting activities, and discharges identified by and in compliance with 4VAC50-60-1220 C 2.

"Municipal separate storm sewer (MS4)" means 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" or "MS4" means all separate storm sewers that are defined as "large" or "medium" or "small" municipal separate storm sewer systems or designated under 4VAC50-60-380 A 1.

"Municipal Separate Storm Sewer System Management Program" or "MS4 Program" means 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" means 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" means any discharge to the storm drain system that is not composed entirely of stormwater.

"Outfall" means, 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" means 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" means 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" means any building, structure, facility, or installation from which there is or may be a discharge of pollutants.

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

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

3. Applicability

This policy shall apply to all water entering the storm drain system generated on any developed and undeveloped University owned lands unless explicitly exempted 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 Christopher Newport University 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) Permit Regulations (4VAC50-60). Prohibited discharges include, but are not limited to: oil, anti-freeze, grease, chemicals, wash water, paint, animal waste, garbage, and litter. The spilling, dumping, or disposal of materials other than stormwater to the storm drainage system is prohibited. A list of allowed discharges is provided in Section 8.

8. Allowed Discharges

The following discharges to the storm drainage system are allowed as they are considered to be not significant contributors of pollutants to the MS4:

- A. Discharges that are covered under a separate individual or general VPDES or VSMP permit for non-stormwater discharges.
- B. Discharges or flows which are not significant contributors of pollutants to the municipal separate storm sewer system:
 - Water line flushing;
 - Landscape irrigation;
 - Diverted stream flows;
 - Rising ground waters;
 - 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 of flows from fire fighting activities; and,
- Flows that have been identified in writing by the Department of Environmental Quality as de minimis discharges that are not significant sources of pollutants to state waters and not requiring a VPDES permit.

9. Enforcement and Penalties

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

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

10. Inspection and Sampling of Outfalls

Christopher Newport University shall, at a minimum, visually inspect all outfalls once per year during dry weather conditions. Flows suspected of containing illicit discharges due to the presence of odors, colors or sheens shall be tested. 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 Conservation and Recreation.

A Stormwater Quality and Quantity Management Study was developed for Christopher Newport University by Koontz-Bryant in 2002 and revised in 2008. This study contains detailed information on the existing stormwater conveyance system at Christopher Newport 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.

11. Illicit Discharge Training

Training on how to identify and report illicit discharges and implement good housekeeping and pollution prevention best management practices shall be presented to Christopher Newport University maintenance employees.

12. Effective Date

This Policy is effective 7/1/10.