

Illicit Connection/Illicit Discharge Elimination Program

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1. Introduction

The municipal storm water National Pollutant Discharge Elimination System (NPDES) Permit issued to Los Angeles County and 85 cities by the Los Angeles Regional Water Quality Control Board (RWQCB) on December 13, 2001 contains a requirement for all Permittees to develop and implement an Illicit Connection/Illicit Discharge Elimination Program.

The purpose of this manual is to provide for a systematic and accessible informational source to communicate the City's Illicit Connection/Illicit Discharge Elimination Program to its employees, contractors and agents. Statements contained within this manual are intended to provide for consistent implementation of these procedures. All employees, contractors and agents of the City are governed by the procedures set forth herein, unless otherwise stipulated by a specific policy or written statement.

This manual should be used as a consultative material, consistent with the City's mission and objectives. Employees should consider this manual as general guidelines for the implementation of the City's NPDES Illicit Connection/Illicit Discharge Elimination Program, since it does not contain all procedures and practices, all interpretations, amendments additions or deletions of all other standard operating procedures that may have previously been established for other purposes. It is recognized that this manual is a "living document," and that the procedures contained within this manual may be changed, or modified depending upon the particular circumstances, as the need may arise.

Supervisory personnel are responsible for communicating this information to their employees, contractors and agents. These communications shall include an orientation for new personnel and ongoing discussions with employees as to the general information contained herein. Employees are responsible for abiding by these procedures and for seeking assistance from their supervisors in understanding the meaning and intent of the program.

The Public Works Director or his/her designee is responsible for the preparation and publication of this written program and any approved revisions. Procedures contained within this manual shall supersede any previous publications governing the same or similar matters. Any questions concerning the currency, interpretation or application of an NPDES Illicit Connection/Illicit Discharge Elimination Program procedure shall be referred to the NPDES Coordinator.

2. Pollution Control Responsibilities

2.1 Department Heads—Pollution Control Responsibilities

The City Department heads are charged with implementing the Illicit Connection/Illicit Discharge Elimination Program (“the Program”) as directed by the City Manager or designee thereof. The following are the general responsibilities of the Department heads:

Management of the Program. The Department heads are responsible for the management of the Program as it applies to their area(s) of responsibility. It is also expected that action will be taken to supplement the City’s basic program according to the needs of the Department. The Department heads must hold supervisors responsible and accountable for pollution control compliance in their area(s) of responsibility.

Basic Supervisor Training. The Department heads are responsible for ensuring that all current and future appointed supervisors receive basic training in the contents of this manual. Ideally, such training should be completed at the time the supervisor assumes their responsibilities. Refresher training shall be conducted on a routine, on-going basis.

Pollution Control Meetings with Supervisors. The Department heads will establish and conduct a program of regular meetings with their supervisors to discuss the department’s compliance with the Program. As needed, the meeting should entail such topics as inspection findings, observations, procedural problems, and similar matters. This responsibility may be shared with Assistant Department heads.

Illicit Connection/Illicit Discharge Investigation. The Department heads will review all reports of illicit connections/illicit discharges or Program non-compliance activities experienced by their department and direct whatever action is reasonably necessary to prevent recurrence. A follow-up procedure must be adopted to ensure that ordered corrective action is completed.

Development of Connection and Discharge Procedures. The Department heads will establish and implement departmental storm drain and sanitary sewer connection and discharge policies and procedures. Such policies and procedures may supplement, but may not conflict with, the procedures contained within this manual. All policies and procedures must be in writing and approved by the NPDES Coordinator prior to their implementation.

Federal, State and Local Codes. The Department heads must be familiar with the Federal, State and Local Codes applicable to their department’s pollution control operations and responsibilities and train supervisors accordingly. The City’s NPDES Coordinator and environmental consultant are available to assist Department heads in interpreting these requirements.

2.2 Supervisors—Pollution Control Responsibilities

The actions of the City's front-line supervisors are of critical importance to the success of the Program. If pollution is to be prevented, employees must be trained to perform their duties in an environmentally sound manner and to recognize when others may not. They should be reminded of their environmental obligations during regularly scheduled safety meetings. Their work areas and job sites should be inspected regularly for non-compliance with the Program. Additionally, all field personnel must be observant while conducting their routine duties in order to identify illicit discharges that they may come upon. When discovered, illicit connections and discharges, and other forms of non-compliance with the Program, are expected to be investigated to determine causes and corrective actions.

The attitude of the Supervisor toward the identification and reporting of environmentally unsound operations has a substantial impact on the attitudes of employees. What is said and done by the supervisor is a reflection of City management's views. Conscientious implementation of illicit connection and discharge procedures will convey the idea that management places a high priority on the protection of the environment and employees are more likely to perform their duties accordingly.

The Supervisor is charged with ensuring that employees maintain their work areas and job sites and perform their assigned duties in a manner consistent with the procedures contained within this manual and that they report observed illicit connections/discharges as required by the Program. To achieve this goal, the supervisor will implement the Program's provisions as directed by upper management.

Responsibility for Assigned Personnel. The Supervisor is responsible for compliance with the provisions of this manual by all personnel regularly assigned to them. Supervisors, therefore, have authorization to take any reasonable action required to ensure all such employees conduct themselves in compliance with the provisions of this manual.

Responsibility for Non-assigned Personnel. Supervisors also share responsibility for personnel of other departments, contractors and other agents of the City, who may be working in their area. The Supervisor is to become acquainted with the nature of their work, and assure that they take reasonable precautions to comply with the provisions of this manual.

Agency Illicit Connection/Discharge Investigation. The Supervisor will investigate illicit connections/discharges that they observe or are brought to their attention, and shall take all reasonable steps necessary to correct such situations. Any incidents that are beyond their authority to correct shall be immediately reported to higher supervision. All such investigations are to be reported on the appropriate form in accordance with the provisions of this manual.

Private Property Illicit Connection/Discharge Investigation. Supervisors have responsibility for reporting all private property illicit connections/discharges that they observe or are brought to their attention in accordance with the procedures established by this manual.

Employee Basic Training. Supervisors are responsible for ensuring that their assigned personnel know the City's illicit connections/discharges policies and procedures, definitions of what constitutes an illicit connection or discharge, and the proper reporting procedures for the same. They are responsible for the initial illicit connection/discharge program orientation of all current and future assigned employees.

Federal, State and Local Codes. Supervisors are responsible for knowing the applicable Federal, State and Local Code connection and discharge requirements for all activities performed under their jurisdiction. The City's NPDES consultant is available to assist in this area.

2.3 Employees-- Pollution Control Responsibilities

Employees are charged with complying with the provisions of the City's NPDES Illicit Connection/Illicit Discharge Elimination Program as directed by management through the supervisors.

Inspection of Worksite. Employees are responsible for the self-inspection of their worksite to ensure that it is maintained in a condition of compliance with the provisions of this manual. Any and all deficiencies are to be immediately reported to their supervisor.

Pollution Control Policies and Procedures. The employee is responsible for adhering to all properly established pollution control policies and procedures and for complying with all reasonable corrective instructions issued by their supervisor or other proper authority.

Report of Illicit Connections/Discharges or Pollution Control Concern.

The employee shall be responsible for reporting all illicit discharges that they observe or are made aware of, regardless of whether it is a City, industrial, commercial or residential discharge, to their supervisor.

3. Illicit Connections/Illicit Discharge Elimination Procedures

Introduction

The City's storm drain system is designed to collect and convey surface discharges and runoff to receiving waters during storms in order to prevent flooding. Illegal connections to this system, or illegal discharges to City streets which ultimately flow into the system, can allow for materials to be transported directly to the ocean, resulting in significant harm to the environment. The same scenario exists for illegal discharges through legal connections and for cross-connections of sewer systems to the storm drain system. For these reasons, it is necessary to ensure that suspected illegal connections and/or discharges to either system are properly investigated and eliminated.

Purpose

To identify and eliminate illicit connections and illicit discharges to the City's street, storm drain and sanitary sewer systems.

Scope

These operational procedures are applicable for all employees, contractors, and agents of the City.

3.1 Definitions

Illicit Connection

An illicit connection is any man-made conveyance that is connected to the street or storm drain system without a permit. Examples would include: channels, pipelines, conduits, swales, inlets, and outlets that are **directly** connected to the storm drain system, or are constructed in such a manner as to direct their flows to City streets.

Illicit Discharge

An illicit discharge is any non-storm water discharge to the storm drain system, *except* those that are covered by a separate individual or general NPDES permit, or fall within one of the following categories:

A. Natural flow

- 1.) Natural springs and rising ground water;
- 2.) Flows from riparian habitats or wetlands;
- 3.) Stream diversions permitted by the State Board; and
- 4.) Uncontaminated ground water infiltration [as defined by 40 CFR 35.2005(20)].

B. Flows from emergency fire fighting activity.

C. Flows incidental to urban activities

- 1.) Reclaimed and potable landscape irrigation runoff;
- 2.) Potable drinking water supply and distribution system releases;
- 3.) Drains for foundations, footings, and crawl spaces;

- 4.) Air conditioning condensate;
- 5.) Dechlorinated/debrominated swimming pool discharges;
- 6.) Dewatering of lakes and decorative fountains;
- 7.) Non-commercial car washing by residents or by non-profit organizations; and
- 8.) Sidewalk rinsing.

The Public Works Director may recommend the regulation or prohibition of any of the above listed conditionally-exempted activities to the City Council if, in his sole discretion, the activity is identified as being a significant source of pollutants to receiving waters. If any listed exempt or conditionally exempt discharge is creating conditions resulting in a public nuisance, the Public Works Director may prohibit or restrict the discharge through the City's nuisance abatement process.

3.2 IC/ID Response Procedures

General Response Procedures

An illicit discharge response entails four fundamental phases, which are: **CLASSIFY, CONTAIN, CONTROL and CLEANUP.**

The first personnel on scene are to **classify** whether the discharge is hazardous, non-hazardous, or unknown (**Do not touch or approach any potentially hazardous material**). Hazardous and unknown discharges are referred to the City's Fire Department and/or the County Fire Department Hazmat Response Team. Non-hazardous discharges are handled by City personnel.

The second phase is to **contain** the spill. For some forms of liquid discharges, this may entail the use of sand or soil dikes, sand bags, or plugging the outlet pipe of a catch basin. For other types of spills this may simply entail closing the roadway to prevent material from being tracked or otherwise dispersed by vehicular traffic.

The third phase of the response is to bring the discharge under **control**. For sewer spills this means clearing the line blockage or bypassing the line. For other types of discharges, this may entail sanding or placing absorbent on a material, or simply instructing someone on private property to stop their discharge.

The fourth and final phase of the response is **cleanup**. For sewage spills this may require washing down and disinfecting all surfaces touched by the spill, and removing and properly disposing of all contaminated wash down. Other types of discharges will have their own unique methods of cleanup.

Initial Discharge Response Procedures

1. The Public Works Inspector or Maintenance Superintendent shall be immediately dispatched to the site.
2. If the discharge may be hazardous or unknown, proceed to Step 3 below. If the discharge is determined to be non-hazardous, proceed to Step 5.

3. The Public Works Inspector or Maintenance Superintendent shall immediately retreat to a safe location (i.e. upstream and upwind) and will call Police/Fire Dispatch to notify the City Fire Department, Police Department and/or County Hazmat of the incident and verify that appropriate units are responding.

4. The Public Works Inspector or Maintenance Supervisor will assume authority as event commander, gaining control of the area and deploying City Police, Fire and Public Works personnel to secure the area and prevent public access to the area. In the event of a potentially hazardous spill, the Public Works Inspector or Maintenance Superintendent is to stand-by and await Fire Department/Hazmat arrival for assistance in identifying and containing the spill.

5. If the spill is determined to be non-hazardous, City staff will proceed with containment, control and cleanup operations consistent with appropriate procedures such as those specified within the Sewage Spill Response manual.

3.3 IC/ID Reporting Procedures

Working Hours Reporting Procedures

1. Suspected illicit connections/illicit discharges are reported through Police/Fire Dispatch (310-524-2750) to the City's Department of Public Works.
2. Personnel receiving the call shall complete an Illicit Connection/Illicit Discharge Program Reporting and Response Form (Form ICID-1) and shall immediately contact the Public Works Inspector or Public Works Superintendent for initial response.
3. After determining whether the situation entails hazardous/unknown or non-hazardous material(s), and taking all reasonable action immediately necessary for his/her own safety and the safety of the general public, the Public Works Inspector or Maintenance Superintendent will report back to the personnel that received the original call to advise them of the nature of the problem.
4. The person that received the original call shall record the information provided by the Public Works Inspector onto Form ICID-1 and shall then forward the form to the NPDES Coordinator for review.
5. In all cases, a copy of the completed Form ICID-1 shall be forwarded to the City's NPDES Coordinator for follow-up investigation and enforcement.
(The existing Hazmat reporting form may be used in lieu of an ICID-1 form)

After Hours Reporting Procedures

1. Reports of suspected illicit connections/illicit discharges are received either through the Police/Fire Dispatch.
2. Dispatch will dispatch the Fire Department and the Public Works Superintendent to perform an initial response and to determine:
 - A. if the material involved is hazardous, unknown or non-hazardous.

- B. if the situation requires immediate attention.
3. Incidents involving hazardous or unknown materials will result in County Fire/Hazmat units being dispatched to the location. In addition, the Dispatch shall notify the NPDES Coordinator that a Hazmat incident has occurred. This notification may be made on the next working day.
 4. Upon receiving notification that a Hazmat incident occurred, the NPDES Coordinator shall be responsible for obtaining all available information related to the incident from City personnel and County Fire/Hazmat and for follow-up investigation and enforcement.
 5. Incidents involving non-hazardous materials will be referred to City personnel as follows:
 - a. If immediate action is needed, Public Works Department standby personnel will be contacted by Dispatch using the City's Emergency Call List. The staff person contacted is responsible for filing a completed Form ICID-1 for this event.
 - b. If immediate action is not needed, Dispatch will contact the City's Public Works Department on the next working day.
 6. City response procedures to either method of notification shall be consistent with the procedures contained within this manual.

3.4 IC/ID Enforcement Procedures

Limited Violation

1. A limited violation is a small-scale, one-time violation of a limited scale. Examples include but are not limited to:
 - a. A resident sweeping grass and leaves into the street
 - b. A contractor working on residential property leaving dirt piles uncovered with impending rain.
2. Issue a verbal warning, provide a "friendly reminder," and ensure that the matter is corrected.
3. If a violation occurs in a residential area, a "blanket mailer" may be sent to suspected source(s) and neighboring addresses as additional education.

Notable Violation

1. A notable violation is a connection or discharge that can be eliminated by the responsible party without major effort. Examples include but are not limited to:
 - a. A contractor not utilizing the appropriate Best Management Practices (BMPs) for work being performed.
 - b. A business improperly storing materials where they will be exposed to rainfall.

2. Issue a Notice to Correct to the responsible party and establish a reasonable time period for compliance.
3. A copy of the Notice to Correct is forwarded to the NPDES Coordinator for follow-up investigation and assurance that the matter has been rectified.

Major Violation

1. A major violation is a connection or discharge which has not or can not be immediately eliminated by the responsible party, which may have required the emergency or priority response of City or County forces, or is an on-going problem. Examples of this include:
 - a. Major material discharges within the public right-of-way.
 - b. Illegal connections to the storm drain system (i.e. street, catch basin, or discharge to the beach or ocean).
 - c. Storage of material in such a manner that rainfall could wash pollutants into the street and storm drain system.
2. City response personnel issue a Stop Work Notice and complete Form ICID-1 and forward the same to the City's NPDES Coordinator.
3. The City's NPDES Coordinator conducts a site investigation and issues a First Notice of Violation and prescribes corrective action to be taken and a reasonable time period for compliance.
4. If necessary, second and third notices are issued. The third notice will include an admonishment that failure to comply will result in legal action being taken.
5. If necessary, the consultant transmits a Case File, which shall include copies of all reports, investigations and letters to the NPDES Coordinator.
6. The NPDES Coordinator forwards the Case File to the City Attorney for legal remedy.
7. For serious violations, the Public Works Director at his/her sole discretion may authorize proceeding directly from Step 2 to Step 6.