



Illicit Discharge Response Guide

OVERVIEW

Illicit discharges are discharges into a storm drain system or waterway that are not stormwater, and are prohibited by local ordinances, or by state or federal laws. Marin's **local stormwater program staff** may refer to this guide when responding to illicit discharge complaints to assist with Phase II Permit compliance.¹

WHY IS IT IMPORTANT TO RESPOND TO ILLICIT DISCHARGES

Illicit discharges are a problem because stormwater flows directly to waterways without treatment. Illicit discharges can contribute pollutants, such as sediment, heavy metals, oil and grease, solvents, nutrients, and bacteria that can degrade water quality and threaten aquatic species, wildlife, and human health (beneficial uses). Illicit discharges enter the storm drain system through either direct connections (e.g., pipes mistakenly or deliberately connected to the storm drains) or indirect connections (e.g., infiltration into storm drain systems from cracked sanitary lines), or from spills, dumping, or discharges to the storm drain system. **Local municipalities must Investigate, Abate, and Document illicit discharges to the storm drainage system to protect water quality and beneficial uses.**

INVESTIGATE

Upon receiving a report of or directly observing an illicit discharge, or upon obtaining results from outfall sampling that indicates a suspected illicit discharge:

- Commence an investigation of the suspected illicit discharge **within 72 hours**.
- If you suspect that the illicit discharge type is sanitary sewage or is causing significant contamination, ensure investigation occurs **within 24 hours** after receiving the report.
- Keep a copy of the [MCSTOPPP Spill Response Plan](#) handy and refer to it as needed.
- If you receive a report, you must initiate the investigation. Depending on the material type(s), you may need to inform and coordinate with other agencies. The following table identifies the agencies to contact for additional support to investigate or abate the discharge.

Common Sources of Illicit Discharges

- Sediment
- Sanitary wastewater
- Septic tank effluent
- Vehicle wash waters
- Improper oil disposal
- Radiator flushing
- Laundry wash water
- Spills from vehicle accidents
- Auto and household fluids and cleaners
- Concrete and paint wastewater
- Mobile cleaning wastewater

Non-Stormwater Discharge

Non-stormwater discharges include wastes and liquids that are not directly attributable to precipitation runoff. NPDES-permitted activities implementing proper BMPs (e.g. trench dewatering and hydrant flushing), and fire-fighting activities are not considered illicit discharges. See the *MCSTOPPP Spill Response Plan* for additional authorized discharge types.

¹ Order 2013-0001-DWQ, National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges from Small Municipalities.

Table 1. Agencies involved in illicit discharge response

Type of Material	Agency to Notify	Contact Number
1. Hazardous materials and Hazardous wastes	• Emergency Management System (EMS will notify the Fire Department)	• 911
	• Marin County CUPA	• (415) 473-6647
2. Sanitary sewage	• Marin County Environmental Health Services	• (415) 473-6907
	• Local Sanitary District as needed	For phone numbers, see the <i>MCSTOPPP Spill Response Plan</i>
3. Spills into creeks, bays or the ocean	• San Francisco Bay Regional Water Quality Control Board	• (510) 622-2300 • (510) 622-2369
	• California Department of Fish and Wildlife	• (707) 944-5500 • (916) 358-1300
4. Spills on state highways	• California Highway Patrol	• (415) 924-1100 • (707) 551-4100
Note: Address spills of pesticides or herbicides as hazardous materials. If misuse of pesticides or herbicides is reported, refer the complaint to the Marin County Department of Agriculture Weights and Measures		• (415) 473-6700

ABATE

Follow up to stop the illicit discharge as soon as possible and mitigate any environmental impacts. Identify the responsible party, if possible, and immediately notify and require the responsible party to eliminate the illicit discharge within **72 hours** of notification. Provide the responsible party with the following information:

- Educational information about the impacts of illicit discharges;
- Requirements of the local stormwater ordinance;
- Options for proper discharge or disposal; and
- Educational materials describing BMPs.

If you can't identify the responsible party, distribute educational outreach materials to residents and/or businesses located in the immediate vicinity of the illicit discharge.

If the source of the illicit discharge is a spill, follow the spill containment procedures provided in the [MCSTOPPP Spill Response Plan](#). If any flows are believed to be an immediate threat to human health or the environment, immediately call 911 to activate the emergency response system. If the source is due to an ongoing practice, such as wash water discharges from restaurant mat cleaning, municipal stormwater staff must enforce the urban runoff pollution prevention ordinance and require property owners/managers to cease ongoing illicit discharge practices according to the local Enforcement Response Plan.

DOCUMENT

Document the investigation of all suspected illicit discharges. Document the steps taken to abate the discharge, and referrals to other agencies. Use the MCSTOPPP Illicit Discharge Investigation form (Appendix 3 in the MCSTOPPP Spill Response Plan) or equivalent to document information required by the Phase II Permit. Follow up with referrals to other agencies and document that the discharge was abated within **72 hours** of notification. Include abatement actions and any required mitigation measures. If an investigation requires more than 72 hours, document the actions being taken to identify and locate the source.

Follow Up on Referrals

If you refer an illicit discharge to another agency to abate:

- Stay in touch with the agency
- Request a copy of the report or final abatement resolution for your records

In some cases, emergency responders will stabilize the scene and then have the local agency complete the cleanup.