



Illicit Discharge Interagency Notification

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Purpose

This document describes City and County of Denver (CCD) interagency notification for spills, releases, and other discharges that enter, or have the potential to enter, the CCD municipal separate storm sewer system (MS4), which includes interconnections with surface water features. Illicit discharge interagency notification promotes interagency communication and coordination to minimize environmental impacts and supports compliance with Colorado Discharge Permit System (CDPS) Permit Number COS-000001 for discharge from the MS4 to State Waters, which requires:

- A program to prevent, contain and respond to spills that may discharge into the MS4.
- A plan to detect and address non-stormwater discharges, including illicit discharges and illegal dumping, to the MS4.
- Illicit discharge reports to receive evaluation and follow-up.

Scope

This document addresses CCD interagency notification and communication between Denver Fire Department, the Environmental Quality Division of Environmental Health, and Public Works Street Maintenance and Wastewater Management Division for spills, releases, and other discharges that enter, **or have the potential to enter**, the MS4 **only**.

This document does not address notification requirements for other CCD agencies and entities regarding spills, releases, or discharges that are detailed in City-wide Environmental Guidelines, such as CCD-301.03.26 Spill Response, or facility-specific guidelines, work instructions, or procedures.

This document is intended to be used in support of the requirements for spill prevention, control, and countermeasures as outlined in documents contained within CCD-DPW-305.01.05 Municipal Operations Program and associated operational control documents.

This document does not apply to Denver International Airport.

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Definitions

An illicit discharge is any non-stormwater discharge, except for discharges from the following sources (unless identified as pollutant sources), and runoff from firefighting:

- landscape irrigation
- diverted stream flows
- rising ground waters
- uncontaminated ground water infiltration to separate storm sewers
- uncontaminated pumped ground water
- potable water sources foundation drains
- air conditioning condensation
- irrigation water
- springs
- water from crawl space pumps
- footing drains
- lawn watering
- individual residential car washing
- residential swimming pools and hot tubs
- individual residential street washing
- water-line flushing
- riparian habitats
- wetlands

Refer to Section B.1.b of the CCD's CDPS Permit No. COS-00001 for a full discussion of the Illicit Discharge Management Program.

Instructions

Notification Table:

The attached Table 1, Illicit Discharge Agency Notification, is used with best professional judgment to determine the appropriate notification for an illicit discharge depending on the type, source, and impact.

1. The primary notification agency must be immediately notified of the illicit discharge.
2. The primary notification agency is responsible for ensuring discharge control and containment.
3. The primary notification agency is responsible for ensuring secondary agencies are notified.
4. A hazardous material (HazMat) response is required for HazMat releases. For purposes of this document, a hazardous material is a release that poses an imminent threat to human life/health, any unknown material, any material that meets the definition of a RCRA hazardous waste, and/or other material that is intrinsically hazardous.
5. All applicable agencies are notified for discharges with multiple sources and/or with multiple impacts.
6. Both the primary and secondary notification agencies are responsible for ensuring cleanup and disposal of the illicit discharge, if needed.
7. Both the primary and secondary notification agencies are responsible for ensuring appropriate follow-up and close out, which may include:
 - Source/substance determination;
 - Compliance and/or enforcement actions as dictated by agency-specific roles and responsibilities;
 - Notification to state / federal /other agencies as may be required based on the nature and specific conditions of the release ; and/or,
 - Outreach activities with responsible and affected parties.

Notification Contacts:

The attached Table 2, Illicit Discharge Notification Contacts, provides phone numbers and email addresses for primary and secondary agency notification.

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Table 1 – Illicit Discharge Agency Notification

Discharge	Discharge Nature / Impacts				
	HazMat / Unknown Material	Pavement / Impermeable Surface (Discharge Contained)	Soil / Permeable Surface	Surface Water	MS4 Infrastructure
Vehicle Accidents					
Primary Notification	DFD HazMat	DFD HazMat	DFD HazMat	DFD HazMat	DFD HazMat
Secondary Notification	DEH EQ	Street Maintenance	DEH EQ	DEH EQ WMD NPDES	WMD NPDES DEH EQ
Leaking Vehicles / Abandoned Containers / Abandoned Waste					
Primary Notification	DFD HazMat	DEH EQ	DEH EQ	DEH EQ	WMD NPDES
Secondary Notification	DEH EQ	Street Maintenance	WMD NPDES	WMD NPDES	DEH EQ
Construction Sites					
Primary Notification	DFD HazMat	WMD NPDES	WMD NPDES	WMD NPDES	WMD NPDES
Secondary Notification	WMD NPDES	DEH EQ	DEH EQ	DEH EQ	DEH EQ
Sanitary Sewer Overflow / Illegal Connections / Sanitary Seepage / Groundwater Seepage					
Primary Notification	DFD HazMat	WMD QC	WMD QC	WMD QC	WMD QC
Secondary Notification	WMD QC WMD NPDES DEH EQ	WMD NPDES DEH EQ	WMD NPDES DEH EQ	WMD NPDES DEH EQ	WMD NPDES DEH EQ
Commercial / Industrial Non-Storm Water					
Primary Notification	DFD HazMat	DEH EQ	DEH EQ	DEH EQ	WMD NPDES
Secondary Notification	WMD NPDES DEH EQ	WMD NPDES	WMD NPDES	WMD NPDES	DEH EQ
Municipal Facilities					
Primary Notification	DFD HazMat	WMD NPDES	WMD NPDES	WMD NPDES	WMD NPDES
Secondary Notification	WMD NPDES DEH EQ	DEH EQ	DEH EQ	DEH EQ	DEH EQ

Notes: DEH EQ – Department of Environmental Health / Environmental Quality
 DFD HazMat – Denver Fire Department / Hazardous Materials Response
 Street Maintenance – Denver Public Works (DPW) Street Maintenance Division
 WMD NPDES – DPW Wastewater Management Division / NPDES
 WMD QC – DPW Wastewater Management Division / Quality Control



Table 2 – Illicit Discharge Notification Contacts

Agency	Contact	Telephone	Timeframe	Email
DFD HazMat	HazMat Response	9-1-1	24 hours / day	—
	Dispatch	720-913-2400	24 hours / day	—
	Lt. Darwin Neiman	720-913-8288	Business Hours	Darwin.Neiman@denvergov.org
DEH EQ	Spill Reporting	3-1-1	Business Hours	—
DEH EQ	Emergency Response	303-206-0001	After Hours	—
DEH EQ / Environmental Compliance	Gary Lasswell	720-865-5440	Business Hours	Gary.Lasswell@denvergov.org
	Janet Burgesser	720-865-5457	Business Hours	Janet.Burgesser@denvergov.org
DEH EQ / Municipal Facility Compliance	Paul Bedard	303-880-9865	Business Hours	Paul.Bedard@denvergov.org
DEH EQ / Surface Water Compliance	Jon Novick	720-865-5468	Business Hours	Jon.Novick@denvergov.org
Street Maintenance	Bob Streno	303-458-4824	Business Hours	Robert.Streno@denvergov.org
WMD	Stormwater Quality	303-446-3700	Business Hours	—
WMD NPDES	Terry Baus	303-466-3603	Business Hours	Terry.Baus@denvergov.org
WMD NPDES	Kevin Lewis	303-466-3658	Business Hours	Donald.Lewis@denvergov.org
WMD QC	Kevin Mueller	303-466-3679	Business Hours	Kevin.Mueller@denvergov.org

Notes: DEH EQ – Department of Environmental Health / Environmental Quality
DFD HazMat – Denver Fire Department / Hazardous Materials Response
Street Maintenance – Denver Public Works (DPW) Street Maintenance Division
WMD NPDES – DPW Wastewater Management Division / NPDES
WMD QC – DPW Wastewater Management Division / Quality Control



References

Guidance Materials (list not limited to the following)

- Material Safety Data Sheets (MSDSs)
- NIOSH Pocket Guide (NPG) to Chemical Hazards
- DOT Emergency Response Guidebook (ERG)
- Facility specific Spill Prevention, Control and Countermeasure (SPCC) Plan
- Facility specific Municipal Facility Runoff Control Plan (MFRCP)
- Site specific Construction Activities Stormwater Management Plan (CASMP)
- Colorado Water Quality Control Division Policy No. WQE-10 – Guidance for Reporting Spills Under the Colorado Water Quality Control Act and Colorado Discharge Permits

Training Materials (list not limited to the following)

- 40 CFR 311 Worker Protection
- OSHA 1910.120 Hazardous Waste Operations and Emergency Response

Related Environmental Guidelines (list not limited to the following)

- CCD-301.03.06 Emergency Preparedness and Response
- CCD-301.03.10 General Regulated Waste Management
- CCD-301.03.26 Spill Response

Applicable Regulations (list not limited to the following)

Federal:

- 40 CFR 150-189 Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Regulations
- 40 CFR 117.3 Determination of Reportable Quantities for a Hazardous Substance
- 40 CFR 122-124 NPDES Regulations for Storm Water Discharges

State:

- Colorado Water Quality Control Act (CRS 25-8-101 through 25-8-702)
- 5 CCR 1002-61 Colorado Discharge Permit Regulations (CDPHE Regulation 61)
- 5 CCR 1002-65 Regulations for Controlling Discharges to Storm Sewers (CDPHE Regulation 65)
- 6 CCR 1007-3 Part 261 – Identification and Listing of Hazardous Waste
- Denver Municipal Separate Storm Sewer System (MS4) CDPS Permit COS-000001

Local:

- Denver Fire Code (2006 International Fire Code w/ Denver Amendments)
- CCD Revised Municipal Code
 - Chapter 24 – Health and Sanitation
 - Sec. 24-8. Unlawful to discharge water or waste into streets.
 - Chapter 49 – Streets, Sidewalks and Other Public Ways
 - Sec. 49-555. Industrial waste water; polluted water.
 - Sec. 49-557. Unlawful to discharge water or waste into streets.
 - Chapter 56 – Utilities
 - Sec. 56-102. Disposal of wastes and use of public sewers.
- DPW Rules and Regulations Governing Sewerage Charge and Fees and Management of Wastewater
 - Chapter 7 – Quality Control
 - Sec. 7.01. Prohibited Discharges to the Storm Sewer System