



DEPARTMENT OF THE NAVY

NAVAL STATION NEWPORT
690 PEARY STREET
NEWPORT, RHODE ISLAND 02841-1522

IN REPLY REFER TO:

NAVSTANPT/LOCAL AREA RI
COORDINST 5090.23
CODE N8N
16 Feb 06

NAVSTANPT/LOCAL AREA RHODE ISLAND COORDINATOR INSTRUCTION 5090.23

Subj: STORM WATER ILLICIT DISCHARGE CONTROL

Ref: (a) Regulations for Rhode Island Pollutant Discharge Elimination System (RIPDES), Chapter 46-12, 42-17.1 & 42-35 of the General Laws of RI
(b) Naval Station Newport's Phase II Storm Water Management Plan (SWMPP)
(c) Federal Clean Water Act (33 U.S.C. 1251 et seq.)

1. Purpose. Per reference (a), a storm water illicit discharge control instruction is required to fully implement the second year requirements of reference (b). The purpose and intent of this document is to protect and enhance the water quality of watercourses and water bodies in a manner pursuant to and consistent with reference (c) by reducing pollutants in storm water discharges to the maximum extent practicable and by prohibiting non-storm water discharges to the storm drain system.

2. Applicability. This instruction applies to all military and civilian personnel assigned to or working at Naval Station (NAVSTA) Newport. All contractors providing construction or any other services are also subject to the provisions of this instruction.

3. Policy. It is the policy of this command to ensure all storm water discharges are allowable and illegal discharges are investigated and stopped.

4. Definitions.

a. Illegal Discharge. Any direct or indirect non-storm water discharge to the storm drain system, with the exception of permitted discharges addressed in section 5.

b. Illicit Connections. An illicit connection is defined as either of the following:

(1) Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system (including but not limited to sewage, process wastewater, and wash water);

(2) Any connections to the storm drain system from indoor drains and sinks, (regardless if connection had been previously allowed, permitted, or approved by an authorized enforcement agency) or, any drain or connection from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

c. Pollutant. Any thing which may cause or contribute to pollution. Pollutants may include, but are not limited to: paints, varnishes, solvents, oils, other automotive fluids, non-hazardous liquid and solid wastes, yard wastes, refuse, rubbish, garbage, litter, other discarded or abandoned objects, floatables, pesticides, herbicides, fertilizers, hazardous substances and wastes, sewage, fecal coliform, 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.

d. Watercourse. A natural or artificial channel through which water flows including rivers and streams.

5. Discharge Prohibitions.

a. Prohibition of Illegal Discharges. No entity shall discharge or cause to be discharged into the municipal storm drain system (or watercourses) any pollutant as defined in 4c. above. Non-storm water discharge to the storm sewer is prohibited with the following exceptions:

- (1) Potable water line and fire hydrant flushing;
- (2) Fire fighting activities
- (3) Landscape irrigation and lawn watering;
- (4) Uncontaminated ground water discharges;

- (5) Air conditioning condensation;
- (6) Uncontaminated roof and foundation drains;
- (7) Irrigation drainage and natural springs;
- (8) External building wash down with no detergent;

(9) The Environmental Department may exempt in writing other non-storm water discharges which are not a source of pollutants to the storm drain system nor waters of the U.S.

b. Prohibition of Illicit Connections.

(1) The construction, use, maintenance, or continued existence of illicit connections to the storm drain system is prohibited.

(2) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

c. Waste Disposal Prohibitions. No person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, left, or maintained, any refuse, rubbish, garbage, litter, or other discarded or abandoned objects, on the Naval Station or any water of the U.S. Wastes deposited in proper waste receptacles for the purposes of collection are exempted from this prohibition.

6. Action.

a. Elimination of illegal discharges. Once an illegal discharge has been discovered and the source traced, the discharge must be discontinued immediately, and measures to eliminate the source of the discharge must be taken.

b. Watercourse Protection. The owner of property through which a watercourse passes, or the owner's lessee, shall be responsible for the following:

(1) Maintain the property reasonably free of trash, debris, excessive vegetation, and other obstacles that would

16 FEB 06

pollute, contaminate, or significantly retard the flow of water through the watercourse.

(2) Maintain structures so that they will not become a hazard to the use, function, or physical integrity of the watercourse.

(3) Do not remove healthy bank vegetation beyond that actually necessary for maintenance, and do not remove it in a way that will increase the vulnerability of the watercourse to erosion. The owner or lessee shall be responsible for maintaining and stabilizing that portion of the watercourse that is within their property lines in order to protect against erosion and degradation of the watercourse originating or contributed from their property.

c. Discharge of Pollutants. Anyone discovering a non-storm water discharge flowing into any storm water catch basin, or flowing from an outfall shall report the discharge to the Environmental Protection Department, who will remediate the situation in a timely manor.

d. Sampling. Any illegal discharge or dry weather flow found in the storm sewer system shall be sampled and monitored in accordance with the storm water regulations.

e. Notification of Spills. In addition to the Naval Station spill procedures, if a hazardous substance or material does spill and enter the storm drain system, the Environmental Department shall be notified


T. W. MALLOY

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