

# Tacoma Illicit Discharge and Connection Policy

## **Purpose:**

This policy pertains to all discharges through the Port of Tacoma's Municipal Separate Storm Sewer System. The Washington Department of Ecology's Phase I Municipal Stormwater Permit ("Permit") regulates discharges through the Port of Tacoma's Municipal Separate Storm Sewer System. The purpose of this policy is to comply with Condition S6.E.3 of the Phase I Permit.

## **Definitions:**

"Illicit Connection" means any infrastructure connection to the MS4 that is not intended, permitted, or used for collecting and conveying stormwater or non-stormwater discharges allowed as specified in the Permit (Condition S6.E.3). Examples include sanitary sewer connections, floor drains, channels, pipelines, conduits, inlets, or outlets that are connected directly to the MS4.

"Illicit Discharge" means any discharge to the Port's MS4 that is not composed entirely of stormwater or of non-stormwater allowed as specified in this policy.

"Illegal dumping to the MS4" means placement of pet waste and trash in areas exposed to precipitation or otherwise resulting in a discharge to the MS4.

"MS4" means Municipal Separate Storm Sewer System.

"Permit" means the Phase I Municipal Stormwater Permit.

"Local Jurisdictions" includes City of Fife, Pierce County, and the City of Tacoma.

## **Department and Staff Persons responsible for this Policy:**

The Environmental Programs and Planning Services Department is responsible for implementing this Policy with cooperation from the Port's Real Estate Department.

## **Policy:**

**Illicit Connections.** The construction, use, maintenance, or continued existence of illicit connections to the Port of Tacoma's MS4 is hereby prohibited. This prohibition includes Illicit Connections made in the past, regardless of whether the connection was contemporaneously permissible under law or acceptable practice.

**Illicit Discharges.** Illicit Discharges to the Port's MS4, whether directly or indirectly, are either fully prohibited, conditionally allowed, or allowed, as each term is defined in this section.

**Fully Prohibited Discharges.** Substances prohibited from discharge, directly or indirectly, to the Port's MS4 include, but are not limited to, the following:

- Petroleum products including, but not limited to, oil, gasoline, grease, fuel oil, and heating oil;
- Antifreeze and other automotive products;
- Metals in either particulate or dissolved form;
- Flammable or explosive materials;
- Radioactive material;
- Batteries;
- Acids, alkalis, or bases;
- Paints, stains, resins, lacquers, or varnishes;
- Degreasers and/or solvents;
- Drain cleaners;
- Pesticides, herbicides, or fertilizers unless preapproved as set forth at TMC (Tacoma Municipal Code) 12.08D.150.F;
- Soaps, detergents, or ammonia;
- Steam-cleaning wastes;
- Swimming pool or spa filter backwash;
- Chlorine, bromine, or other disinfectants;
- Heated water;
- Domestic animal wastes;
- Sewage;
- Recreational vehicle waste;
- Animal carcasses;
- Food wastes or products, trash, or debris not otherwise enumerated in this section;
- Bark and other fibrous materials;
- Lawn clippings, leaves, or branches;
- Silt, sediment, concrete, cement, gravel, asphalt, or construction materials, including track-out;
- Chemicals not normally found in uncontaminated water;
- Any other process-associated discharge, except as otherwise allowed in this section;
- Any other material that is regulated as a hazardous substance or hazardous or dangerous waste by federal, state, or local laws and regulations; and
- Discharge or overflow from fountains or other outdoor water features

**Conditionally Allowed Discharges.** Discharges from the sources listed below are conditionally allowed subject to the stated conditions, Local Jurisdiction codes, and subject to a Port determination that the discharge is a significant source of pollutants to waters of Washington State:

- a. Discharges from potable water sources, including but not limited to, water line flushing, hyper chlorinated water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water. Planned discharges shall be dechlorinated to a total residual chlorine concentration of 0.1 ppm or less, pH-adjusted if necessary, and volumetrically and velocity controlled to prevent re suspension of sediments in the MS4.
- b. Discharges from lawn watering and other irrigation runoff. Discharges must be minimized via public education.
- c. Dechlorinated swimming pool, spa, and hot tub discharges. The discharge shall be dechlorinated to a total residual chlorine concentration of 0.1 ppm or less, pH-adjusted and reoxygenated if necessary, and volumetrically and velocity controlled to prevent resuspension of sediments in the MS4. Discharge shall be thermally controlled to prevent an increase in temperature of the receiving water. Swimming pool cleaning wastewater and filtered backwash shall not be discharged to the MS4.
- d. Street and sidewalk wash water, water used to control dust, and routine external building wash down that does not use detergents. Discharges will be reduced through, at a minimum, public education activities and/or water conservation efforts. To avoid washing pollutants into the MS4, the amount of street wash and dust control water used shall be minimized.
- e. Other non-stormwater discharges shall follow the requirements of a pollution prevention plan reviewed by the Port of Tacoma which addresses control of such discharges.

**Allowed discharges.** Examples of allowable discharges are provided below, subject to a Port determination that the discharge is a significant source of pollutants to the waters of Washington State:

- Diverted stream flows
- Rising groundwaters
- Uncontaminated groundwater infiltration (as defined at 40 C.F.R. § 35.2005(b)(2))
- Uncontaminated pumped groundwater
- Foundation drains
- Air conditioning condensation
- Irrigation water from agricultural sources that is commingled with urban stormwater
- Springs
- Uncontaminated water from crawl space pumps
- Footing drains
- Flows from riparian habitats and wetlands
- Discharges from emergency firefighting activities in accordance with Permit Condition S2 — Authorized Discharges

# Port of Tacoma Illicit Discharge and Connection Policy

Item: 2D Attachment  
Date: 12/15/22

- Non-Stormwater discharges authorized by another NPDES (National Pollutant Discharge Elimination System) permit

***Illegal Dumping to the MS4.*** Illegal Dumping to the MS4 is prohibited.

**Right of Entry:** The Port's right of entry is provided by lease agreement language. Prior to entry the Tenant must disarm security systems and remove obstructions to safe access.

**Procedures:** The Port has developed and implemented an inspection program and follow up process for illicit discharge elimination.

**Enforcement:**

There are three types of properties for purposes of this policy.

1. Port of Tacoma property that is either habitat or operated directly by the Port. These properties are subject to the permit and Environmental staff take necessary actions to manage any permit issues.
2. Port of Tacoma Property with a lease for operations. These tenants are obligated via their lease to comply with the Port's MS4 permit and other port policies that are memorialized in the lease. There is also lease language obligating tenants to comply with all environmental laws, permits, etc.
3. Port of Tacoma Property licensed by the Northwest Seaport Alliance for operations. These tenants are obligated via their lease to comply with the Port's MS4 permit and other port policies as memorialized in the lease. There is also lease language obligating tenants to comply with all environmental laws, permits, etc. The language is written to specify whether it is the Port of Seattle's MS4 permit or the Port of Tacoma's MS4 permit they must comply with.

If any non-compliance incident regarding illicit discharge cannot be resolved after Port staff make good faith effort, the Environmental Programs and Planning Director will pursue enforcement remedies provided for in the Port's leases and/or in federal, state, and local law.

**Enforcement Procedures:** The Port has provisions in its leases for enforcement of and compliance with all environmental laws.

**Appeals or Review of Enforcement Decisions:** Port and NWSA (Northwest Seaport Alliance) tenants subject to Port enforcement under this policy have such remedies as are provided for in their leases.