



Spill Prevention and Cleanup Plan Guide for Landlords



Purpose

The purpose of this document is to present a simple guide for developing a spill prevention and cleanup plan for landlords. This guide takes into consideration the requirements of the City's Stormwater Management and Pollution Control Ordinance. There may be situations, though, where additional regulations may apply to your facilities which are beyond the scope of this document.

Background

In 2006 The City of Durham revised the Stormwater Management and Pollution Control Ordinance (Durham City Code Article V, Sections 70-492 through 70-551). The purpose of this ordinance is to protect our local water quality. As a Landlord, you are responsible for actions, incidents, or conditions which occur on your property and for complying with the ordinance. You can obtain a copy of the ordinance by downloading an electronic version from the City's website at: www.durhamnc.gov/stormwater or you may pick up a printed version at Durham City Hall (3rd Floor, Public Works Department) 101 City Hall Plaza, Durham, NC between the hours of 8AM – 5PM.

Spill Prevention and Cleanup Plans for Landlords

Effective spill prevention and cleanup plans consist of the following components:

- List of potential sources of pollutants
- Best management practices to prevent stormwater pollution and accidental spills/discharges
- Emergency contact information, notification procedures, and procedures for cleanup of spills and discharges of pollutants
- Employee training

Each section of a well-prepared plan will be discussed in further detail. Your written plan should be kept well organized and accessible in case of an incident.

Important Definitions

Discharge means any release, spill, leak, pumping, flow, escape, dumping, deposit, or disposal of any gas, liquid, semi-solid, or solid substance.

Pollutant means a substance that changes the properties of water (e.g. chemical, physical, biological) in a manner that may negatively affect how that water can be used.

A **drainage system** includes natural and constructed conveyances for collecting and transporting stormwater, whether publicly or privately owned. It can include lakes, ponds, rivers, streams, wetlands, ditches, pipes, and culverts.

Potential Sources of Pollutants

Your plan should include a list of potential pollutants for *your site*. Indicate the areas in which the materials may be found. The following are typical sources of pollutants that occur on residential rental properties:

- Sewage spills resulting from pipe failures, grease and rag blockages, pump failures, and improper connections.
- Automotive fluid spills (used motor oil, antifreeze, lubricants, & solvents) from leaky vehicles and activities associated with auto repair/maintenance (oil changes, engine work, etc.).
- Wash water discharges from vehicle washing activities.
- Heating oil discharges from leaking above ground storage tanks.
- Improper disposal of yard wastes (leaves and grass clippings) to the drainage system.

Best Management Practices (BMPs) to Prevent Stormwater Pollution and Accidental Spills/Discharges

Your plan should have a brief written policy/procedure for each BMP that applies to your property. Some of the practices that will help prevent spills and discharges are:

- Frequently maintain and inspect the property's sewer collection system.
- Educate tenants regarding proper cooking grease disposal.
- Routinely inspect parking lots and other outdoor areas for automotive fluid spills
- Establish a written policy that either prohibits vehicle maintenance activities onsite or limits the activity to a specific area where potential discharges can be contained (such as an enclosed bay).
- Acquire a spill cleanup kit that addresses automotive fluid discharges and discharges of other types of chemicals that are stored and/or used onsite.
- Educate maintenance crew regarding proper disposal and/or recycling of yard wastes (leaves and grass clippings).
- Immediately cleanup up any spills upon discovery and properly dispose of wastes.
- Prohibit car washing in apartment complexes. Prohibit mobile car washers that do not contain waste water.

Emergency Contact Information

The City's Stormwater Management and Pollution Control Ordinance requires responsible parties to immediately contain and properly dispose of a pollutant discharge. Developing and routinely updating an emergency contact list is a key step in ensuring compliance with this requirement. For each contact make sure to include:

- Primary and secondary contact person's name
- Name and address of company or organization represented
- Primary office number and after hours emergency contact number(s)

To address potential sewage discharges, landlords should keep the following contacts:

- 2 plumbing contractors

- 2 environmental cleanup contractors
- Local plumbing supply store(s)

To address potential automotive fluid and other pollutant discharges, landlords should keep the following contacts:

- 2 environmental cleanup contractors
- Local vendors of containment and cleanup products
- Contractor for proper disposal of these wastes.

Note: A document listing potential environmental cleanup companies in the Triangle area is attached for your convenience. This document is not an endorsement of any company by the City of Durham and due to the unpredictable nature of business this may not be an exhaustive list of existing companies.

Notification Procedures

The City’s Stormwater Management and Pollution Control Ordinance requires responsible parties to immediately report spills or discharges of sewage, automotive fluids, or any other non-stormwater substance* that reaches the stormwater drainage system or any waterway.

**Some non-stormwater discharges are conditionally exempt under the Stormwater Management and Pollution Control Ordinance such as landscape irrigation, foundation drains, air conditioning condensate, and water from crawl spaces. See section 70-513 of the Durham City Code of Ordinances for a complete list of exemptions and conditions.*

Spills and discharges should be reported to the City’s Stormwater Services Division’s Water Quality Section by the following means:

- By phone: (919) 560-4386 (the 24 hour stormwater hotline)
- By email: stormwaterquality@durhamnc.gov

The State of North Carolina also requires responsible parties to report certain spills and discharges. These include, but are not limited to:

- Petroleum spills or discharges that are 25 gallons or larger, or cause a sheen with a rainbow appearance on a nearby surface water, or which are spilled/discharged within 100 feet or less of a surface water body, or if the spill or discharge cannot be cleaned up within 24 hours
- Sewage spills or discharges that reach waters of the state, or that are 500 gallons or larger
- Spills/discharges of other hazardous substances, refer to the guidelines specified in 40 CFR PART 117 Determination of Reportable Quantities for Hazardous Substances located online at: <http://h2o.enr.state.nc.us/ndceu/Land/federal.htm>

The State of NC 24-hour emergency response number for reporting spills is (800)-858-0368.



TIP: When in doubt whether reporting a specific discharge is required; it’s better to play it safe and report it immediately!

Cleanup Procedures for Spills/Discharges

Written cleanup procedures should address each potential source of pollution on your property. *(See potential sources of pollutants above).*

As a general rule:

- Check for unsafe conditions. Do not attempt cleanup if there is a safety risk. Instead, call a professional cleanup company.
- If deemed safe, clean spills up immediately and completely.
- Used absorbent materials should be picked up and properly disposed of as soon as possible. (Never wash and/or dispose of used absorbents down floor drains or into the storm drainage system.)
- Obtain emergency spill containment and cleanup kits that are appropriate for the type and quantities of chemical or goods stored at the facility.
- Do not use emulsifiers or dispersants for cleaning up chemical spills.

Employee Training

All employees in your operation should have a general understanding of this document. The rationale is simple: the more people trained in spotting problems, the more prepared your operation can be to either prevent or respond to them. Maintenance employees should have a thorough understanding of this document. Maintenance employees should also be able to demonstrate best management practices used to prevent spills onsite and spill response procedures that they are designated to perform. It is important to maintain records of which employees have been trained. These records should be kept on file at your local office.