**Appendix 9**

**Illicit Discharge Notification Template**

**

*COMMONWEALTH of VIRGINIA*

# *[DISTRICT LETTERHEAD]*

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|  |  |  |
|  |  |  |

*[DATE]*

*[NAME]*

*[STREET ADDRESS]*

*[CITY, STATE, ZIP]*

Dear *[NAME]*:

It has come to our attention that your facility located at *[SITE ADDRESS]* is discharging substances onto Virginia Department of Transportation (VDOT) right-of-way and into VDOT maintained storm water conveyance facilities in violation of Virginia Department of Environmental Quality (DEQ) and VDOT Land Use Permit Regulations.

Section 24VAC30-151-690 of the VDOT Land Use Permit Regulations stipulates that permits to discharge to VDOT right-of-way may be issued upon documented evidence that approval for the discharge has been granted by local public health department or the Virginia Department of Environmental Quality (DEQ), or both into VDOT right-of-way pursuant to a Virginia Pollutant Discharge Elimination System (VPDES) Permit shall demonstrate prior to securing a VDOT Land Use Permit that no feasible alternative discharge point exists.

Our records indicate that there has not been a VDOT Land Use Permit issued for the existing discharge at *[SITE ADDRESS]*, therefore, let this serve as a formal notification that all illicit discharge onto VDOT right of way at the above-referenced location must cease immediately. Pursuant to § 33.1-19 of the Code of Virginia, violation is a misdemeanor and, the associated fine is not less than $5 nor more than $100 for each offense. Additionally, the violator shall be civilly liable to the Commonwealth of Virginia for the actual damage sustained by the Commonwealth by reason of their wrongful act. All damage shall be remedied or repaired immediately by the violator.

Please contact me at *[TELEPHONE NUMBER]* to further discuss this serious matter.

Sincerely,

#### *[NAME]*

#### *[TITLE]*