# IDDE legal authority elements

The minimum IDDE legal authority elements are outlined below (see permit page 23 & Appendix B page 5 for the specific language). If you already have an illicit discharge ordinance this list could help you determine what to add to comply with the updated permit conditions. Or if you don’t have an IDDE legal authority established yet, you could use this list to make sure you cover all requirements in your new legal authority.

The new MS4 permit requires regulated institutions and municipalities to establish an enforceable legal authority (by statute, ordinance, rules and regulations, permit, easement, contract, order or any other means) to provide adequate authority to:

* Prohibit illicit discharges to its storm sewer system
	+ Such as the dumping/disposal of materials into the MS4 (including but not limited to the following examples: residential, industrial, and commercial wastes, trash, used motor vehicle fluids, pesticides, fertilizers, food preparation waste, leaf litter, grass clippings, and animal waste).
* Investigate suspected illicit discharges
* Control discharge of spills
* Remove/Eliminate illicit discharges (including from those properties not owned/operated by permittee and discharge in the MS4) as soon as possible upon detection
	+ Where elimination is not possible within 60 days of its confirmation, establish a schedule for its elimination in no more than 180 days.
* Implement appropriate enforcement procedures and actions
	+ Authorize fines or penalties to recoup permittee’s costs