

## MEMORANDUM

TO: City Council

FROM: Alfred D. Lott, CPM  
City Manager

SUBJECT: *Status Report* DATE: July 20, 2017

### *Status Report*

1. Green Bowie Incentive Programs- FY17 Results

In FY17, the Bowie Energy Audit Program had 100 participants, 23 trees were planted as part of the Tree Rebate Program, and 230 discounted compost bins were sold as part of the \$20 Compost Bin Program. To date, there have been 358 participants that have received an energy audit, 109 trees planted, and 550 compost bins sold. The Bowie Energy Audit Program and Tree Rebate Program will continue in FY18. The \$20 Compost Bin Program is not planned for FY18, but funding is instead provided to expand the City's Food Waste Collection Pilot Program.

2. EPA Consent Agreement and Administrative Order on Consent Concerning Alleged Violations of City of Bowie MS4 Permit

The City's MS4 permit authorizes discharges from the City's Municipal Separate Storm Sewer System (MS4) to Water of the United States, and establishes minimum control measures to control discharge of pollutants. Based on an inspection conducted in June 2015, EPA alleged violations of the permit. Three specific violations included: failure to submit annual status reports to MDE; failure to implement adequate procedures for detection and elimination of illicit discharges to the storm sewer system; and failure to implement adequate pollution prevention measures for City facilities. To resolve the EPA findings, the City agreed to a Consent Agreement and an Administrative Order on Consent.

The Consent Agreement established a civil penalty of \$27,500 which was paid on May 17, 2017.

The Administrative Order on Consent required actions to resolve deficiencies in the permit compliance. A report demonstrating that required actions have been completed was provided to EPA on July 18, 2017. A copy of the letter forwarding the report is attached.

3. Assessment of Ice Arena Facility at Allen Pond

At the June 19, 2017 meeting, Council passed a motion to allow staff to gather information on the actual costs to repair/improve the current ice arena. In order to assess the existing facility and determine renovation costs, a contract modification has been awarded to Hughes Group Architects for professional services. In accordance with City procurement policy, staff negotiated the contract modification with the Hughes Group's design team based on the team's experience and qualifications, and their capacity to perform the work within the desired timeline.

The additional work was negotiated at a fee of \$111,212, or a 5.5% increase in their original design contract cost of \$2,029,982. The new contract amount is \$2,141,194.

4. Delays in Opening the City's Ice Rink for the 2017-2018 Season

In late June, while preparing for the opening of the 2017-2018 Ice Arena season, several failures of the refrigeration and electrical systems at the facility were encountered requiring a significant delay in opening the facility and the cancelation of several weeks of summer camp. Despite expenditures of \$25,000 to replace several key components of the system including a compressor and a frequency drive controlling the cooling tower, we continue to have electrical problems. Troubleshooting is occurring this week and we are hopeful to have repairs made and the facility open by the end of next week. Insurance claims for equipment failure and lost revenue were initiated and we hope to recoup some of the losses we are incurring.

ADL/lfr



# City of Bowie

15901 Excalibur Road  
Bowie, Maryland 20716

**JUL 18 2017**

Joy Gillespie  
Enforcement Officer  
NPDES Enforcement Branch  
Mail Code (3WP42)  
U.S. EPA, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

Dear Ms. Gillespie:

This letter reports the City of Bowie's completion of actions listed in the Administrative Order on Consent (Docket No. CWA-03-2017-0084DN). The below paragraphs summarize the actions. Supporting documents are enclosed.

- a. **Current Practices for IDDE.** The administrative order required practices and procedures in written format for illicit discharge detection and elimination and a copy of the City's adopted ordinance. To meet the consent order requirement the City has:
  - Categorized all City outfalls as high, medium, or low priority for screening based on likelihood for illicit discharges to the outfalls respective storm sewer system.
  - Codified the screening process in a Standard Operating Procedure (SOP) document. The SOP explains process for investigating and taking action when evidence of possible illicit discharges are found.
  - Shifted responsibility for outfall screening from maintenance crews to the Public Works street and storm drain inspection staff, and trained that staff to conduct inspections.
  - Developed an application for handheld devices for completing and recording outfall screenings.
  - Completed screening of 'high priority' outfalls in early 2017.
  - Scheduled outfall screening based on priority for the upcoming years to ensure all outfalls screened.
  
- b. **Updated MS4 map.** The consent order required that the MS4 map be updated to clearly identify municipally owned outfalls, that procedures for updating the map be included, and that actions to be taken if an illicit discharge is detected be identified. To meet the consent order requirement the City has:
  - Updated the MS4 map by adding a data field to indicate responsibility for the outfall (segregating outfalls no associated with the City's MS4).

**MAYOR** G. Frederick Robinson    **MAYOR PRO TEM** Henri Gardner

**COUNCIL** Michael P. Estève ♦ Courtney D. Glass ♦ James L. Marcos ♦ Diane M. Polangin ♦ Isaac C. Trouth    **CITY MANAGER** Alfred D. Lott  
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- Developed an SOP for outfall screening with procedures to investigate and take action on findings of illicit discharges.
- c. Employee Training. The consent order required documentation of employee training to include syllabus, attendee lists, and training dates. To meet the consent order requirement the City has:
- Assigned responsibility for annual training of City staff to the City's Watershed Manager.
  - Developed syllabi tailored to various work groups.
  - Established an annual training plan.
  - Delivered training to City staff.
- d. NPDES Permits for City Industrial Facilities. The consent order required submission of a Notice of Intent to gain coverage under the State of Maryland General Permit for Stormwater Discharge Associated with Industrial Activities. To meet the consent order requirement the City has:
- Developed a SWPPP for each of the two facilities (Public Works and Parks and Grounds).
  - Submitted NOIs and received responses from Maryland Department of Environment accepting the City facilities for registration under the State's General Discharge Permit, 12SW.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sincerely,



Alfred D. Lott  
City Manager