

City of Bowie

**NOTICE OF INTENT TO ASSESS ADMINISTRATIVE PENALTY
AND
OPPORTUNITY FOR PUBLIC COMMENT
U.S. ENVIRONMENTAL PROTECTION AGENCY--REGION 3
Water Protection Division, Office of NPDES Permits and Enforcement, NPDES Enforcement Branch (3WP42)
1650 Arch Street
Philadelphia, Pennsylvania 19103**

Date of Notice: January 20 , 2017

General NPDES Permit

DOCKET NUMBER: CWA-03-2017-0083

Comments will be accepted until March 1, 2017.

In accordance with Section 309(g) of the Clean Water Act (CWA), 33 U.S.C. § 1319(g), notice is hereby given that the U.S. Environmental Protection Agency (EPA), Region III, is proposing an administrative civil penalty against the Respondent named below, for alleged violations at the facility listed below.

RESPONDENT:

City of Bowie
15901 Excalibur Road
Bowie, Maryland 20716

FACILITY:

City of Bowie Municipal Separate Stormwater Sewer (MS4) Program

SUMMARY OF VIOLATIONS: Respondent violated the Clean Water Act, specifically, the National Pollutant Discharge Elimination System (NPDES) permit program, by failing to fully develop and implement properly a MS4 Program. EPA determined that Bowie was violating their MS4 General Permit by: 1) failing to submit annual stormwater program reports; 2) failing to develop and implement all required procedures for the detection of illicit discharges and 3) failing to comply with all pollution prevention and good housekeeping measures at all Bowie municipal operations. The Consent Agreement and Final Order (CAFO) alleges violations of Sections 301(a) and 402 of the CWA, 33 U.S.C. §§ 1311(a) and 1342. These violations were discovered during a June 9 and 10, 2015 NPDES inspection of the City of Bowie's MS4 program.

PROPOSED ADMINISTRATIVE PENALTY: Based on the foregoing and having taken into account the penalty factors set forth in Section 309(g) of the CWA, 33 U.S.C. § 1319(g), EPA Region III proposes to assess an administrative civil penalty against the City of Bowie in the amount of \$27,500. The total proposed penalty is consistent with 40 C.F.R. Part 19.

OPPORTUNITY FOR COMMENT: Persons wishing to comment on the amount or basis of the proposed assessment are invited to submit a statement to the EPA Regional Administrator, addressed to the attention of the Regional Hearing Clerk (address below), within forty (40) days of the date of this public notice. Comments received within this forty (40) day period will be considered in the formulation of the final penalty assessment order. All comments must include the name, address, and telephone number of the writer and concise statement of the basis for any comment and any relevant facts on which it is based.

All comments should be addressed to:

Regional Hearing Clerk (3RC00)
U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

AVAILABILITY OF INFORMATION: Information relevant to the proposed penalty assessment may be requested through the Regional Hearing Clerk.

REGISTRY OF INTERESTED PERSONS: Any person interested in a particular case or group of cases may leave his/her name, address, and telephone number on a registry of interested persons which will be maintained in each file. The list of names will be maintained as a means for persons with an interest in the case to contact others with the same interest.

FOR FURTHER INFORMATION. Interested parties may contact the following EPA representative to learn more about this action.

Bonnie Pugh (3RC20)
Sr. Asst. Regional Counsel, U.S. Environmental Protection Agency
1650 Arch Street
Philadelphia, PA 19103-2029
215-814-2680
pugh.bonnie@epa.gov

Joy Gillespie, Environmental Scientist
U.S. Environmental Protection Agency
1650 Arch Street
Philadelphia, PA 19103-2029
215-814-2793
gillespie.joy@epa.gov