

# POCOMOKE CITY, MARYLAND

## MAYOR

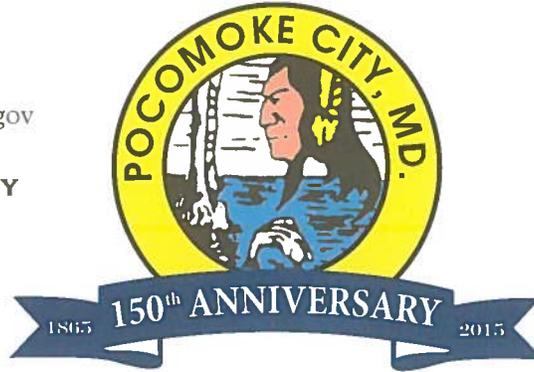
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## CITY COUNCIL

DIANE DOWNING

BRIAN HIRSHMAN

GEORGE TASKER

ESTHER TROAST

DALE TROTTER

November 2, 2015

Bobbie James, Esq.  
Assistant Attorney General  
Office of the Attorney General  
Maryland Department of the Environment  
1800 Washington Boulevard  
Baltimore, Maryland 21230

Re: Pocomoke City – WWTP and Water System Matters – Violation of NPDES Permit # MD0022551, etc. – Notice of Violation letter – July 31, 2015

Dear Ms. James:

Pursuant to our understanding from our September 15, 2015 meeting at MDE offices in Baltimore, I am providing our responses and material relevant to “deliverables,” together with Pocomoke City’s plan to address operational and maintenance issues at our wastewater treatment plant (“WWTP”), water distribution system (“WDS”), Clarke Street Pumping Station (“CSPS”). Before getting into the specifics, I do want to express, for myself and on behalf of the Mayor and City Council, our appreciation for the courteous, cooperative, and helpful assistance from you and MDE.

Let me start with some general comments: The City Council has approved our spending (from borrowed funds, if need be) approximately \$200,000.00 for the items listed in the “one-time” column of the action plan, an earlier copy of which was previously provided. The council also approved \$150,000.00 for a septic hauler station to be located at the WWTP site to alleviate clogging of pipes at the CSPS and to readily and accurately account for hauled septic waste. A revised copy of the action plan, updated for changes in responsible persons and status of completion is enclosed. Obviously, the annual costs will be budgeted.

We have been faced with some rain early in the cleanup work and some equipment failures and shortages. However, as noted further below and in the enclosures, we have made substantial progress, and spent significant sums. With respect to having an “evergreen” supply on hand of key parts, we are moving in that direction, however we have had to use a number of items as soon as purchased. We shall make progress in that regard. I will address each deliverable separately where possible, but not necessarily in the order on the deliverables list.

*“Friendliest Town on the Eastern Shore”*

November 2, 2015

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1. *Michael Phillips will provide Randy Denny a copy of the scope of work for the repairs to the Clark Street Station.*

Through a mix-up in communications, this was not done until recently. However, the scope of work from Pro-Coat and attached "before" picture fairly described the project. This work has been completed and if not already inspected is ready for same. The contractor did a great job on the project. The cost of the project (estimated) is in the action plan.

2. *Michael will also speak to Paul Hlavinka about getting the WWTP's HT permit modified to allow surface discharges and will also work on limiting that discharge to 500 gallons in a 24 hr period periodically (instead of continuously), per the permit requirements.*

3. *Michael will stop the self-flushing mechanism in connection with the hydrant flushing.*

The automatic de-chlorination flushing activity, with discharge into surface waters, has been halted permanently. In the recent short-run, water complaints have increased and are being addressed by using the truck as we do in other areas of the city. For the areas where the automatic flushers were used, we will be attempting to loop the water flow to provide better pressure and constant turnover. If that does not fix the problem, we intend to run the water lines through automatic periodic flushers (without de-chlorination) into the wastewater system. In addition, we will probably over time, have all flushing done in this manner to ensure that there is no discharge of chlorinated water into surface water or groundwater.

7. *Chris Derbyshire of GMB will confirm with Jesse Salter whether the construction permit for the restoration work was renewed or still needs to be renewed.*

The City applied for and received a new permit effective 10/14/15. A copy of the permit is attached.

8. *GMB will review the current lagoon level restraints with the City and if it was determined that a higher operating level was necessary, than a plan/justification would be submitted to MDE's engineering folks for review/approval regarding the adjusted high water level. If adjustment is not requested than nothing will be submitted and the City will maintain the levels per the approved 1968 drawings.*

GMB has re-evaluated the current maximum operating level detailed on the 1968 drawings and is of the opinion that it is sufficient for the lagoons current operating strategy; accordingly we do not plan to recommend raising it at this time.

4. *Ernie Crofoot will speak to Bill East to get wetlands work completed.*

5. *Bill East will contact Otto Schlicht to inform him of when the wetlands work will be done so that MDE has the option to observe.*

See the MDE field report and the GMB field report, both attached. As of this date, all of the material designated by MDE as the contaminated material has been cleared and removed. We have made great strides in clearing the site – given the weather and equipment issues. Regarding weather, sifting could not occur if the materials were too damp. On Friday, for example, a transmission hose broke on the backhoe, and a tire went flat (2<sup>nd</sup> time) on the loader. We are using all available equipment, including rentals when we can get them, to keep clearing and loading. We hope to have the clearing done within the next two weeks, and then on to the final work at the site. I have not calculated the costs to date of this activity, but they have been significant, including private haulers, equipment rentals, and tipping fees.

6. *Pocomoke City will provide to MDE by November 2, 2015, a Plan and Schedule for long-term capital improvements to resolve the current annual maximum loading rate violations and a short-term plan and schedule for improvements to the O&M protocol, including having spare parts to replace equipment that fails. In addition, Pocomoke City will include in this plan a schedule for completing the open dump cleanup unless the cleanup activities are completed prior to submission of the Nov. 2 plan.*

9. *Chris will also discuss with Ernie the potential capital improvements that may need to be made in order to get the WWTP into compliance.*

As noted on the action plan, there are two major capital items: overhaul of the CSPS and a septic haulers station at the WWTP site. Given the \$50,000 maintenance performed at the CSPS, we are compelled to push that item off to a later date, absent violations of other statutorily mandated improvements. The creation of a septic haulers station at the WWTP will alleviate our concerns, and costs, emanating from the use of the intake at the CSPS by haulers. The new station will also give us more accurate data on what is being hauled in and the amount. We expect additional revenue from haulers as a result.

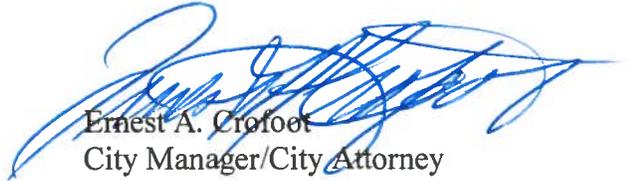
\$150,000.00 has been approved by the City Council for the septic haulers station. We will also need to construct a holding tank – costs to be determined.

All of the “one time” costs are considered by us to be immediate. You will note from the revised action plan that GMB has been assigned to oversee a number of the items. The action plan also includes a number of items to enhance our performance and meet permit standards. For example, we are exploring the use of polymers in processing our waste. I would expect to complete these items by the end of the fiscal year. We will also require/provide, bi-weekly (every two weeks) reports on activities and projects in the action plan.

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I believe this addresses MDE's concerns and evidences our commitment to bring our operations up to standards. I look forward to meeting with you, MDE staff, and our team as we proceed to make the Pocomoke WWTP a showcase project.

Very truly yours,



Ernest A. Crofoot  
City Manager/City Attorney

cc: Mayor and City Council  
Scott Getchell, GMB  
Mike Phillips  
Bill East