



Alabama Department of Environmental Management
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July 20, 2022

Honorable William S. Stimpson
Mayor, City of Mobile
P.O. Box 1827
Mobile, Alabama 36633-1827

RE: NPDES Permit ALS000007
City of Mobile's Phase I Municipal Separate Storm Sewer System (MS4) Audit Report
Mobile County (097)

Dear Mayor Stimpson:

On March 28-30, 2022 representatives of the Alabama Department of Environmental Management's Stormwater Management Branch conducted an audit of the City of Mobile's Phase I MS4 program for compliance with NPDES Permit ALS000007.

Please review the enclosed audit report for any comments or concerns noted. The Department requests a written response thirty (30) days of receipt of this letter. Should you have any questions regarding this matter, please contact Cammie Ashmore by email at cammie.ashmore@adem.alabama.gov or by phone at (334) 271-7795.

Sincerely,

Devin M. Jenkins, Chief
UIC/MS4 Section
Stormwater Management Branch
Water Division

DMJ/cga
File: AUDITR/24259

Enclosures: Audit Report

cc: Ms. Rosemary Ginn; City of Mobile (via email)



MS4 Phase I Storm Water Program Audit Report

Date: March 28-30, 2022

Permit Number/Permittee: ALS000007/City of Mobile

Attendees: David Ludwig, City of Mobile
Ryne Smith, City of Mobile
Rosemary Ginn, City of Mobile
David Daughenbaugh, City of Mobile
Brian Mabry, City of Mobile
Ricardo Woods, City of Mobile
M. Brian Aaron, City of Mobile
Angela P. May, City of Mobile
Dexter Johnson, City of Mobile
Jay Davison, Thompson Engineering
Sharif Hassan, Thompson Engineering
Bret Paulk, H.O. Weaver & Sons
Brian Morgan, Neel-Schaffer, Inc.
Dewayne Smith, Hydro Engineering Solutions
Kirk Chandler, Hydro Engineering Solutions
Cammie Ashmore, Alabama Department of Environmental Management (ADEM)

1. Adequacy of Best Management Practices (BMPs) for Structural Controls, Catch Basins, and Litter Trap(s)

A. Satisfactory* B. Unsatisfactory C. Not Applicable

Comments:

The City has a map with the inventory of structural controls that is owned by the City (17 structural controls) which are inspected on a semi-annual basis (note: previous permit required quarterly inspections - see Figure 2.9 of the 2020-2021 Annual Report or Figure 3-1 in the 2022 SWMPP). There is an inspection checklist/form that is utilized during the inspection where the inspector evaluates presence of litter and ranks the priority (high, medium, or low) of any maintenance that may be needed (see Appendix A of the 2020-2021 Annual Report and the newer version of checklist/form can be found in Appendix C of the 2022 SWMPP). The City uses an electronic data collection system to capture the information called Collector App which is automatically synchronized with the City's GIS database. During the 2020-2021 reporting period, there were two (2) structural controls identified as needing maintenance (low priority).

There are also 16 leased structural controls and 58 other detention ponds. The lease agreement for the 16 leased structural controls requires operation and maintenance of the structural controls to be the responsibility of the lessee, however, the lease does not require inspections to be conducted nor does the City conduct inspections on those structural controls. The City submitted a letter dated May 3, 2022 to the Department (received by the Department via mail on May 10, 2022) that provides the City's position on the leased structural controls. The 58 other detention ponds (note: reported 54 other detention basins in the 2022 SWMPP and reported 53 in the previous Audit Report) were reported in the previous Audit Report as not being owned by the City. However, based on the 2022 SWMPP the other detention ponds are owned by the City and are not inspected as the City does not consider the detention ponds a structural control.

The City has a map with the inventory of catch basins owned by the City (34,006 catch basins as of September 30, 2021 according to the 2020-2021 Annual Report) which are inspected on a schedule which is divided by zones (see Figures 2.11 and 2.13 of the 2020-2021 Annual Report). The City's inspection schedule is based on inspecting the catch basins a minimum of 5% of the total inventoried catch basins per year (about 1,700 per year). During the 2020-2021 reporting period, the City inspected 1,778 catch basins which is about 5.2% of the total catch basins inventoried. The catch basin inspections are initiated as part of the routine inspection program or as a result of a citizen concern. The catch basins are mapped in the City's GIS database and when a new catch basin not in the inventory is identified then its location can be added to the database by an

Engineering Technician, GIS representative or Public Works Operator. The catch basin inspections are conducted daily and reported on a Storm Drain and Catch Basin Cleaning Equipment Daily Report Sheet which is summarized on the Catch Basin Inspection and Clean Summary in Appendix A of the 2020-2021 Annual Report.

The City has a map of the Bandalong litter trap that was installed in July 2015 in Eslava Creek which is a tributary to Dog River (see Figure 2.17 of the 2020-2021 Annual Report or Figure 3-6 of the 2022 SWMPP). Inspections are conducted on a weekly basis or after a significant rainfall event. According to the 2020-2021 Annual Report, Osprey Initiative, LLC, a private contractor, has been contracted to conduct inspections and maintenance of the litter trap since February 2021. Osprey conducted 110 inspections of the litter trap during the reporting period and collected 685 pounds of debris and over 3,182 pounds of litter (see Appendix A of the 2020-2021 Annual Report, Eslava Creek Litter Trap Inspection and Cleaning Summary Form – Osprey FY21). Prior to February 2021, the City of Mobile personnel was conducting the inspections and performing maintenance of the litter trap. The City's inspections are summarized on the Eslava Creek Litter Trap Inspection and Cleaning Summary Form Oct-Jan FY21 in Appendix A of the 2020-2021 Annual Report.

During the 2020-2021 reporting period, the City implemented other measures in controlling trash, floatables and debris which include the following: litter enforcement (4,546 Notice of Violations and 990 Municipal Offense Tickets were issued); litter patrol to include Right-of-Way litter patrol (removed over 49,000 pounds of litter) and Stream Litter patrol (removed 9.9 tons of litter from Dog River and 4.6 tons of litter from Three Mile Creek); special events collection where catch basin screens have been installed (139 locations), trash pickup deployed after an event has ended, and recycling cooking oil from food vendors participating in special events.

* The Department requests going forward that any structural controls that become leased by the City require that the lessee and/or the City be responsible for not only the operation and maintenance of the structural control but also require documented inspections of the structural control.

2. Adequacy of Public Education and Public Outreach Program

A. Satisfactory B. Unsatisfactory C. Not Applicable

Comments:

The City's Engineering Department provides assistance and coordination with other departments to implement the Public Education and Public Involvement program. The City announced on the City's website that the 2022 SWMPP was available for public comment and input. The City did not receive any comments on the City's 2022 SWMPP and has been finalized.

The City includes a list of targeted audiences as well as targeted pollutant sources (see Section 4.3 and 4.4 of the 2022 SWMPP). The City has formed partnerships with local and statewide organizations such as the Mobile Bay National Estuary Program which supported the City with an EPA Trash Free Waters Grant in Three Mile Creek; Mobile Baykeeper which sponsored and participated in litter clean-up events in Eslava Creek and at Tricentennial Park as well as participated on EPA Trash Free Waters Grant with the City; the City's website has a link to Clean Water Future and has contributed brochure files for their use, etc. The City is active on social media (Facebook, Instagram, Twitter, and You Tube) and has two websites that provides information about the City. The main website (www.cityofmobile.org) provides general information such as the City's regulations, ordinances and permitting requirements and the other website (www.stormwatermobile.org) is dedicated to storm water related issues including information about litter, public education and outreach, links to local and statewide organizational websites, current and previous reports such as SWMPPs and Annual Reports, and upcoming events. The City has several brochures that provide general information about storm water related issues such as construction activities, draining pools and spas, food service establishment, grass clippings and lawn waste, illicit discharges, pet waste disposal, etc. In the 2020-2021 Annual Report, 19 brochures were distributed by an inspector. The City also presents at technical conferences (presented at 3 conferences during the 2020-2021 reporting period) and participates in meetings with other entities to discuss common issues (participated in 2 meetings during the 2020-2021 reporting period). The City has two (2) televisions in the waiting area at the City's Permitting Office that

runs a video continuously about stormwater. Also, the City's stormwater website has a link to the Clean Water Future website where several Public Service Announcements (PSAs) are available on topics such as cup, bag, understanding your SWMP, Low Impact Development (LID) Stormwater doesn't have to be a Headache, etc.

The City has a hotline for the public to provide suggestions and/or to report incidents/concerns including stormwater incidents/concerns. The public can call 311 (251-208-5311) or use the City's website to make a suggestion or report an incident/concern. Each report generates a Service Request Order (SRO) that is directed to the appropriate Department within the City to investigate and ultimately close out once a resolution is determined. There is also a Litterbug Hotline available for the public to report instances of others throwing litter from their vehicle. The caller must provide the vehicle tag number, whether it was the driver or passenger that threw trash from the vehicle, what they tossed, and the location. With this information, the Police Department will send a warning letter to the vehicle owner about violating the Litter ordinance. According to the 2020-2021 Annual Report, there were 81 reports made to the Litterbug Hotline. This data is used to develop the hot spot map which is provided in Figure 2.26 of the 2020-2021 Annual Report. The City also has a single stream recycling program with two (2) drop off locations which accepts mixed paper products, glass, cardboard, steel, plastic, and aluminum. The single stream recycling program replaced the Metro Recycling Drop-off Center. The City also hosts and assists with clean-up events focused on removal of litter, floatables, and debris. Typically the events are coordinated through the Engineering or Public Works Department. The City provides cleanup materials such as trash grabbers, gloves, safety vests, and trash bags to volunteers. The City's Public Works Department is responsible for trash and scrap tire disposal. There are 27 pet waste disposal stations located at various parks that the City maintains.

3. Program for the Detection of Illicit Discharge Detection and Elimination (IDDE)

A. Satisfactory B. Unsatisfactory C. Not Applicable

Comments:

The City's IDDE program is based on EPA's Guidance Manual and is incorporated into the 2022 SWMPP by reference. The City's Engineering Department is responsible for screening the major outfalls. Previously, the City located and mapped 1,132 outfalls which 523 of those were considered major outfalls. The City has not identified any priority areas. The City's map with the major outfalls identified can be found on Figure 5-3 in the 2022 SWMPP. The City is divided into five (5) areas based on watersheds where all major outfalls are screened once per five (5) years according to the screening schedule provided on Figure 5-1 in the 2022 SWMPP. During the 2020-2021 reporting period, 104 major outfalls were dry weather screened where 17 outfalls were removed from the inventory. There was flow observed at thirty (30) major outfalls, however, flow at twenty-three (23) outfalls were determined to be from natural sources. The remaining seven (7) outfalls required follow-up inspections after a dry period of 72 hours prior to the inspection. Those follow-up inspections either had no flow or flow was determined to be from natural sources. None of the outfalls inspected indicated the presence of potential non-stormwater discharges. An updated inventory of the major outfalls can be found in Figure 2-30 of the 2020-2021 Annual Report. The City received 138 complaints (108 from citizens and 30 from City employees) through the 311 system regarding potential illicit discharges. For each complaint, a Service Request Order (SRO) was generated and tracked until resolved (see Appendix C of the 2020-2021 Annual Report for the IDDE and Enforcement Summary Form FY21).

The City developed Standard Operating Procedures (SOPs), ENG-0117 (Illicit Discharge Detection and Elimination) and ME-0216 (Illegal Dumping and Illicit Discharges), for the IDDE program which can be found in Appendix E of the 2022 SWMPP. The City also has an outfall screening form which has been converted into an electronic format (see Figure 5-2 in the City's 2022 SWMPP) so that a mobile application can be used in the field and maintained in the City's GIS database.

The City adopted revisions to the Storm Water Management and Flood Control Ordinance No. 17-025-2014 on July 8, 2014. A copy of the ordinance can be found in Appendix B of the 2022 SWMPP and no revisions/modifications have been made during the 2020-2021 reporting period. Section 17-11 of the ordinance prohibits illicit discharges and illicit connections. Section 17-14 of the ordinance provides escalating enforcement (notices/citations, stop work order, authority of municipal court where orders to pay

fines can be issued) for violations. During the 2020-2021 reporting period, the City issued 48 warnings, one (1) written warning, six (6) notices of violations and two (2) municipal offense tickets related to the IDDE program (see Appendix C of the 2020-2021 Annual Report for a summary of the enforcement actions).

The Mobile Area Water and Sewer System (MAWSS) maintains the sanitary sewer collection and treatment system and has implemented programs to help minimize the potential of illicit discharges from the sanitary sewer system such as implementing a grease recycling program. During the 2020-2021 reporting period, MAWSS reported 86 sanitary sewer overflows (SSOs) that occurred at 58 separate locations.

The City uses a third party contractor/consultant to conduct the outfall screening which is trained and experienced. If the City decides to utilize City employees then initial training (classroom and in the field) will be conducted.

4. Adequacy of BMPs for Construction Stormwater Management

A. Satisfactory B. Unsatisfactory C. Not Applicable

Comments:

The City adopted revisions to the Storm Water Management and Flood Control Ordinance No. 17-025-2014 on July 8, 2014. A copy of the ordinance can be found in Appendix B of the 2022 SWMPP and no revisions/modifications have been made during the 2020-2021 reporting period. Section 17-6 of the ordinance outlines permitting requirements for land-disturbing activity within the City. Section 17-7 of the ordinance outlines requirements for plans the need to be submitted to the City for review for commercial, residential, and subdivision construction. Section 17-8 of the ordinance outlines application requirements. Section 17-9 of the ordinance outlines BMP requirements. Section 17-14 of the ordinance has escalating enforcement (notices/citations, stop work order, authority of municipal court where orders to pay fines can be issued) for violations.

The City requires builders/developers to submit a permit application and obtain a Land Disturbance Permit prior to the commencement of construction (or land-disturbing activities). The City has developed a permit checklist, permit application review checklist, and permit certification for each type of construction activity: Tier 1 Qualifying Construction Site (land disturbance activity equal to or greater than one acre or less than an acre but part of a larger common plan of development), Tier 2 Construction Site (land disturbance activities is less than an acre), and a Single-Family Residence located in a special flood hazard area. The City requires the applicant to submit a complete set of plans (including site grading/drainage plan, site plan, tree and landscape plan), engineering calculations to verify storm water discharges, payment of the appropriate fee, as well as a surety (contractor letter and bond). The applicant must use the City's electronic permitting system. This system allows each reviewer to document their review comments until all comments have been adequately addressed. Applicants are notified by the system via email when there are comments to be addressed and when the permit is ready to be issued. As part of the application process, the Tier 1 Qualifying Construction Sites are required to provide proof of coverage under ADEM's general permit for construction activities before the City will issue a Land Disturbance Permit. The City inspects Tier 1 Priority Construction Sites on a monthly basis. The City has developed an inspection form and uses a software system called Tyler EnerGov to document those inspections. The system can also generate a form to print. During the 2020-2021 reporting period, the City had 84 Tier 1 Qualifying Construction Sites (50 still active at the end of the reporting period and 34 non-active stable construction sites where construction activities have been dormant for an extended period of time, site stabilized). A map showing the location of the Tier 1 Qualifying Construction Sites is in Figure 2-34 of the 2020-2021 Annual Report. A summary of the construction sites and construction site inspection checklist/form is provided in Appendix D of the 2020-2021 Annual Report. There is a more detailed flow chart outlining the permit and plan review process in Figure 6-1 of the 2022 SWMPP. The City's ordinance allows escalating enforcement to correct construction site issues and during the 2020-2021 reporting period, there were 28 enforcement actions (15 verbal warnings, 4 notices of violation, 9 municipal offense tickets, and 0 stop work orders) where four (4) were submitted through the City's 311 system.

The City has a total of 79 employees from various departments that are QCI certified. During the reporting period, the City had 6 employees complete the initial QCI training course and the remaining staff completed four-hour refresher training course which was online. There is not a list of the employees QCI certified but there is invoices for the QCI initial training and refresher training in Appendix D of the 2020-2021 Annual Report.

5. Adequacy of BMPs for Post-Construction Stormwater Management in New Development and Redevelopment

A. Satisfactory B. Unsatisfactory C. Not Applicable

Comments:

The City adopted revisions to the Storm Water Management and Flood Control Ordinance No. 17-025-2014 on July 8, 2014. A copy of the ordinance can be found in Appendix B of the 2022 SWMPP and no revisions/modifications have been made during the 2020-2021 reporting period. Section 17-10 of the ordinance requires proper operation, maintenance, and inspection for post construction BMPs in new development and redevelopment. The City has requirements in the Zoning Ordinance (Chapter 64, Supplementary Regulations Part E) about landscaping (including tree planting and protection) and has a Subdivision Ordinance (Chapter 64). No revisions/modifications have been made to the Zoning or Subdivision Ordinances during the 2020-2021 reporting period. The City encourages the use of LID and participated in the development of the Mobile Bay National Estuary Program (MBNEP) video on LID. The City also uses numerous planning documents to assist the City develop such as the City's Comprehensive Plan, Green Space Plan Map, Smart Growth for Mobile Policy, etc.

The City's permitting and plan review process is depicted on a flow chart, Figure 6-1, in the 2022 SWMPP. This flow chart incorporates the post construction BMP plan review into the existing process. It is required for all Tier 1 Land Disturbance Permits that an engineer complete a Land Disturbance Permit Certification stating "that post construction site conditions are designed to provide runoff that mimics the pre-development hydrology for 1.2 inches of rainfall over a 24 hour period preceded by 72 hour antecedent dry period." A copy of the Land Disturbance Permit Certification form is provided in Appendix G of the 2022 SWMPP. The City allows waiver requests to be submitted if developments meet certain requirements. The City also requires the Engineer-of-Record to fill out an as-built certification to ensure that the designed and approved BMPs are constructed and operated as intended. This certification is submitted prior to the final inspection and the issuance of the Certificate of Occupancy (CO). The waiver request form and the as-built certification form can be found in Appendix G of the 2022 SWMPP.

There are 96 projects with post construction BMPs in the City's inventory (see Appendix E of the 2020-2021 Annual Report). These projects are required to complete and submit an annual inspection report to the City. The location of these projects is depicted on Figure 2-35 in the 2020-2021 Annual Report. The Annual Report stated that the City had received annual inspection reports from 70 projects. As of the date of the Audit, 89 inspection reports had been received and 19 projects with post construction BMPs will be added to the inventory. It appears that the City has not received all annual inspection reports for post construction projects in the City's inventory. However, the City has taken enforcement (verbal warnings and NOVs) for those who have not submitted their annual inspection report, according to a table labeled Post-Construction Inspections Summary Form FY 21 in Appendix E of the City's 2020-2021 Annual Report. The City has also developed some new forms for the post construction program that will be used beginning October 2022.

As part of the Audit, the Department observed the City conduct an inspection on a post construction BMP owned by the City that is near Fire Station 12.

6. Adequacy of BMPs for Spill Prevention and Response

A. Satisfactory B. Unsatisfactory C. Not Applicable

Comments:

The City's Fire and Rescue Department is responsible for responding and controlling spills that occur within the City limits. The Fire and Rescue Department can use the City's resources but also can utilize private contractors to respond, contain, and/or clean up spills, if needed. The Fire and Rescue Department developed operation guidance documents called Hazardous Materials Operation Guidance (HazMat OG) that describe activities associated with spill response, specifically, HazMat OG 6200 – Hazardous Materials on Scene Operations and HazMat OG 6300 – Hazardous Materials Notification, Dispatch, Response. A copy of the operation guidance documents can be found in Appendix H of the 2022 SWMPP. Spills that occurred during the 2020-2021 reporting period are depicted on Figure 2-35 of the 2020-2021 Annual Report. The Fire and Rescue Department responded to four (4) spills of which one (1) entered the MS4. The City also has a Spill Crew that handles spills associated with City equipment and/or facilities. The Spill Crew can request assistance, if needed, by an environmental contractor. The City developed an SOP for reporting spills (SOP SR-0116) and has a form (Environmental Incident Investigation Form) and tracking sheet (Spill Prevention and Response Summary Form) for spills. The SOP, form, and tracking spreadsheet can be found in Appendix H of the 2022 SWMPP. The City's Spill Crew responded to 125 spills of which four (4) spills entered the MS4.

The City's Fire and Rescue Department also has a training and response program. There were 23 new fire fighters that participated in 40-Hour HazMat Awareness and Operations training during the 2020-2021 reporting period. And about half of the fire fighters have HazMat Technician level training. One (1) member of the Engineering Department MS4 team maintains the 8-hour HAZWOPPER certification. In addition, staff from various municipal departments received internal annual training for various topics such as SPCC plans, Illicit Discharge, Spill Control & Response, Vehicle Fueling, Vehicle & Equipment Maintenance, etc. During the 2020-2021 reporting period, there were 307 City personnel that attended the internal training. A summary of those who attended, copies of training presentations, and sign-in sheets can be found in Appendix G of the Annual Report.

7. Adequacy of the Pollution/Prevention/Good Housekeeping for Municipal Operations

A. Satisfactory* B. Unsatisfactory C. Not Applicable

Comments:

The City has developed SOPs for various pollution prevention/good housekeeping activities such as fleet and vehicle maintenance (SOP ES-0115); storage and disposal of chemical waste (SOP ES-0217); mowing and park maintenance (SOP PR-7514); trash receptacles (SOP PR-11714); daily activities (SOP PR-12014); pet waste (SOP PR-12214); etc. A copy of the SOPs can be found in Appendix I of the 2022 SWMPP.

The City has 211 facilities that it maintains and consists of parks, ball fields, and building grounds. The City has four (4) facilities (Paint and Body Shop, Garage/Public Works, Hurtel Street, and Motor Pool) where activities such as storing material, storing equipment (vehicles, garbage trucks, etc.) and mechanical activities occur and are included in the Pollution Prevention/Good Housekeeping program. These four (4) facilities are inspected bi-weekly by a Public Services Supervisor and then the Engineering Department inspects these four (4) facilities annually.

The City has a training program that is specific to its facilities and operational personnel in which some topics discussed include Vehicle Fueling, Vehicle Equipment and Maintenance, Illicit Discharges, etc.. The training is conducted annually and during fiscal year 2021 the City trained 307 employees on Spill Prevention and Response, IDDE, Good Housekeeping, etc. A summary of those who attended, copies of training presentations, and sign-in sheets can be found in Appendix G of the 2020-2021 Annual Report.

The City does not have any flood management projects or flood control structures located within the City.

The Public Works Department at the City has eight (8) street sweeper operators which are dedicated to street sweeping. The streets that are scheduled to be resurfaced are swept prior to resurfacing and the remaining streets are swept according to a developed schedule, for example, downtown streets are typically swept weekly (see Figure 2-38 in the 2020-2021 Annual Report). The Parks and Recreation Department maintain the City's parks by cutting the grass and picking up litter on a routine basis. The Public Works Department

is responsible for right-of-way mowing that is performed by either City personnel or contracted mowers. In either case, litter is collected prior to mowing activities. There was approximately 4,755 community service hours spent collecting litter for the Public Works Department and about 307,034 cubic yards of trash was collected at City facilities.

*As part of the Audit, the Department reviewed bi-weekly inspection records for pollution prevention/good housekeeping of the City's Public Works Department. As noted during the Audit, the City needs to ensure that the typed version of a hand written record is the same (meaning the 'action needed' column on the bi-weekly inspection checklist is the same on the hand written record as what is on the typed version). In addition, the Department observed how the City conducts an inspection of the Public Works Department.

8. Adequacy of the Application of Pesticide, Herbicide, and Fertilizers (PHFs)

A. Satisfactory B. Unsatisfactory C. Not Applicable

Comments:

The City does not have any areas identified as receiving high application of PHFs. The City has developed an SOP for PHF application (SOP PR-9014). A copy of the SOP can be found in Appendix I of the 2022 SWMPP. The City routinely uses non-phosphorus fertilizers and may collect soil samples to determine optimum fertilized application rate at golf courses or parks and recreation facilities. The City has six (6) employees who are licensed PHF applicators with the Department of Agriculture and Industries (DAI). To maintain such license, the applicators have to attend routine training. A copy of the certifications can be found in Appendix J of the SWMPP. The City also uses a variety of PHF chemicals for pest and weed control in the City's right-of-way and other City areas. The City has three (3) PHF storage facilities which include the Public Safety Memorial Park Building, Langan Park Fueling Station, and the Azalea City Golf Course. The inventory of PHFs for each City Facility is kept on a PHF Inventory Summary Form which can be found in Appendix H of the 2020-2021 Annual Report.

9. Adequacy of Controlling Oils, Toxics, and Household Waste from Entering MS4

A. Satisfactory B. Unsatisfactory C. Not Applicable

Comments:

The City's website has educational material such as brochures/pamphlets about discharges of motor vehicle fluids and household hazardous waste and the impacts of these type of discharges on the environment. The website also includes if these types of discharges are observed as to how to report it to the City. The public can call Mobile 311 system (205-208-5311) or use the City's website to report any incident/concern such as potential illicit discharges.

Training is conducted annually and during fiscal year 2021 the City trained 307 employees on Spill Prevention and Response, IDDE, Good Housekeeping, etc. A summary of those who attended, copies of training presentations, and sign-in sheets can be found in Appendix G of the Annual Report.

10. Adequacy of Stormwater Runoff Management of Industrial Sites and Other High Risk Runoff Areas

A. Satisfactory B. Unsatisfactory C. Not Applicable

Comments:

The City has a map and a list of NPDES-permitted facilities, a list of facilities regulated under the EPCRA Title III, Section 313 (Toxic Release Inventory Facilities or TRI Facilities), list of City Facilities, and a list of commercial facilities. There are 137 NPDES-permitted facilities which DMR data is reviewed but is not inspected. There are 12 TRI Facilities which all have a NPDES permit in which DMR data is reviewed but is not inspected. There are 12 City Facilities that are inspected annually by the Engineering Department (note – 4 of the 12 City Facilities are also inspected bi-weekly as part of the Pollution Prevention/Good Housekeeping program). The commercial facilities are only inspected as part of a complaint. During the 2020-2021 reporting period, there were three (3) complaints investigated.

11. Adequacy of the Monitoring Program

A. Satisfactory

B. Unsatisfactory

C. Not Applicable

Comments:

The City's MS4 permit requires semi-annual monitoring/sampling of the following waterbodies: Rabbit Creek, Eslava Creek (East), and Eightmile Creek. In addition, the City monitors the following impaired waterbodies within the City: Three Mile Creek, Toulmins Spring Branch, UT to Three Mile Creek, Bolton Branch (East), Bolton Branch (West), Moore Creek, and Halls Mill Creek (2 locations). The impaired waterbodies are monitored/sampled for pathogens (E. coli) during June through September of each year where no less than five (5) samples are collected over a 30-day period at intervals greater than 24-hours. The 2020-2021 Annual Report has the sampling results for the reporting period in Tables 2.16, 2.18, 2.19, 2.20, 2.21 and 2.22.

12. Comments on the 2020-2021 Annual Report (reporting period October 1, 2020 to September 30, 2021) submitted in January 2022:

A. Satisfactory

B. Unsatisfactory

C. Not Applicable

Comments:

The Department reviewed the City's 2020-2021 Annual Report and has the following comments or requested clarifications:

- Storm Water Collection System Operations
 - Structural Controls, is there a map depicting the 16 leased structural controls and the 58 detentions basins?
 - Litter Trap, is the data/information presented in Appendix A from Osprey Initiative LLC (Eslava Creek Litter Trap Inspection and Cleaning Summary Form – Osprey FY21) only documenting when the litter trap was cleaned? If so, are there records of when the inspections were conducted (110 inspections reported)?
- Public Involvement
 - Recycling, are the summary forms for the recycling activities provided in Appendix B? Consider including quantities/totals of what was recycled in the text (body) of the Annual Report.
 - Clean-Up Events, according to Appendix B in the table labeled 'MS4 Public Outreach and Events FY21' that there were five (5) clean-up events during the reporting period. Consider including the number of clean-up events held and the quantities/totals of the litter collected in the text (body) of the Annual Report.
- Construction
 - Inspections, do any of the qualifying construction sites listed in Appendix D of the Annual Report discharge directly to waters of the US? If so, how many and which qualifying construction sites discharge directly to waters of the US?
- Pollution Prevention/Good Housekeeping
 - Standard Operating Procedures, the Annual Report references SOP ES-0217 Storage and Disposal of Chemical Waste which states that copies are provided in Appendix I of the 2022 SWMPP. However, the SWMPP has the SOP labeled as SOP ES-2717 Storage and Disposal of Chemicals and Waste Materials. It appears that the Annual Report may have this SOP mislabeled. Also, the Annual Report references SOP PW-6818 Special Events which states that copies are provided in Appendix I of the 2022 SWMPP. However, a copy of the SOP in Appendix I of the 2022 SWMPP could not be found.

Please provide a response to the requested clarifications above within thirty (30) of receipt of this Audit Report.

13. Comments on the 2022 Storm Water Management Program Plan (SWMPP) (submitted in March 2022):

A. Satisfactory B. Unsatisfactory C. Not Applicable

Comments:

The Department reviewed the City's 2022 SWMPP and has the following comments or requested clarifications:

- Known Problems, 303(d) Listed Streams
 - The City identified four (4) waterbodies within the City that are on the 303(d) list: Toulmins Spring Branch, UT to Three Mile Creek, Halls Mill Creek, and Middle Fork Deer River. The City is monitoring three (3) out of the four (4) waterbodies listed (see Section 13 of the 2022 SWMPP), what is the rationale for not monitoring Middle Fork Deer River? Middle Fork Deer River has been on the 303(d) list since 2006 for organic enrichment (BOD) due to collection system failure and urban runoff/storm sewers. The City's MS4 permit requires that if the permittee's MS4 discharges to a waterbody included on the latest 303(d) list, it must demonstrate the discharges, as controlled by the permittee, do not cause or contribute to the impairment.
- Approved TMDLs
 - The City has identified eleven (11) EPA-Approved TMDLs for waterbodies within the City (see Section 13 of the 2022 SWMPP). The City's MS4 permit requires that if the permittee's MS4 discharges into a waterbody with an EPA approved TMDL, that the SWMPP must include BMPs targeted to meet the assumptions and requirements of the TMDL. A monitoring component to assess the effectiveness of the BMPs in achieving the TMDL requirements must also be included in the SWMPP. There are a couple of waterbodies that have EPA-Approved TMDLs but are not being monitored. What is the rationale for not monitoring Bayou Sara/Norton Creek (for OE/low DO - organic enrichment/ low dissolved oxygen) nor Dog River (for pathogens and OE/low DO)? In Table 3-1 of the pathogen TMDL for Rabbit Creek and Dog River includes MS4 Wasteload Allocation (WLA) reductions for Rabbit Creek (54% reduction) and Dog River (83% reduction). This TMDL states that SSOs and illicit discharges are unpermitted sources and not considered as part of the WLA.
- Storm Water Collection System Operations
 - Structural Controls, is there a map depicting the 16 leased structural controls and the 58 detentions basins?
- Construction
 - Inspections (Section 6.9.1.), the 2022 SWMPP states that 'a construction site that discharges directly to waters of the United States is not covered by the City's MS4 Permit.' For clarification, is the City inspecting qualifying construction sites that discharge directly to waters of the US? If not, what is the rationale assuming the construction site is located physically within the City's MS4?
- Pollution Prevention/Good Housekeeping
 - Standard Operating Procedures (Section 9.3), does not appear that SOP PW-6818 Special Events is included in Appendix I of the 2022 SWMPP as stated in Section 9.3. Standard Operating Procedures.
 - Municipal Facilities (Section 9.4), is there an inventory (i.e., a list) of all of the City's 211 facilities that the City maintains?

Please provide a response to the requested clarifications above within thirty (30) of receipt of this Audit Report.