



City of Lowell  
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October 29, 2020

DEQ-DEMLR Stormwater Program  
Attn: Jeanette Powell  
512 N. Salisbury Street  
1612 Mail Service Center  
Raleigh, NC 27699-1612

SUBJECT: Annual Report (NCS000444)

Dear Jeanette:

We are submitting this letter in response to the email we received from you on October 26, 2020 regarding Annual Reporting guidance.

The City of Lowell (NCS000444) received an audit on October 30, 2019. The following control measures were evaluated:

- Public Education and Outreach
- Public Involvement
- Illicit Discharge Detection and Elimination
- Construction Site Runoff Controls
- Post Construction Runoff Controls
- Pollution Prevention & Good Housekeeping

On February 18, 2020 DEQ issued a Notice of Violation (NOV-2020-PC-0093) to the City of Lowell. The following actions were required:

- 1) Respond in writing within thirty (30) calendar days from the date of the receipt of this notice to acknowledge these requirements and the intent to comply.  
**Responded to Zahid Kahn with intent to comply on February 28, 2020.**
- 2) Adopt a Council Resolution within sixty (60) calendar days from the date of the receipt of this notice. The resolution must declare support for a compliant stormwater management program.  
**Adopted Resolution on March 10, 2020.**

3) Submit documentation for review and comment within one hundred twenty (120) calendar days from the receipt of this letter:

- a. Conduct a self-audit which includes, at a minimum, an evaluation of compliance with the permit conditions found in Part II Section B: Public Education and Outreach; Section C, Public Involvement and Participation; Section D: Illicit Discharge Detection and Elimination; Section E: Construction Site Runoff Controls; Section F: Post-Construction Site Runoff Controls; Section G: Pollution Prevention and Good Housekeeping; Section H: Total Maximum Daily Loads. The self-audit must be documented utilizing the DEQ standard MS4 Permit Compliance Audit Report Template.

**I received email correspondence from you on October 15, 2020 that guided the City on what was necessary to self-audit. After speaking with Zahid Kahn, James Moore and yourself a letter of explanation for only submitting the TMDL self-audit was sent on October 16, 2020.**

- b. Develop a Draft Stormwater Management Plan (SWMP) which details specific actions, measurable goals, and implementation timelines to bring the stormwater management program into compliance with NPDES MS4 Program Audit Report and the City of Lowell self-audit.

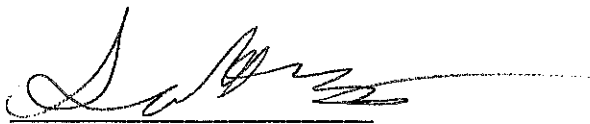
**The City submitted a Draft SWMP on October 16, 2020.**

4) Submit an NPDES MS4 permit application within thirty (30) days of receiving written DEQ concurrence that the submitted Draft SWMP documents a compliant stormwater management program. A new 5-year NPDES MS4 permit will be public noticed along with the submitted SWMP.

**The City will submit a new NPDES MS4 permit application within 30 days of receiving written DEQ concurrence that the submitted SWMP documents a compliant stormwater management program.**

5) Respond to public comments on the Draft SWMP and submit a Final SWMP for DEQ approval and final permit issuance. The final DEQ-approved SWMP shall become an enforceable component of the NPDES MS4 permit.

**The City will respond with a Final SWMP.**



Scott Attaway  
City Manager  
704-824-3518