

Appendix A

SHA Environmental Assessment Form

Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor



John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

MEMORANDUM

TO: Ms. Stephanie Yanovitz
Bicycle and Pedestrian Coordinator
Regional and Intermodal Planning Division

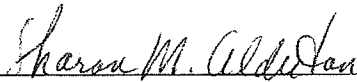
FROM: Bruce M. Grey
Deputy Director
Office of Planning and
Preliminary Engineering

DATE: August 22, 2008

SUBJECT: Project No. MO534A21
MD 191: From MD 614 to MD 188
Reimbursement for Repairs to Bicycle/Pedestrian Path
Montgomery County

The Environmental Planning Section of this Division has reviewed the proposed reimbursement of funds for repairs to an existing bicycle/pedestrian path along MD 191 (Bradley Boulevard), from MD 614 (Goldsboro Road) to MD 188 (Wilson Lane), in Montgomery County (Attachment 1). This review is documented in the attached Environmental Assessment Form (EAF). Work consists of patching the asphalt on an existing bicycle/pedestrian path; no length or width will be added to the path. The Maryland State Highway Administration (SHA) is reimbursing Montgomery County for this work.

This EAF satisfies all environmental documentation requirements for state funded projects. Should the scope of the project be expanded to require work outside of the right-of-way, or easements, further review will be required by this office. If federal funds are used in the engineering, right-of-way acquisition or construction of the project, additional documentation will be required. Should you have any questions, please contact Ms. Catherine Robbins at 410-545-8698.

by: 
Sharon M. Alderton
Team Leader
Project Planning Division

Attachments

cc: Mr. Todd Nichols, SHA-EPD (w/Attachments)
Ms. Catherine Robbins, SHA-PPD “

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street · Baltimore, Maryland 21202 · Phone: 410.545.0300 · www.marylandroads.com



MD 191: From MD 614 to MD 188
Reimbursement for Repairs to Bicycle/Pedestrian Path
Montgomery County
Comments

1. There will be no impacts to any 100-year floodplain due to the minor nature of the proposed work.
3. Due to the minor scope of work, no wetland system impact is anticipated.
6. If required, sediment and erosion control plans should be prepared and filed with the Maryland Department of the Environment to reduce the potential impacts to water quality.
13. Under the Programmatic Agreement for Minor Highway Projects, the proposed improvements have been identified as an undertaking that would have no effect upon any historic properties (Attachment 2).
14. The proposed work will not impact fisheries resources, especially if sediment and erosion control methods, and other Best Management Practices typically used for protection of stream resources are utilized.
- 24 & 25. Air and noise analyses are not warranted since the project does not result in any capacity improvements. This project is exempt from the requirement that a conformity determination be made (US EPA Criteria and Procedures for Determining Conformity to State or Federal Implementation Plans, Programs or Projects-Final Rule). This project is exempt under the Clean Air Act pursuant to 40 CFR 93.126. No analysis of Mobil Source Air Toxins is necessary. This project is not a project of air quality concern for PM2.5 as determined in the Final Rule at 40 CFR 93.123 (b)(1).
28. There are no state or federal listed rare, threatened or endangered species of fish, plants or animals that will be impacted by the proposed improvements.
37. The project is not inconsistent with the Montgomery County General Plan, Adopted 1993.
47. State requirements will be satisfied upon completion of this EAF.

The following Environmental Assessment Form is a requirement of the Maryland Environmental Policy Act and Maryland Department of Transportation Order 11.01.06.02. Its use is in keeping with the provisions of 1500.4(k) and 1506.2 and .6 of the Council of Environmental Quality Regulations, effective July 31, 1979, which recommend that duplication of Federal, State and Local procedures be integrated into a single process.

The checklist identifies specific areas of the natural and social-economic environment which have been considered while preparing this environmental assessment. The reviewer can refer to the appropriate section of the document, as indicated in the "Comment" column of the form, for a description of specific characteristics of the natural or social-economic environment within the proposed project area. It will also highlight any potential impacts, beneficial or adverse, that the action may incur. The "No" column indicates that during the scoping and early coordination processes, that specific area of the environment was not identified to be within the project area or would not be impacted by the proposed action.

ENVIRONMENTAL ASSESSMENT FORM

	<u>YES</u>	<u>NO</u>	<u>COMMENTS</u>
A. Land Use Considerations			
1. Will the action be within the 100 year floodplain?	<u> </u>	<u> X </u>	<u> X </u>
2. Will the action require a permit for construction or alteration within the 50 year floodplain?	<u> </u>	<u> X </u>	
3. Will the action require a permit for dredging, filling, draining or alteration of a wetland?	<u> </u>	<u> X </u>	<u> X </u>
4. Will the action require a permit for the construction or operation of facilities for solid waste disposal including dredge and excavation spoil?	<u> </u>	<u> X </u>	
5. Will the action occur on slopes exceeding 15%?	<u> </u>	<u> X </u>	
6. Will the action require a grading plan or a sediment control permit?	<u> </u>	<u> X </u>	<u> X </u>
7. Will the action require a mining permit for deep or surface mining?	<u> </u>	<u> X </u>	
8. Will the action require a permit for drilling a gas or oil well?	<u> </u>	<u> X </u>	
9. Will the action require a permit for airport construction?	<u> </u>	<u> X </u>	

	<u>YES</u>	<u>NO</u>	<u>COMMENTS</u>
10. Will the action require a permit for the crossing of the Potomac River by conduits, cables or other like devices?	_____	<u>X</u>	
11. Will the action affect the use of a public recreation area, park, forest, wildlife management area, scenic river or wildland?	_____	<u>X</u>	
12. Will the action affect the use of any natural or manmade features that are unique to the county, state, or nation?	_____	<u>X</u>	
13. Will the action affect the use of an archeological or historical site or structure?	_____	<u>X</u>	<u>X</u>

B. Water Use Considerations

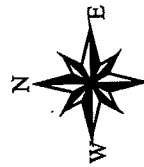
14. Will the action require a permit for the change of the course, current, or cross-section of a stream or other body of water?	_____	<u>X</u>	<u>X</u>
15. Will the action require the construction, alteration, or removal of a dam, reservoir, or waterway obstruction?	_____	<u>X</u>	
16. Will the action change the overland flow of stormwater or reduce the absorption capacity of the ground?	_____	<u>X</u>	
17. Will the action require a permit for the drilling of a water well?	_____	<u>X</u>	

	<u>YES</u>	<u>NO</u>	<u>COMMENTS</u>
18. Will the action require a permit for water appropriation?	_____	<u>X</u>	
19. Will the action require a permit for the construction and operation of facilities for treatment or distribution of water?	_____	<u>X</u>	
20. Will the project require a permit for the construction and operation of facilities for sewage treatment and/or land disposal of liquid waste derivatives?	_____	<u>X</u>	
21. Will the action result in any discharge into surface or sub-surface water?	_____	<u>X</u>	
22. If so, will the discharge affect ambient water quality parameters and/or require a discharge permit?	_____	<u>X</u>	
C. Air Use Considerations			
23. Will the action result in any discharge into the air?	_____	<u>X</u>	
24. If so, will the discharge affect ambient air quality parameters or produce a disagreeable odor?	_____	<u>X</u>	<u>X</u>

	<u>YES</u>	<u>NO</u>	<u>COMMENTS</u>
25. Will the action generate additional noise which differs in character or level from present conditions?	<u> </u>	<u> X </u>	<u> X </u>
26. Will the action preclude future use of related air space?	<u> </u>	<u> X </u>	
27. Will the action generate any radiological, electrical, magnetic, or light influences?	<u> </u>	<u> X </u>	
D. Plants and Animals			
28. Will the action cause the disturbance, reduction or loss of any rare, unique or valuable plant or animal?	<u> </u>	<u> X </u>	<u> X </u>
29. Will the action result in the significant reduction or loss of any fish or wildlife habitats?	<u> </u>	<u> X </u>	
30. Will the action require a permit for the use of pesticides, herbicides or other biological, chemical or radiological control agents?	<u> </u>	<u> X </u>	
E. Socio-Economic			
31. Will the action result in a pre-emption or division of properties or impair their economic use?	<u> </u>	<u> X </u>	
32. Will the action cause relocation of activities, structures, or result in a change in the population density or distribution?	<u> </u>	<u> X </u>	

	<u>YES</u>	<u>NO</u>	<u>COMMENTS</u>
33. Will the action alter land values?	_____	<u>X</u>	
34. Will the action affect traffic flow and volume?	_____	<u>X</u>	
35. Will the action affect the production, extra-action, harvest or potential use of a scarce or economically important resource?	_____	<u>X</u>	
36. Will the action require a license to construct a sawmill or other plant for the manufacture of forest products?	_____	<u>X</u>	
37. Is the action in accord with federal, state, regional and local comprehensive or functional plans-including zoning?	<u>X</u>	_____	<u>X</u>
38. Will the action affect the employment opportunities for persons in the area?	_____	<u>X</u>	
39. Will the action affect the ability of the area to attract new sources of tax revenue?	_____	<u>X</u>	
40. Will the action discourage present sources of tax revenue from remaining in the area, or affirmatively encourage them to relocate elsewhere?	_____	<u>X</u>	
41. Will the action affect the ability of the area to attract tourism?	_____	<u>X</u>	

	<u>YES</u>	<u>NO</u>	<u>COMMENTS</u>
F. Other Considerations			
42. Could the action endanger the public health, safety or welfare?	_____	<u>X</u>	
43. Could the action be eliminated without deleterious affects to the public health, safety, welfare or the natural environment?	_____	<u>X</u>	
44. Will the action be of statewide significance?	_____	<u>X</u>	
45. Are there any other plans or actions (federal, state, county or private) that, in conjunction with the subject action could result in a cumulative or synergistic impact on the public health, safety, welfare, or environment?	_____	<u>X</u>	
46. Will the action require additional power generation or transmission capacity?	_____	<u>X</u>	
47. This agency will develop a complete environmental effects report on the proposed action.	_____	<u>X</u>	<u>X</u>



Washington West Quac

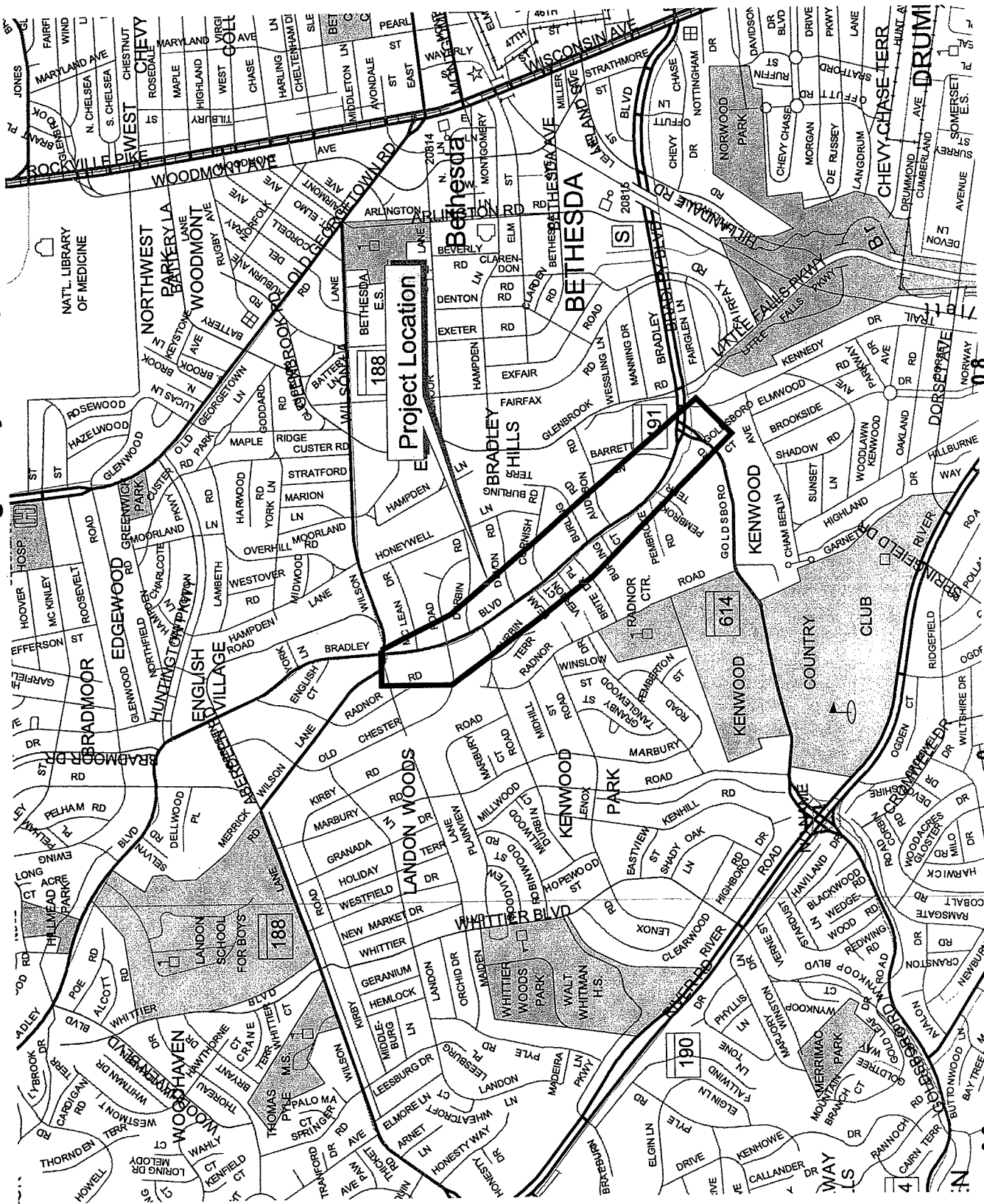
USGS Topo Quad Index

- Roads
- CO
- IS
- MD
- OP
- SR
- US
- MU
- GV
- County

Project Location Map

MD 191: from MD 188 to MD 614

Montgomery County



1.6 Miles

0.8

Appendix 1

August 14, 2008

Project Exempt from Review Determination
(under the Programmatic Agreement for Minor Projects)

Project: MD 191 from MD 188 to MD 614

Funding Source: State

Master #: 6634

Project # MO534A21

Description:

The Maryland State Highway Administration (SHA) is proposing to reimburse Montgomery County for repairs to an existing bicycle/pedestrian path along MD 191 (Bradley Boulevard) from MD 614 (Goldsboro Road) to MD 188 (Wilson Lane). Work consists of patching the asphalt on an existing bicycle/pedestrian path; no length or width will be added to the path.

County: Montgomery

7.5" Topographic Map Name: Washington West (DC)

Environmental Manager: Catherine Robbins

Project Determined Exempt by SHA Cultural Resources Professional: Nichole Mutchie

Exempt Project Type: 5

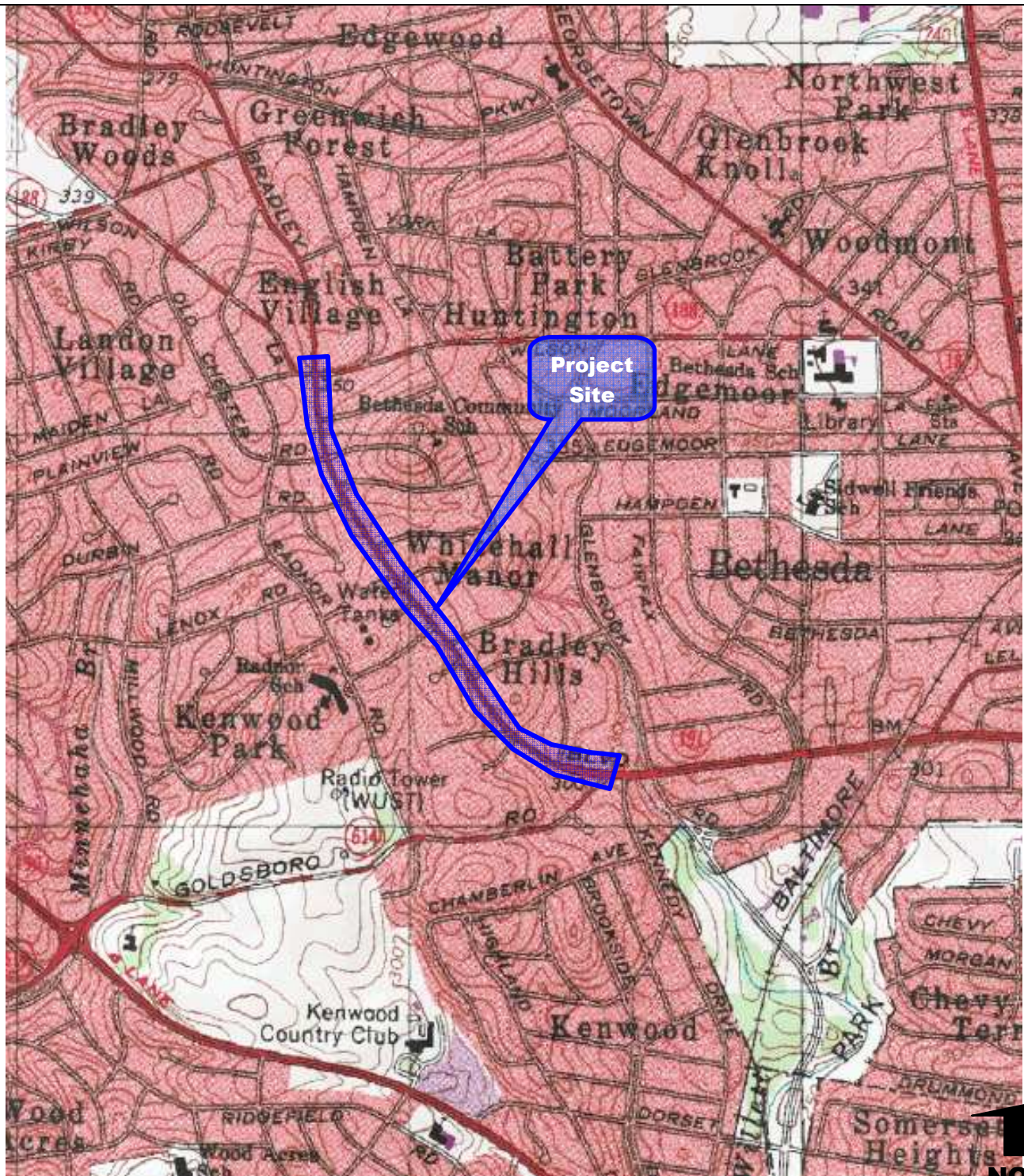
Archeologist's Comments:

The SHA is proposing patching an existing bicycle/pedestrian path with asphalt with no expansion of the wearing surface. All work will be within the existing SHA right-of-way and the undertaking has no potential to cause effects to cultural resources. The project meets the requirements for exempt projects under Stipulation IV.A.5 of the Programmatic Agreement (PA) with the Maryland Historical Trust (agreement dated July 9, 2008).

Historic Architecture ID (if any):

Appendix B

Site Location Map



WHITMAN, REQUARDT AND ASSOCIATES, LLP
Engineers, Architects and Planners

Baltimore, MD • Richmond, VA • Fairfax, VA • York, PA • Pittsburgh, PA • Wilmington, DE • Newport News, VA

SITE LOCATION MAP

**BRADLEY BOULEVARD BIKEWAY PROJECT
 MONTGOMERY COUNTY, MARYLAND**

SCALE

Not to Scale

DATE

JUNE 2009

SOURCE

USGS TOPOGRAPHIC MAP
 (Washington West, MD)

FIGURE

Appendix C

Specimen Tree and Significant Tree List



BRADLEY BOULEVARD BIKEWAY PROJECT

Specimen Tree and Significant Tree Map



SPECIMEN TREE AND SIGNIFICANT TREE LIST

Label	DBH (inches)	Common Name	Scientific Name	Condition
T-1	27.3	Norway maple	<i>Acer platanoides</i>	Good/fair
T-2	36.3	Tulip poplar	<i>Liriodendron tulipifera</i>	Fair (crown dieback)
T-3	40.0	Tulip poplar	<i>Liriodendron tulipifera</i>	Good
T-4	30.0	Tulip poplar	<i>Liriodendron tulipifera</i>	Good
T-5	31.3	Tulip poplar	<i>Liriodendron tulipifera</i>	Fair
T-6	29.8	Tulip poplar	<i>Liriodendron tulipifera</i>	Fair
T-7	28.2	Tulip poplar	<i>Liriodendron tulipifera</i>	Fair
T-8	26.0	Tulip poplar	<i>Liriodendron tulipifera</i>	Poor (edge of asphalt)
T-9	35.0	Silver maple	<i>Acer saccharinum</i>	Fair
T-10	26.0	American elm	<i>Ulmus americana</i>	Fair
T-11	40.4	Tulip poplar	<i>Liriodendron tulipifera</i>	Fair (included bark, double)
T-12	25.2	Tulip poplar	<i>Liriodendron tulipifera</i>	Good
T-13	27.0	Tulip poplar	<i>Liriodendron tulipifera</i>	Fair (leaning)
T-14	47.4	Silver maple	<i>Acer saccharinum</i>	Poor (hollow trunk)
T-15	48.5	American elm	<i>Ulmus americana</i>	Fair
T-16	41.3	Silver maple	<i>Acer saccharinum</i>	Very poor (hazard tree)
T-17	36.3	Mockernut hickory	<i>Carya tomentosa</i>	Good
T-18	28.0	Mockernut hickory	<i>Carya tomentosa</i>	Good
T-19	40.0	Southern red oak	<i>Quercus falcata</i>	Fair (heavily pruned)
T-20	26.0	Mockernut hickory	<i>Carya tomentosa</i>	Good
T-21	30.0	Pin oak	<i>Quercus palustris</i>	Poor (topped)
T-22	32.0	Silver maple	<i>Acer saccharinum</i>	Fair/poor (crown)
T-23	32.5	American sycamore	<i>Platanus occidentalis</i>	Good
T-24	40.3	Red maple	<i>Acer rubrum</i>	Fair
T-25	35.0	Chinese chestnut	<i>Castanea mollissima</i>	Fair
T-26	40.0	Northern red oak	<i>Quercus rubra</i>	Fair/poor (trunk)
T-27	27.0	Northern white cedar/Arborvitae	<i>Thuja occidentalis</i>	Fair (dead branches)
T-28	25.0	Northern white cedar/Arborvitae	<i>Thuja occidentalis</i>	Fair (vines strangling)
T-29	29.9	American beech	<i>Fagus grandifolia</i>	Fair/poor (topped)
T-30	34.2	Southern red oak	<i>Quercus falcata</i>	Good
T-31	36.3	Silver maple	<i>Acer saccharinum</i>	Good
T-32	29.2	Silver maple	<i>Acer saccharinum</i>	Fair
T-33	26.0	Norway maple	<i>Acer platanoides</i>	Fair/poor (hollow)
T-34	26.3	White pine	<i>Pinus strobus</i>	Fair (heavily pruned)
T-35	24.0	Black walnut	<i>Juglans nigra</i>	Good
T-36	38.0	Black walnut	<i>Juglans nigra</i>	Good/fair
T-37	29.5	Pin oak	<i>Quercus palustris</i>	Fair
T-38	41.8	Northern red oak	<i>Quercus rubra</i>	Good
T-39	27.4	Northern red oak	<i>Quercus rubra</i>	Good/fair
T-40	32.4	Northern red oak	<i>Quercus rubra</i>	Fair (leaning)
T-41	40.2	Northern red oak	<i>Quercus rubra</i>	Good/fair
T-42	42.0	White oak	<i>Quercus alba</i>	Good
T-43	24.0	White oak	<i>Quercus alba</i>	Good
T-44	30.0	Tulip poplar	<i>Liriodendron tulipifera</i>	Good
T-45	30.0	Tulip poplar	<i>Liriodendron tulipifera</i>	Good

Label	DBH (inches)	Common Name	Scientific Name	Condition
T-46	28.9	Pin oak	<i>Quercus palustris</i>	Fair
T-47	28.2	White pine	<i>Pinus strobus</i>	Good/fair
T-48	24.9	Red maple	<i>Acer rubrum</i>	Fair
T-49	34.4	Red maple	<i>Acer rubrum</i>	Fair/poor (topped, double)
T-50	24.0	Red maple	<i>Acer rubrum</i>	Poor (double, dead trunk)
T-51	26.1	Silver maple	<i>Acer saccharinum</i>	Fair (topped)
T-52	26.0	Tulip poplar	<i>Liriodendron tulipifera</i>	Fair (poison ivy strangling)
T-53	30.8	Silver maple	<i>Acer saccharinum</i>	Fair
T-54	30.4	Virginia pine	<i>Pinus virginiana</i>	Fair

Appendix D

Agency Response Letters



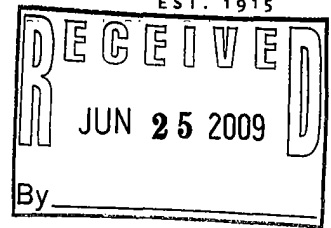
WHITMAN, REQUARDT & ASSOCIATES, LLP
ENGINEERS • ARCHITECTS • PLANNERS
EST. 1915

June 24, 2009

Ms. Elizabeth Cole
Project Review and Compliance, Office of Preservation Services
Maryland Historical Trust
100 Community Place
Crownsville, MD 21302

200902378

F
SHA
TJT/ETC



Re: Bradley Boulevard Bikeway Project
Montgomery County Department of Transportation
WR&A WO#: 31681-02

RECEIVED

AUG 3 2009

Dear Ms. Cole:

On behalf of the Montgomery County Department of Transportation, Whitman, Requardt, and Associates, LLP is currently designing improvements to the bike/pedestrian pathway along Bradley Boulevard (Route 191) in Bethesda, Maryland. The proposed project consists of providing roadway shoulder widening/reconstruction where necessary, re-striping of pavement to provide on-road shared shoulders, providing drainage improvements, installing sidewalks on the west side of the roadway, and constructing an off-road shared use path along the east side of Bradley Boulevard within the approximate 100 foot wide State Highway Administration (SHA) right-of-way from Wilson Lane (Route 188) southeast approximately 4,300 feet to Goldsboro Road (Route 614). No property acquisitions are proposed. A **photo log** is attached showing the general project area. A **Site Location Map** using USGS topographic mapping (USGS Quadrangle: Washington West, MD) is enclosed for your reference.

Federal and/or State involvement for this project is Maryland Forest Conservation Act compliance. No readily visible historic structures, ruins or other cultural resources are identified in the project area. The project location is noted on the attached USGS 7.5 Minute Quadrangle (Washington West, MD). Present land use in the project area is roadway for transportation purposes and residential development. No impacts are anticipated outside of the limits of disturbance (LOD).

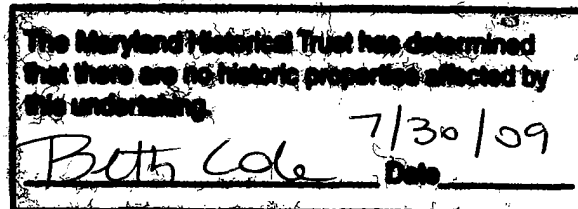
As required by the State/Federal involvement, we are requesting any information or records regarding the presence of cultural, archaeological, or historic resources within the project area. Thank you for your assistance. We look forward to working with your agency to successfully complete this needed project. Should you require additional information, please contact me at (703) 293-9717.

Very truly yours,

Whitman, Requardt & Associates, LLP

Glenn A. Wilson

Glenn Wilson
Environmental Scientist



Enclosures

cc: Amanda Baxter, WR&A

HBE: IA DT 7/24/09

Arhes: IA BC 7/30/09

3701 Pender Drive, Suite 210, Fairfax, Virginia 22030 www.wrallp.com Phone: 703.293.9717 Fax: 703.273.6773

Baltimore, MD • Blacksburg, VA • Fairfax, VA • Georgetown, DE • Newport News, VA • Pittsburgh, PA • Richmond, VA • Wilmington, DE • York, PA

V:\31681-002\Engineering\Environmental\MHT ltr-6-24-2009.doc

M: 35-143 Bradley Hills - English Village District not eligible (2002) no other districts



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor
John R. Griffin, Secretary
Eric Schwaab, Deputy Secretary

August 6, 2009

RECEIVED

AUG 11 2009

Mr. Glenn Wilson
Whitman, Requardt and Associates, LLP
3701 Pender Drive, Suite 210
Fairfax, VA 22030

RE: Environmental Review for Bradley Boulevard Bikeway Project, WR&A WO# 31681-02, Bethesda, Montgomery County, Maryland.

Dear Mr. Wilson:

The Wildlife and Heritage Service has determined that there are no State or Federal records for rare, threatened or endangered species within the boundaries of the project site as delineated. As a result, we have no specific comments or requirements pertaining to protection measures at this time. This statement should not be interpreted however as meaning that rare, threatened or endangered species are not in fact present. If appropriate habitat is available, certain species could be present without documentation because adequate surveys have not been conducted.

Thank you for allowing us the opportunity to review this project. If you should have any further questions regarding this information, please contact me at (410) 260-8573.

Sincerely,

Lori A. Byrne,
Environmental Review Coordinator
Wildlife and Heritage Service
MD Dept. of Natural Resources

ER# 2009.1128.mo



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Chesapeake Bay Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401
410/573-4575



July 16, 2009

RECEIVED

JUL 20 2009

Whitman, Requardt & Associates, LLP
3701 Pender Drive, Suite 210
Fairfax, VA 22030

RE: Bradley Boulevard Bikeway Project Montgomery County MD WR&A 31681-02

Dear: Glenn Wilson

This responds to your letter, received June 24, 2009, requesting information on the presence of species which are federally listed or proposed for listing as endangered or threatened within the vicinity of the above reference project area. We have reviewed the information you enclosed and are providing comments in accordance with section 7 of the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*).

Except for occasional transient individuals, no federally proposed or listed endangered or threatened species are known to exist within the project impact area. Therefore, no Biological Assessment or further section 7 Consultation with the U.S. Fish and Wildlife Service is required. Should project plans change, or if additional information on the distribution of listed or proposed species becomes available, this determination may be reconsidered.

This response relates only to federally protected threatened or endangered species under our jurisdiction. For information on the presence of other rare species, you should contact Lori Byrne of the Maryland Wildlife and Heritage Division at (410) 260-8573.

Effective August 8, 2007, under the authority of the Endangered Species Act of 1973, as amended, the U.S. Fish and Wildlife Service (Service) removed (delist) the bald eagle in the lower 48 States of the United States from the Federal List of Endangered and Threatened Wildlife. However, the bald eagle will still be protected by the Bald and Golden Eagle Protection Act, Lacey Act and the Migratory Bird Treaty Act. As a result, starting on August 8, 2007, if your project may cause "disturbance" to the bald eagle, please consult the "National Bald Eagle Management Guidelines" dated May 2007.

If any planned or ongoing activities cannot be conducted in compliance with the National Bald Eagle Management Guidelines (Eagle Management Guidelines), please contact the Chesapeake Bay Ecological Services Field Office at 410-573-4573 for technical assistance. The Eagle Management Guidelines can be found at:

<http://www.fws.gov/migratorybirds/issues/BaldEagle/NationalBaldEagleManagementGuidelines.pdf>.

In the future, if your project can not avoid disturbance to the bald eagle by complying with the Eagle Management Guidelines, you will be able to apply for a permit that authorizes the take of bald and golden eagles under the Bald and Golden Eagle Protection Act, generally where the take to be authorized is associated with otherwise lawful activities. This proposed permit process will not be available until the Service issues a final rule for the issuance of these take permits under the Bald and Golden Eagle Protection Act.

An additional concern of the Service is wetlands protection. Federal and state partners of the Chesapeake Bay Program have adopted an interim goal of no overall net loss of the Basin's remaining wetlands, and the long term goal of increasing the quality and quantity of the Basin's wetlands resource base. Because of this policy and the functions and values wetlands perform, the Service recommends avoiding wetland impacts. All wetlands within the project area should be identified, and if construction in wetlands is proposed, the U.S. Army Corps of Engineers, Baltimore District, should be contacted for permit requirements. They can be reached at (410) 962-3670.

We appreciate the opportunity to provide information relative to fish and wildlife issues, and thank you for your interests in these resources. If you have any questions or need further assistance, please contact Devin Ray at (410) 573-4531.

Sincerely,

A handwritten signature in black ink, appearing to read "Leopoldo Miranda", written in a cursive style.

Leopoldo Miranda
Field Supervisor



MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Baltimore MD 21230

410-537-3000 • 1-800-633-6101

Martin O'Malley
Governor

Anthony G. Brown
Lieutenant Governor

Shari T. Wilson
Secretary

Robert M. Summers, Ph.D.
Deputy Secretary

August 21, 2009

Mr. Glenn Wilson
Whitman Requardt & Associates
3701 Pender Drive
Suite 210
Fairfax VA 22030

RE: Tracking Number: 2009-42850
Request Received August 14, 2009

PEPCO SPILL

Dear Mr. Wilson:

The Maryland Department of the Environment (MDE) received your recent request for information under the Public Information Act (PIA).

The Waste Management Administration had a file on this site, however, the file was destroyed in accordance with the Waste Management Administration's record retention schedule. This program maintains archived files for 5 years prior to destruction. MDE is required to send you this notice pursuant to Code of Maryland Regulation 26.01.04.10.

When requesting information regarding this request, please cite the tracking number referenced above. If you have any questions, please call me at (410) 537-3422.

Sincerely,

Maria Stephens
PIA Liaison
Waste Management Administration





MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Baltimore MD 21230

410-537-3000 • 1-800-633-6101

Martin O'Malley
Governor

Shari T. Wilson
Secretary

Anthony G. Brown
Lieutenant Governor

Robert M. Summers, Ph.D.
Deputy Secretary

August 21, 2009

Mr. Glenn Wilson
Whitman Requardt & Associates
3701 Pender Drive
Suite 210
Fairfax VA 22030

RE: Tracking Number: 2009-42850
Request Received August 14, 2009

RECEIVED
AUG 24 2009

PEPCO SPILL

Dear Mr. Wilson:

The Maryland Department of the Environment (MDE) received your recent request for information under the Public Information Act (PIA).

Information responsive to your PIA request, obtained from the Waste Management Administration, is enclosed. There were no charges incurred as a result of this search.

When requesting information regarding this request, please cite the tracking number referenced above. If you have any questions, please call me at (410) 537-3422.

Sincerely,

Maria Stephens
PIA Liaison
Waste Management Administration

cc: Maria Stephens, Waste Management Administration



SUPERVISOR CLOSURE REVIEW

Case No. 99-2992-Ho1

Date: 7-20-99

Release? No ☐

Yes ☒

Comment _____

<input type="checkbox"/> FEDERAL (UST Motor/Lube/Bulk)	<input checked="" type="checkbox"/> STATE (UST Heating Oil/All AST)
Color Coding	Aboveground Tank Leak
Compliance Inspections	Dumping
Ground Seat Investigation	Cross Water
Inventory	Permit Inspections
New Installation - Motor/Lube Oil	New Installation - Heating Oil
Overfill Protection	Transfer Accident
Registration - Motor/Lube Oil	Registration - Heating Oil
Release Detection	Vehicle Accident
Removal/Repair - Motor/Lube Oil	Removal/Repair - Heating Oil
Soil Contamination - Motor/Lube Oil	Soil Contamination - Heating Oil
Surface Soil Originating from UST - Motor/Lube Oil	Surface Soil Originating from UST - Heating Oil <input checked="" type="checkbox"/>
Tank Removal/Abandonment - Motor/Lube Oil	Tank Removal/Abandonment - Heating Oil
Tank Test Failure - Motor/Lube Oil	Tank Test Failure - Heating Oil
Tank Truck Driver Attendance - Motor/Lube Oil	Tank Truck Driver Attendance - Heating Oil
Vapor Problem - Motor/Lube Oil	Vapor Problem - Heating Oil
Well/Groundwater Contamination - Motor/Lube Oil	Well/Groundwater Contamination - Heating Oil

Agree to close: Yes ☒

No ☐

Reference/Support _____

John Shish
Signature

LEAK SUMMARY & TANK CLOSURE

CASE # 99-2992 M01

DATE OPENED

06/01/99

DATE CLOSED

06/01/99

EST. TIME TAKING TO REM. 15 MIN.

TYPE OF CASE:

- A) PULL _____
- B) INSTALLATION _____
- C) SURFACE ✓
- D) LEAK INVESTIGATION _____
- E) COMPLIANCE CHECK _____
- F) TANK TEST FAILURE _____
- G) ABANDONMENT-IN-PLACE _____
- H) OTHER _____

SPILL AFFECTED:

- A) GROUNDWATERS _____
- B) DOMESTIC WELLS _____
- C) SURFACE WATERS _____
- D) A BUILDING _____
- E) STORM DRAIN _____
- F) SANITARY LINE _____
- G) UTILITY WORK OR LINES _____
- H) REACHED ADJOIN PROPERTY _____
- I) NONE/OTHER (SPECIFY) _____
- J) SOILS ✓

OWNER OF SYSTEM:

- A) MAJOR OIL COMPANY _____
- B) LOCAL OIL COMPANY _____
- C) PRIVATE OWNER _____
- D) SERVICE STATION _____
- E) GOVERNMENT FACILITY _____
- F) PRIVATE RESIDENT ✓
- G) APARTMENT _____
- H) SCHOOL _____
- I) COMMERCIAL BUSINESS _____
- J) OTHER (SPECIFY) _____

If under "Type of Case" item B, C, or E is checked, do not fill in chart below.

Observation wells installed? Yes _____ No ✓

No. of Wells _____

	Tank Capacity	Tank Type	Line Type	Age	Product	Tank Status	Leak Found
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							

Release detected? Yes ✓ No _____DAF Codes: A4

CODES FOR USE ON REVERSE SIDE

TYPE:

- | | |
|---------------------------------|---------------|
| A) Steel | D) Other |
| B) Fiberglass | E) Clad Steel |
| C) Cathodically-Protected Steel | F) Copper |

AGE:

- | | |
|----------------|------------------|
| A) 1-5 years | D) 16-20 years |
| B) 6-10 years | E) Over 20 years |
| C) 11-15 years | |

PRODUCT:

- | | |
|-------------|--------------|
| A) Gasoline | G) Jet Fuel |
| B) #2 Oil | H) Waste Oil |
| C) Kerosene | I) Asphalt |
| D) #4 Oil | J) Other |
| E) #5 Oil | K) Diesel |
| F) #6 Oil | |

LEAK FOUND IN:

- | | |
|----------------|-------------------|
| A) Tank | F) Fill Pipe |
| B) Supply Line | G) Air Pocket |
| C) Return Line | H) None |
| D) Vent Line | I) Other |
| E) Fittings | J) Flex Connector |

STATUS:

- | |
|-----------------------|
| A) In Service |
| B) Removed |
| C) Abandoned-In-Place |

Maryland Department of the Environment
Waste Management Administration
2500 Broening Highway, Baltimore, MD 21224
(410)631-3442

Case No.

Report of Observations

Facility I.D. No.

Date 06/11/99

Type of Inspection/Observation:

Facility Name Petro Oil Spill; 5303 Bradley Blvd. Bethesda

Remarks Writer visited site and found minimal contamination around the fill and vent.
No action required.

Observer James H. Chilcote
Person Interviewed

A handwritten signature in cursive script, reading "James H. Chilcote", written in black ink.

Kortine

MARYLAND DEPARTMENT OF THE ENVIRONMENT
TECHNICAL AND REGULATORY SERVICES ADMINISTRATION
EMERGENCY RESPONSE DIVISION

25

☐ Chemical ☒ Petroleum ☐ Other

- *****
1. Name of Person Taking Report: Butler
2. Date of Report 11/24/98 3. Time of Report: 1555
4. Original Complainant: Donald Russell
5. Complainant Agency or Address: Petro Oil Co.
6. Complainant Telephone#: (301) 420-8000
- *****
7. Date of Spill: 11/24/98 8. Time of Spill: 1500
9. Company Name: _____
10. Precise Location of Spill or Incident: 5303 Bradley Blvd.
- 10a. City: Bethesda
11. Nearest Cross Street: _____ 12. County: MG (0081)
13. Type of Product Involved: #2 ☐ UNK.
14. Quantity on Board: _____ ☐ UNK. 15. Amount Spilled: 1 gal. ☐ UNK.
16. Details of Spill: overfill of tank - out of vent pipe
- _____
- _____
17. Has Product Entered Waterway: ☐ Yes ☒ No ☐ UNK
18. Name of Waterway: _____
- *****
19. Has Corrective Action Been Taken?: ☒ Yes ☐ No ☐ UNK
20. If Yes, What?: oil absorbent
- _____
21. Responsible Party: Mortaza
22. RP's Address: _____
23. RP's Telephone#: (301) 657-4415
- *****



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Isiah Leggett
County Executive

Robert G. Hoyt
Director

August 20, 2009

Glenn R. Wilson
Whitman, Requardt & Associates, LLP
3701 Pender Drive, Suite 210
Fairfax, VA 22030

Location(s) Searched: Bradley Blvd. SHA Right of Way from Wilson Lane to Goldsboro Rd

Dear Mr. Wilson:

Thank you for contacting the Department of Environmental Protection regarding your request for information about a Phase I Environmental Assessment.

In response to your request received on July 23, 2009, we conducted a search of environmental complaints investigated by the DEP using our complaint-tracking database for the period from 1989 to the present. No records were found in our database for the referenced location(s); therefore, DEP is not aware of any environmental problems for this location.

The DEP does not issue well permits, underground storage tank permits or other permits associated with the storage, treatment or discharge of wastewater or hazardous materials. While we are sometimes notified of problems associated with these incidents, actual permit activities are within the jurisdiction of the Maryland Department of the Environment (MDE). You may contact them at 1-800-633-6101 or 410-537-3000 to obtain more information. DEP records indicate several Brownfields sites are located in Montgomery County. Since the Brownfields program is administered by MDE, please contact them at the numbers referenced above for further information. In addition, you may contact the Montgomery County Office of Emergency Management and Homeland Security at 240-777-2300 for information on the storage of hazardous materials and aboveground storage tanks.

If you have any questions concerning the information contained in this letter, please feel free to contact me at 240-777-7770 or by email at AskDEP@montgomerycountymd.gov.

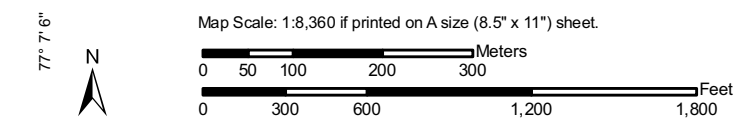
Sincerely,

Stan Edwards, Division Chief
Environmental Policy and Compliance

Appendix E

NRCS Soils Map


Soil Map—Montgomery County, Maryland
(Bradley Blvd. Soils)



Soil Map—Montgomery County, Maryland
(Bradley Blvd. Soils)

MAP LEGEND






















Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Units

Special Point Features

-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot
-  Spoil Area
-  Stony Spot



Very Stony Spot



Wet Spot



Other

Special Line Features



Gully



Short Steep Slope



Other

Political Features



Cities

Water Features



Oceans



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

MAP INFORMATION

Map Scale: 1:8,360 if printed on A size (8.5" × 11") sheet.

The soil surveys that comprise your AOI were mapped at 1:15,840.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>

Coordinate System: UTM Zone 18N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Montgomery County, Maryland

Survey Area Data: Version 7, Feb 2, 2007

Date(s) aerial images were photographed: 6/21/2005

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.



Map Unit Legend

Montgomery County, Maryland (MD031)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
1C	Gaila silt loam, 8 to 15 percent slopes	11.9	12.3%
2UB	Glenelg-Urban land complex, 0 to 8 percent slopes	81.3	84.3%
2UC	Glenelg-Urban land complex, 8 to 15 percent slopes	2.4	2.4%
6A	Baile silt loam, 0 to 3 percent slopes	0.1	0.1%
16D	Brinklow-Blocktown channery silt loams, 15 to 25 percent slopes	0.8	0.8%
Totals for Area of Interest		96.3	100.0%

Appendix F

Hazmat Databases and Project Summary

FEDERAL DATABASES SEARCHED BY EDR		
DATABASE	DESCRIPTION	SEARCH DISTANCE
NPL	National Priorities List (Superfund). Hazardous waste sites targeted for possible long-term remedial action under the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS).	1 mile
Proposed NPL	Proposed National Priority List Sites.	1 mile
Delisted NPL	National Priority List Deletions. The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establish the criteria that EPA uses to delete sites from the NPL.	1 mile
NPL LIENS	Federal Superfund Liens.	Project Site
CERCLIS	Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS). Sites that are proposed for or on the NPL, or in the screening or assessment phase for possible inclusion on the NPL.	0.5 mile
CERC-NFRAP	Archived CERCLIS sites with a status of No Further Remedial Action Planned (NFRAP), denoting sites where, following an initial investigation, either no contamination was found, contamination was removed quickly without need for the site to be placed on the NPL, or the contamination was not serious enough to require Federal Superfund action or NPL consideration. The NFRAP status does not necessarily indicate that no environmental concerns are present.	0.5 mile
LIENS 2	CERCLA Lien information. A Federal CERCLA ("Superfund") lien can exist by operation of law at any site or property at which EPA has spent Superfund monies.	Project Site
CORRACTS	Hazardous waste handlers with Resource Conservation and Recovery Act (RCRA) corrective action activity.	1 mile
RCRA-TSDF	Resource Conservation and Recovery Information System (RCRIS), Treatment, Storage, and Disposal (TSD) facilities. Hazardous waste handlers.	0.5 mile
RCRA-LQG	RCRIS sites that are large-quantity generators (LQG) of hazardous waste. LQGs generate over 1,000 kg of hazardous waste, or over 1 kg of acutely hazardous waste per month.	0.25 mile
RCRA-SQG	RCRIS sites that are small-quantity generators (SQG) of hazardous waste. SQGs generate between 100 kg and 1,000 kg of hazardous waste per month.	0.25 mile
RCRA-CESQG	RCRA-Conditionally Exempt Small Quantity Generators. CESQGs generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month.	0.25 mile
RCRA-NonGen	RCRA-Non Generators. Non-Generators do not presently generate hazardous waste.	0.25 mile
ERNS	Emergency Response Notification System. Releases of oil and hazardous substances.	Project Site
HMIRS	Hazardous Materials Information System Database. A list of release incident information reported to the Department of Transportation by carriers of hazardous materials.	Project Site
US ENG CONTROLS	Engineering Controls Sites List. A list of sites with engineering controls in place including various forms of caps, building foundations, liners, and treatment methods.	0.5 mile
US INST CONTROL	Sites with Institutional Controls. A listing of sites with institutional controls in place, including administrative measures, such as groundwater use restrictions, construction restrictions, property use restrictions, and post remediation care requirements.	0.5 mile
DOD	Department of Defense Sites. Data set of federally owned or administered lands having area equal to or greater than 640 acres of the US, Puerto Rico, and the US Virgin Islands.	1 mile
FUDS	Formerly used Defense properties where USACE will take necessary cleanup actions.	1 mile
US BROWNFIELDS	A listing of Brownfield sites.	0.5 mile
CONSENT	Superfund (CERCLA) Consent Decrees. Major legal settlements that establish responsibility and standard for cleanup at NPL (Superfund) sites.	1 mile
ROD	Records of Decision. ROD documents mandate a permanent cleanup at an NPL (Superfund) site containing technical and health information to aid in the cleanup.	1 mile
UMTRA	Uranium Mill Tailings Sites. (Mined by private companies for federal government use in national defense programs.)	0.5 mile

FEDERAL DATABASES SEARCHED BY EDR		
DATABASE	DESCRIPTION	SEARCH DISTANCE
DEBRIS REGION 9	Torres Martinez Reservation Illegal Dump Site Locations. A listing of illegal dump sites located on the Torres Martinez Indian Reservation located in eastern Riverside and northern Imperial County, California.	0.5 mile
ODI	Open Dump Inventory: Disposal facility that does not comply with one or more of CFR Part 257 or Part 258 Subtitle D Criteria.	0.5 mile
TRIS	Toxic Chemical Release Inventory System. TRIS identifies facilities, which release toxic chemicals into the air, water, and land in reportable quantities.	Project Site
TSCA	Toxic Substance Control Act. An inventory, which includes locations and chemical production of more than 700 processors and manufacturers of chemicals.	Project Site
FTTS	National Compliance Database tracking administrative cases and pesticide enforcement actions and compliance activities related to FIFRA, TSCA, and EPCRA.	Project Site
HIST FTTS	FIFRA/TSCA Tracking System Administrative Case Listing. Information was obtained from the National Compliance Database. May include data not in newer FTTS database.	Project Site
SSTS	Section 7 Tracking Systems of the Federal Insecticide, Fungicide, and Rodenticide Act.	Project Site
ICIS	Integrated Compliance Information System supports information needs of the national enforcement and compliance program as well as the unique needs of the National Pollutant Discharge Elimination System (NPDES) program.	Project Site
US CDL	Clandestine Drug Labs Database. Locations listed by the U.S. Department of Justice.	Project Site
LUCIS	Land Use Control Information System. Contains records of land use control information pertaining to the former Navy Base Realignment and Closure properties.	0.5 mile
RADINFO	Radiation Information Database. EPA regulated facilities for radiation and radioactivity.	Project Site
DOT OPS	Incident and Accident Data from the Department of Transportation, Office of Pipeline Safety Incident and Accident data.	Project Site
PADS	PCB Activity Database System. The PADS database stores information about facilities that handle polychlorinated biphenyls (PCBs).	Project Site
MLTS	Material License Tracking System. MLTS contains information on sites licensed by the NRC to handle radioactive materials.	Project Site
MINES	Mines Master Index File containing all mine identification numbers issued for mines active or opened since 1971.	0.25 mile
FINDS	Facility Index System. An inventory of all facilities that are regulated or tracked by EPA.	Project Site
RAATS	RCRA Administrative Tracking System. RAATS contains records based on enforcement actions issued under RCRA pertaining to major violations and includes administrative and civil actions brought by the EPA LOCAL (VIRGINIA)	Project Site
SCRD DRYCLEANERS	State Coalition for Remediation of Drycleaners listing	0.5 mile

TRIBAL DATABASES SEARCHED BY EDR		
DATABASE	DESCRIPTION	DATABASE
INDIAN RESERV	Indian administered lands of the US having area equal to or greater than 640 acres.	1 mile
INDIAN LUST	Leaking Underground Storage Tanks on Indian Land.	0.5 mile
INDIAN UST	Underground Storage Tanks on Indian Land.	0.25 mile
INDIAN VCP	Voluntary Cleanup Priority Listing	0.5 mile

EDR PROPRIETARY RECORDS		
DATABASE	DESCRIPTION	DATABASE
Manufactured Gas Plants	Database including records of coal gas plants used in the US from the 1800's to 1950's.	1 mile
EDR Historical Auto Stations	Database from business directories of potential gas stations/service stations.	0.25 mile
EDR Historical Cleaners	Database from business directories of potential dry cleaning establishments.	0.25 mile

LOCAL (MARYLAND) DATABASES SEARCHED BY EDR		
DATABASE	DESCRIPTION	SEARCH DISTANCE
SHWS	Notice of Potential Hazardous Waste Sites	1 mile
State Landfills	Permitted Solid Waste Disposal Facilities	0.5 mile
SWRCY	Recycling Directory	0.5 mile
OCPCASES	Oil Control Program Cases	0.5 mile
HIST LUST	Recovery Sites	0.5 mile
UST	Registered Underground Storage Tank List	0.25 mile
Historical UST	Historical UST Registered Database	0.25 mile
AST	Permitted Aboveground Storage Tanks	0.25 mile
INST CONTROL	Voluntary Cleanup Program Applicants/Participants	0.5 mile
VCP	Voluntary Cleanup Program Applicants/Participants	0.5 mile
DRYCLEANERS	Registered Drycleaning Facilities	0.25 mile
BROWNFIELDS	Eligible Brownfields Properties	0.5 mile
AIRS	Permit and Facility Information Listing	Project Site
LEAD	Lead Inspection Database	Project Site
NPDES	Wastewater Permit Listing	Project Site

EDR IDENTIFIED REGULATORY SITES WITHIN PROJECT CORRIDOR			
LOCATION	DATABASE INFORMATION	MDE FILE INFORMATION	DISTANCE/DIRECTION FROM PROJECT SITE
Edward Mehlman 5625 Bradley Blvd. Bethesda, MD 20817	<u>RCRA-SQG</u> Waste Name: Silver Violation Status: No violations found <u>FINDS</u>	♦ NA	Project Site
5504 Bradley Blvd. Bethesda, MD 20817	<u>MD LEAD</u> Inspection Date: 10/2/1997 Pass/Fail: P	♦ NA	Project Site
5408 Bradley Blvd. Bethesda, MD 20814	<u>MD LEAD</u> Inspection Date: 10/29/2005 Pass/Fail: P Inspection Date: 3/14/2007 Pass/Fail: P Inspection Date: 3/17/2008 Pass/Fail: P	♦ NA	Project Site
Pepco Spill 5401 Bradley Blvd. Bethesda, MD 20814	<u>OCPCASES</u> OCP Case #: 02-1434MO1 Facility Status: Closed Date Open: 5/10/2002 Date Closed: 6/12/2002 Release: Yes Cleanup: Yes	♦ Per MDE, files destroyed	Project Site

EDR IDENTIFIED REGULATORY SITES WITHIN PROJECT CORRIDOR			
LOCATION	DATABASE INFORMATION	MDE FILE INFORMATION	DISTANCE/DIRECTION FROM PROJECT SITE
	Facility Code: Dumping		
Petro Oil Spill 5305 Bradley Blvd. Bethesda, MD 20814	<u>OCPCASES</u> OCP Case #: 99-2994MO1 Facility Status: Cancelled Date Open: 6/11/1999 Date Closed: 6/11/1999 Release: Yes Cleanup: Not Reported Facility Code: NC	◆ Per MDE, files destroyed	Project Site
Pepco Spill 5303 Bradley Blvd. Bethesda, MD 20814	<u>OCPCASES</u> OCP Case #: 99-2992MO1 Facility Status: Closed Date Open: 6/11/1999 Date Closed: 7/20/1999 Release: Yes Cleanup: Yes Facility Code: Surface Spill from UST-Residential Heating oil <u>ERNS</u>	◆ Overfill of #2 heating oil at the outlet/vent pipe ◆ Oil sorbent placed on spilled material ◆ MDE visited site on 6/11/99 and found minimal contamination at site ◆ Case closed on 7/20/99	Project Site
5500 Burling Court Bethesda, MD 20817	<u>MD LEAD</u> Inspection Date: 7/18/2008 Pass/Fail: P	◆ NA	± 50 feet west
5702 Maiden Lane Bethesda, MD 20817	<u>MD LEAD</u> Inspection Date: 9/29/2005 Pass/Fail: P	◆ NA	± 100 feet west
5507 Burling Court Bethesda, MD 20817	<u>MD LEAD</u> Inspection Date: 1/10/2008 Pass/Fail: P Inspection Date: 10/27/2000 Pass/Fail: P	◆ NA	± 200 feet west



WHITMAN, REQUARDT & ASSOCIATES, LLP
801 South Caroline St., Baltimore, MD 21231