

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION II
 CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION
 1492 PONCE DE LEON AVE. - SUITE 417
 SAN JUAN, PR 00907-4127

Public Notice No. 2010-30

Date: August 27, 2010

NOTICE: PREPARATION OF A PUERTO RICO DRAFT NPDES PERMITS

Notice is hereby given that the following parties have applied to the United States Environmental Protection Agency (EPA) under the provisions of the Clean Water Act, 33 U.S.C. §1251 et seq. (the Act), for National Pollutant Discharge Elimination System (NPDES) permits to discharge pollutants from the following facilities into waters of the United States.

<u>NPDES No.</u>	<u>Facility Name</u>	<u>Design Flow (MGD)*</u>	<u>Receiving Water/ Classification</u>
PR0025569	SU Cuyon Ward School State Road No. 704 Cuyón Ward Coamo, Puerto Rico	0.014	Cuyon River/ SD
PR0026425	Coco Beach WWTP State Road No. 704 Cuyón Ward Coamo, Puerto Rico	1.00	Tributary Channel to Espiritu Santo River/ SD
PR0026913	Bundy WWTP Salermo Bay Road, Building No. 1757 Naval Activity Roosevelt Roads Ceiba, Puerto Rico	0.600	Vieques Pasaje/SC
PR0026921	Forrestal WWTP Forrestal Drive, Building No. 1758 Naval Activity Roosevelt Roads Ceiba, Puerto Rico	1.00	Ensenada Honda /SB

*Million gallons per day.

SU Cuyon Ward School (PR0025569) is a public education institution engaged in treatment of domestic sanitary waters at wastewater treatment plant. This activity has a Standard Industrial Classification (SIC) code of 4951. The applicant propose to discharge 53.00 m³/day (0.014 MGD) as a daily maximum of wastewater consisting of treated domestic sanitary flow from outfall serial number 001 to Cuyón River. The receiving water has been classified SD by the Environmental Quality Board (EQB) of Puerto Rico.

Coco Beach WWTP (PR0026425) is engaged in treatment of sanitary waters at wastewater treatment plant. This activity has a Standard Industrial Classification (SIC) code of 4951. The applicant propose to discharge 3,785.41 m³/day (1.00 MGD) as a daily maximum flow of wastewater consisting of tertiary treated sanitary wastewater from outfall serial number 001 to Unnamed Creek Tributary to Espiritu Santo River. The receiving water has been classified SD by the Environmental Quality Board (EQB) of Puerto Rico.

Bundy WWTP (PR0026913) is engaged in treatment of sanitary and industrial waters at wastewater treatment plant. This activity has a Standard Industrial Classification (SIC) code of 4951. The applicant propose to discharge 2,271.25 m³/day (0.600 MGD) as a daily maximum flow of wastewater consisting of tertiary treated sanitary and industrial wastewater from outfall serial number 001 to Vieques Passage. The receiving water has been classified SC by the Environmental Quality Board (EQB) of Puerto Rico.

Forrestal WWTP (PR0026921) is engaged in treatment of sanitary and industrial waters at wastewater treatment plant. This activity has a Standard Industrial Classification (SIC) code of 4951. The applicant propose to discharge 3,785.41 m³/day (1.00 MGD) as a daily maximum flow of wastewater consisting of tertiary treated sanitary and industrial wastewater from outfall serial number 001 to Ensenada Honda. The receiving water has been classified SB by the Environmental Quality Board (EQB) of Puerto Rico.

This Notice is being given to inform the public that the Environmental Quality Board (EQB) has tentatively determined to provide the certification required by Section 401 of the Act and EPA has prepared draft permits based on EQB's intent to issue Water Quality Certificates. This draft permit contain effluent limitations, standards, prohibitions and other conditions necessary to carry out the provisions of the Act. If, after the conclusion of the proceedings summarized below, EPA makes a final decision to issue a permit, the applicant will be required to comply with all the conditions in that permit. Also, EPA's final decision to issue a permit, will take into consideration any changes made by the EQB to the Water Quality Certificates as reflected in the final certification.

The draft permit prepared by EPA is based on the administrative record. Among other documents, the administrative record required by §124.9 of Title 40 of the Code of Federal Regulations, 40 C.F.R. 124.9, 45 Federal Register 33488 (May 19, 1980), consists of the application, draft permit, or fact sheet describing the reasons for the conditions in the draft permit. The administrative record (with the exception of material readily available at EPA, Region II, or published material which is generally available) is filed at the EPA Region 2 Caribbean Environmental Protection Division Office in Edif. Centro Europa, Suite 417, 1492 Avenida Ponce de León, San Juan, Puerto Rico 00907-4127 and may be inspected at anytime between 8:30 A.M. and 4:00 P.M., Monday through Friday. A copy of the draft permit and other available information may be obtained at a charge of \$0.15 per page by writing to the above address, or by calling (787) 977-5870. Interested persons may submit written comments on the

draft permit to the Chief, Multimedia Permits and Compliance Branch, Caribbean Environmental Protection Division; at the above address no later than September 27, 2010. All persons,

including applicant, who believe that the preparation of the draft permits was inappropriate or that any of the conditions of the draft permits are not appropriate either because one of the variances or modifications listed in 40 C.F.R. §122.53(1) should be granted or for some other reason, have an obligation to raise all reasonably ascertainable issues and submit all reasonably available arguments and factual grounds supporting their positions, including all supporting materials, by the close of the public comment period. All supporting materials must be submitted in full unless it is already included in the administrative record. If EPA finds that timely comments were submitted which appear to raise substantial new questions, EPA may reopen the public comment period.

In lieu of, or in addition to, the submission of comments as above provided, any interested persons may request a public hearing. Any request for a public hearing under 40 C.F.R. §124.12 on EPA's draft permits must be in writing, state the nature of the issues proposed to be raised in the hearing, and be submitted to the Chief, Multimedia Permits and Compliance Branch, Caribbean Environmental Protection Division Office in Edif. Centro Europa, Suite 417, 1492 Ponce de León Avenue, San Juan, Puerto Rico 00907-4127, no later than September 27, 2010. EPA's decision on the question of whether to hold a public hearing on the draft NPDES permits, the administration of any hearing and the rights and obligations of participants are governed by regulations at 40 C.F.R. §124.12. If EPA holds a public hearing, the public comment period in this Notice shall automatically be extended to the close of the public hearing.

If EPA does not hold a public hearing or reopen the comment period, EPA shall consider the issuance of a final permit to the applicant as soon as possible after the date indicated above for the submission of comments. All timely comments, submitted by interested persons in response to this Notice, and statements and other evidence properly submitted at any public hearing held by EPA shall be considered in making the final decision with respect to this permit application. All comments shall be answered as provided in 40 C.F.R. §124.17.

The Applicant and any other person who submits timely written comments or requests notice of final permit decision shall receive notice of EPA's final decision. Within 30 days of service of such notice, any interested person who has submitted timely written comments may petition the Environmental Appeals Board to review any condition of the permit decision. Any person who failed to file comments or failed to participate in the public hearing on the draft permit may petition for review only to the extent of the changes from the draft to the final permit decision. Any such appeal must meet the requirements of 40 CFR §124.19. All pleadings filed by mail must be addressed to the Environmental Appeals Board, MC 1103B, U.S. EPA Ariel Rios Building, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460. Documents that are hand-carried must be delivered to the Board at its offices at 607 14th Street, N.W., Suite 500, Washington, D.C. 20005. Documents may be filed with the clerk of the Environmental Appeals Board only between the hours of 8:30 a.m. and 4:30 p.m. Eastern Time Monday through Friday (excluding Federal Holidays).

Tere Rodríguez, Chief
Multimedia Permits and Compliance Branch
Caribbean Environmental Protection Division
U.S. Environmental Protection Agency