United States Environmental Protection Agency
Region 2
Caribbean Environmentla Protection Division
City View Plaza II, Suite 7000
48 Road 165, Km 1.2
Guaynabo, Puerto Rico 00968-8069

FACT SHEET

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
COCO BEACH UTILITY COMPANY, INC.
PERMIT No. PR0026425

This Fact Sheet sets forth the principal facts and technical rationale that serve as the legal basis for the requirements of the accompanying final permit. The final permit has been prepared in accordance with Clean Water Act (CWA) section 402 and its implementing regulations at Title 40 of the *Code of Federal Regulations* (CFR), Parts 122 through 124, and the final Water Quality Certificate (WQC) issued by the Puerto Rico Department of Natural and Environmental Resources (DNER) pursuant to CWA section 401 requirements.

Pursuant to 40 CFR 124.53, the Commonwealth of Puerto Rico must either grant a certification pursuant to CWA section 401 or waive this certification before the U.S. Environmental Protection Agency (EPA) may issue a final permit. On **November 25**, **2024**, DNER provided in the WQC that the allowed discharge will not cause violations to the applicable water quality standards at the receiving water body if the limitations and monitoring requirements in the WQC are met. In accordance with CWA section 401, EPA has incorporated the conditions of the final WQC into the final permit. The WQC conditions are discussed in this Fact Sheet and are no less stringent than allowed by federal requirements. Additional requirements might apply to comply with other sections of the CWA. Review and appeals of limitations and conditions attributable to the WQC were made through the applicable procedures of the Commonwealth of Puerto Rico and not through EPA procedures. No appeals were received by DNER on the WQC.

PART I. BACKGROUND

A. Permittee and Facility Description

The **Coco Beach Utility Company, Inc. (Coco Beach)** (referred to throughout as the Permittee) has applied for renewal of its National Pollutant Discharge Elimination System (NPDES) permit. The Permittee is discharging pursuant to NPDES Permit No**. PR0026425**. The Permittee submitted an Application Form 1 and Form 2C dated **March 28, 2024**, and applied for an NPDES permit to discharge tertiary treated sanitary wastewaters from the Coco Beach wastewater treatment plant, called the facility. The facility is classified as a minor discharger by EPA in accordance with the EPA rating criteria.

The Permittee operates a wastewater treatment plant to treat the raw wastewater generated by the residential and tourism development at the Coco Beach area. The applicant, Coco Beach, proposes to discharge 3,785.41 m3/day (1.0 MGD) as daily maximum of tertiary treated sanitary wastewater through the point of discharge 001. Attachment A of this Fact Sheet provides a map of the area around the facility and a flow schematic of the facility.

Summary of Permittee and Facility Information

Permittee	Coco Beach Utility Company, Inc.
Facility contact, title, phone	John J. Wilson, Plant Superintendent, (787) 432-5436
Permittee (mailing) address	900 Coco Beach Boulevard, Río Grande, PR 00745
Facility (location) address	State Road No. 3, Km 26.3, Zarzal Ward, Río Grande, PR 00745
Facility contact email	jwilson@grandreserve.com
Type of facility	SIC code 4952
Pretreatment program	N/A
Facility monthly average flow	0.178 (There has been no discharge to receiving water)
Facility design flow	1.0 MGD
Facility classification	Minor

B. Discharge Points and Receiving Water Information

Teritiary treated wastewater is discharged from Outfall 001 to an unnamed creek tributary to the Espíritu Santo River, a water of the United States.

The final permit authorizes the discharge from the following discharge point(s):

Outfall	Effluent description	Outfall latitude	Outfall longitude	Receiving water name and classification
001	Tertiary treated sanitary wastewaters	18°, 23′, 42″ N	65°, 48′, 07″ W	Unnamed creek tributary to Espíritu Santo River, SD

The Puerto Rico Water Quality Standards (PRWQS) classifies the receiving water as a Class SD water and the designated uses for the receiving waters include:

1. raw source of public water supply;
2. propagation and preservation of desirable species, including threatened or endangered species; and
3. primary and secondary contact recreation (Primary contact recreation is precluded in any stream or segment that does not comply with Rule 1302.2 C.1 until such stream or segment meets the goal of the referred section).

CWA section 303(d) requires the Commonwealth of Puerto Rico to develop a list of impaired waters, establish priority rankings for waters on the list, and develop Total Maximum Daily Loads (TMDLs) for those waters. The receiving water has not been determined to have water quality impairments for one or more of the designated uses, as determined by section 303(d) of the CWA.

C. Mixing Zone/Dilution Allowance

A mixing zone or dilution allowance application request has not been filed nor been authorized for the Permittee.

D. Compliance Orders/Consent Decrees

The Permittee is not subject to any compliance or enforcement action under section 309 of the CWA. Therefore, this permit action is not affected by any compliance or enforcement action.

E. Summary of Basis for Effluent Limitations and Permit Conditions - General

The effluent limitations and permit conditions in the final permit have been developed to ensure compliance with the following, as applicable:

1. Clean Water Act section 401 Certification (Certificate dated November 25, 2024)
2. NPDES Regulations (40 CFR Part 122)
3. PRWQS (August 2022)

PART II. RATIONALE FOR EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

CWA section 301(b) and 40 CFR 122.44(d) require that permits include limitations more stringent than applicable technology-based requirements where necessary to achieve applicable water quality standards. In addition, 40 CFR 122.44(d)(1)(i) requires that permits include effluent limitations for all pollutants that are or may be discharged at levels that cause, have the reasonable potential to cause, or contribute to an exceedance of a water quality criterion, including a narrative criterion. The process for determining reasonable potential and calculating water quality-based effluent limits (WQBELs) is intended to protect the designated uses of the receiving water, and achieve applicable water quality criteria. Where reasonable potential has been established for a pollutant, but there is no numeric criterion for the pollutant, WQBELs must be established using (1) EPA criteria guidance under CWA section 304(a), and must be supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or policy interpreting the state's narrative criterion, supplemented with other relevant information, as provided in 40 CFR 122.44(d)(1)(vi).

The effluent limitations and permit conditions in the final permit have been developed to ensure compliance with all federal and state regulations, including PRWQS. The basis for each limitation or condition is discussed below.

A. Effluent Limitations

The final permit establishes WQBELs and the basis for including these limitations are discussed below. Attachment B of this Fact Sheet provides a copy of the WQC with WQBELs.

1. **Flow:** An effluent limitation for flow has been established in the permit according to the WQC dated November 25, 2024, Rules 1301 and 1306 of the PRWQS, as amended, and the Puerto Rico Environmental Public Policy Act (PREPPA) of September 22, 2004, Act No. 416, as amended. Monitoring conditions are applied pursuant to 40 CFR 122.21(j)(4)(ii) and the WQC.
2. **5-Day Biological Oxygen Demand (BOD_5):** The effluent concentration is established based on the WQC dated November 25, 2024, Rules 1303.1(F) and 1306 of the PRWQS, as amended, and the PREPPA of September 22, 2004, Act No. 416, as amended. Monitoring conditions are applied pursuant to 40 CFR 122.21(j)(4)(ii) and the WQC.
3. **Total Suspended Solids (TSS):** The effluent concentration is established based the WQC dated November 25, 2024, Rules 1301 and 1306 of the PRWQS, as amended, and the PREPPA. Monitoring conditions are applied pursuant to 40 CFR 122.21(j)(4)(ii) and the WQC.
4. **Temperature:** The effluent limitation for temperature is based on the water quality criterion for all waters as specified in Rule 1303.1(D) of PRWQS, and the WQC.
5. **Narrative effluent limitations:** Effluent limitations for **oil and grease**, **solids and other matter**, **suspended, colloidal, or settleable solids**, **taste and odor producing substances**, and no toxic substances in toxic concentrations are based on the water quality criteria as specified in Rules 1303.1 and 1303.2(D) and 1306 of PRWQS, as required by the 2024 WQC, and as carried forward from the previous permit. See Attachment B.
6. **Enterococci:** The discharge consists of domestic sewage that is a source of pathogens. To ensure that the recreational use of the water body is met, effluent limitations for enterococci are established in the final permit and are based on the water quality criterion for **Class SD** waters, as specified in Rule 1303.2 C.2.c of PRWQS, and the WQC. Consistent with the expression of the water quality criteria for enterococci, it establishes the enterococci density, in terms of geometric mean shall not exceed 35 colonies/100 mL in any 90-day interval; neither the 90^{th} Percentile of the samples taken shall exceed 130 colonies/10 mL in the same 90-day interval.
7. **Dissolved Oxygen (DO):** The effluent limitation is based on the water quality criterion for **Class SD** waters as specified in Rule 1303.2 C.2.a of PRWQS, and the WQC.
8. **pH:** The effluent limitation is based on the water quality criterion for **Class SD** waters as specified in Rule 1303.2 C.2.d of PRWQS, and the WQC.
9. **Color:** The effluent limitation is based on the water quality criterion for **Class SD** waters as specified in Rule 1303.2.C.2.e of PRWQS, and the WQC.
10. **Turbidity:** The effluent limitation is based on the water quality criterion for **Class SD** waters as specified in Rule 1303.2 C.2.f of PRWQS, and the WQC.

11. **Surfactants**: The effluent limitation is based on the water quality criterion for **Class SD** waters as specified in Rule 1303.2 C.2.i of PRWQS, and the WQC.
12. **Total Phosphorus:** The effluent limitation is based on the water quality criterion for **Class SD** waters as specified in Rule 1303.2 C.2.n of PRWQS, and the WQC.
13. **Total Ammonia Nitrogen**: The effluent limitation is based on the water quality criterion for **Class SD** waters as specified in Rule 1303.2 C.2.l of PRWQS, and the WQC.
14. **Total Nitrogen:** The effluent limitation is based on the water quality criterion for **Class SD** waters as specified in Rule 1303.2 C.2.m of PRWQS, and the WQC.
15. **Sulfide**: The effluent limitation is based on the water quality criterion for **Class SD** waters as specified in Rule 1303.1 J.1 of PRWQS, and the WQC.
16. **Copper:** The effluent limitation is based on the water quality criterion for **Class SD** waters as specified in Rule 1303.1 J.1 of PRWQS, and the WQC.
17. **Mercury:** The effluent limitation is based on the water quality criterion for **Class SD** waters as specified in Rule 1303.1 J.1 of PRWQS, and the WQC.
18. **Residual Chlorine:** The effluent limitation is based on the water quality criterion for **Class SD** waters as specified in Rule 1303.1 J.1 of PRWQS, and the WQC.

B. Effluent Limitations Summary Table

1. Outfall Number 001

Parameter	Units	Effluent limitations					
		Averaging period	Highest Reported Value (1)	Existing limits	Interim limits	Final limits	Basis
BOD_5	mg/L	Daily Maximum Monthly Average	--	5.0 30	n/a	5.0 --	WQBEL
BOD_5 percent removal	%	Daily Minimum	--	85	n/a	--	--
Color	Pt-Co	Daily Maximum	--	15	n/a	15	WQBEL
Dissolved Oxygen	mg/L	Daily Minimum	--	$\geq$ 5.0	n/a	$\geq$ 5.0	WQBEL
Enterococci	col/100 mL	Monthly Average	--	35	n/a	35	WQBEL
	90th Percentile of the samples	Monthly Average	--	130	n/a	130	WQBEL
Flow	MGD	Daily Maximum	--	1.0	n/a	1.0	WQBEL
pH	SU	Daily Maximum	--	6.0-9.0	n/a	6.0-9.0	WQBEL
Sulfide (undissociated H2S)	µg/L	Daily Maximum	--	2	n/a	2.0	WQBEL
Surfactants	µg/L	Daily Maximum	--	100	n/a	100	WQBEL
Temperature	°C	Daily Maximum	--	32.2	n/a	30	WQBEL
Total Ammonia (NH_4^++NH_3)	mg/L	Daily Maximum	--	Monitor	n/a	Monitor	WQBEL
Total Suspended Solids	mg/L	Monthly Average Weekly Average	--	30.0 45.0	n/a n/a	Monitor	WQBEL
TSS percent removal	%	Daily Minimum	--	85	n/a	--	--
Total Phosphorus	µg/L	Daily Maximum	--	160	n/a	160	WQBEL

Parameter	Units	Effluent limitations					
		Averaging period	Highest Reported Value (1)	Existing limits	Interim limits	Final limits	Basis
Oil and Grease	mg/L	Daily Maximum	--	Monitor	n/a	Monitor	WQBEL
Copper	µg/L	Daily Maximum	--	1.6	n/a	3.0	WQBEL
Turbidity	NTU	Daily Maximum	--	50	n/a	50	WQBEL
Mercury	µg/L	Daily Maximum	--	0.050	n/a	0.050	WQBEL
Residual Chlorine	µg/L	Daily Maximum	--	11	n/a	11	WQBEL
Total Nitrogen (TKN, NO_2, NO_3)	µg/L	Daily Maximum	--	1,700	n/a	1,700	WQBEL
Suspended, Colloidal or Settleable Solids	ml/L	Daily Maximum	--	Monitor	n/a	Monitor	WQBEL

Notes, Footnotes and Abbreviations

Note: Dashes (--) indicate there are no effluent data, no limitations, or no monitoring requirements for this parameter.
(1) The Permittee reported no discharge to receiving water in Discharge Monitoring Reports (DMRs) between January 1, 2021 and January 1, 2025.

2. Outfall 001 Narrative Limitations

a. The waters of Puerto Rico shall not contain any substance, attributable to the discharge at such concentration which, either alone or as result of synergistic effects with other substances, is toxic or produces undesirable physiological responses in humans, fish, or other fauna or flora.
b. The waters of Puerto Rico shall be substantially free from floating non-petroleum oils and greases as well as petroleum derived oils and greases.
c. The waters of Puerto Rico shall not contain floating debris, scum, or other floating materials attributable to the discharge in amounts sufficient to be unsightly or deleterious to the existing or designated uses of the water body.
d. Solids from wastewater sources shall not cause deposition in or be deleterious to the existing or designated uses of the water body.
e. Taste and odor-producing substances shall not be present in amounts that will interfere with the use for potable water supply, or will render any undesirable taste or odor to edible aquatic life.
f. No heat may be added to the waters of Puerto Rico, except by natural phenomena, which would cause the temperature of any site to exceed 86 °F (30 °C).
g. No toxic substances shall be discharged, in toxic concentrations, other than those allowed as specified in the NPDES permit. Those toxic substances included in the permit renewal application, but not regulated by the NPDES permit, shall not exceed the concentrations specified in the applicable regulatory limitations.

C. Monitoring Requirements

NPDES regulations at 40 CFR 122.48 require that all permits specify requirements for recording and reporting monitoring results. Part III of the final permit establishes monitoring and reporting requirements to implement federal and state requirements. In addition, the 2024 WQC specifies the location of the discharge after the monitoring point and requirements for a licensed chemist and microbiologist according to Rules 1301 and 1306 of PRWQS, as amended.

D. Compliance with Federal Anti-Backsliding Requirements and Puerto Rico's Anti-Degradation Policy

Federal regulations at 40 CFR 131.12 require that state water quality standards include an anti-degradation policy consistent with the federal policy. The discharge is consistent with the anti-degradation provision of 40 CFR 131.12, 72 Federal Register 238 (December 12, 2007, pages 70517-70526) and DNER's *Anti-Degradation Policy Implementation Procedure* in Attachment A of PRWQS. In addition, CWA sections 402(o)(2) and 303(d)(4) and federal regulations at 40 CFR 122.44(l) prohibit backsliding in NPDES permits. Further, the "Region 2 Anti-backsliding Policy" provides guidance regarding relaxation of effluent limitations based on water quality for Puerto Rico NPDES permits. See below:

- Existing permit effluent limitations for **BOD_5 percent removal and Total Suspended Solids percent removal** have been removed based on CWA section 402(o)(2)(B)(i). CWA section 402(o)(2)(B)(i) authorizes the backsliding of effluent limitations if information is available which was not available at the time of permit issuance that would have justified the application of a less stringent effluent limitation at the time of permit issuance. Based on review of effluent data since issuance of the existing permit and reissued water quality standards, the modified discharge does not show a reasonable potential for the exceedance of water quality criteria for these parameters.

- The effluent limitations in the final permit are at least as stringent as the effluent limitations in the existing permit, with the exception of the monthly average effluent limitation for **Total Suspended Solids and BOD_5**. The effluent limitation for this pollutant is less stringent that those in the existing permit. This relaxation of effluent limitation is consistent with the anti-backsliding requirements of CWA section 401(o), 40 CFR 122.44(l), EPA Region 2's Anti-backsliding Policy dated August 10, 1993, and Puerto Rico's Anti-Degradation Policy Implementation Procedure established in PRWQS. CWA Sec. 402(o)(2)(B)(i) allows backsliding if information is available which was not available at the time of permit issuance and would have justified a less stringent effluent limitation at the time of permit issuance. EPA has determined that it is appropriate to relax the effluent limitation for these parameters without violating anti-backsliding provisions of the CWA, in accordance with section 402(o)(2), since one of the exceptions to the provisions has been satisfied; and section 402(o)(3) since it complies with the PRWQS, which include antidegradation requirements. The WQC constitutes a determination that the limit is sufficient to assure that the water quality standards are or will be attained.

PART III. RATIONALE FOR STANDARD AND SPECIAL CONDITIONS

A. Standard Conditions

In accordance with 40 CFR 122.41, standard conditions that apply to all NPDES permits have been incorporated by reference in Part IV.A.1 of the final permit and expressly in Attachment B of the final permit. The final permit indicated that Permittee must comply with all standard conditions and with those additional conditions that are applicable to specified categories of permits under 40 CFR 122.42 and specified in Part IV.A.2 of the final permit.

B. Special Conditions

In accordance with 40 CFR 122.42 and other regulations cited below, special conditions have been incorporated into the final permit. This section addresses the justification for special studies, additional monitoring requirements, Best Management Practices, Compliance Schedules, and/or special provisions for wastewater treatment plants as needed. The special conditions for this facility are as follows:

1. **Special Conditions from the Water Quality Certificate**

   In accordance with 40 CFR 124.55, EPA has established Special Conditions from the WQC in the permit that DNER determined were necessary to meet PRWQS. The Special Conditions established in this section are only those conditions from the WQC that have not been established in other parts of the permit. Specific citations are included below from the WQC. See Attachment B of this Fact Sheet.

   a. Environmental Public Policy Act of September 22, 2004, Act No. 416, as amended.

   b. WQC – November 25, 2024

   c. Rule 1306 of PRWQS

   d. PREPPA of September 22, 2004, Act No. 416, as amended.

2. **Best Management Practices (BMP) Plan**

   The final permit does not require the Permittee to develop a BMP Plan on the basis of 40 CFR 122.2 and 122.44(k) because implementation of BMPs is not applicable in this permit action.

PART IV. COMPLIANCE WITH APPLICABLE PROVISIONS OF OTHER FEDERAL LAWS OR EXECUTIVE ORDERS

A. Coastal Zone Management Act

Under 40 CFR 122.49(d), and in accordance with the Coastal Zone Management Act of 1972, as amended, 16 *United States Code* (U.S.C.) 1451 *et seq*. section 307(c) of the act and its implementing regulations (15 CFR Part 930), EPA may not issue an NPDES permit that affects land or water use in the coastal zone until the Permittee certifies that the proposed activity complies with the Coastal Zone Management Program in Puerto Rico, and that the discharge is certified by the Commonwealth of Puerto Rico to be consistent with the Commonwealth's Coastal Zone Management Program. The Permittee has indicated the outfall is not in a coastal area managed by the Commonwealth's Coastal Zone Management Program and, although nearby, EPA has determined it will not affect the coastal area. Therefore, the requirements of 40 CFR 122.49(d) do not apply to this discharge.

B. Endangered Species Act

Under 40 CFR 122.49(c), EPA is required pursuant to section 7 of the Endangered Species Act (ESA), 16 U.S.C. 1531 *et seq*. and its implementing regulations (50 CFR Part 402) to ensure, in consultation with the National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service (USFWS) that the discharge authorized by the permit is not likely to jeopardize the continued existence of any endangered or threatened species or adversely affect its critical habitat. No federally listed endangered or threatened species, or critical habitat, are in the vicinity of the discharge. Therefore, EPA has determined that the discharge is not likely to affect species or habitat listed under the ESA.

C. Coral Reef Protection

Under Executive Order 13089, *Coral Reef Protection*, EPA is required to ensure that discharge authorized under the permit will not degrade any coral reef ecosystem. No corals or coral ecosystems are in the vicinity of the discharge.

D. National Historic Preservation Act

Under 40 CFR 122.49(b), EPA is required to assess the impact of the discharge authorized by the permit on any properties listed or eligible for listing in the National Register of Historic Places (NRHP) and mitigate any adverse effects when necessary in accordance with the National Historic Preservation Act, 16 U.S.C. 470 et seq. EPA's analysis indicates that no soil disturbing or construction-related activities are being authorized by approval of this permit; accordingly, adverse effects to resources on or eligible for inclusion in the NHRP are not anticipated as part of this permitted action.

E. Magnuson-Stevens Fishery Conservation and Management Act

Under 40 CFR 122.49, EPA is required to ensure that the discharge authorized by the permit will not adversely affect Essential Fish Habitat (EFH) as specified in section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), 16 U.S.C. 1801 *et seq*. The unnamed creek tributary to the Espiritu Santo River does not contain EFH.

PART V. PUBLIC PARTICIPATION

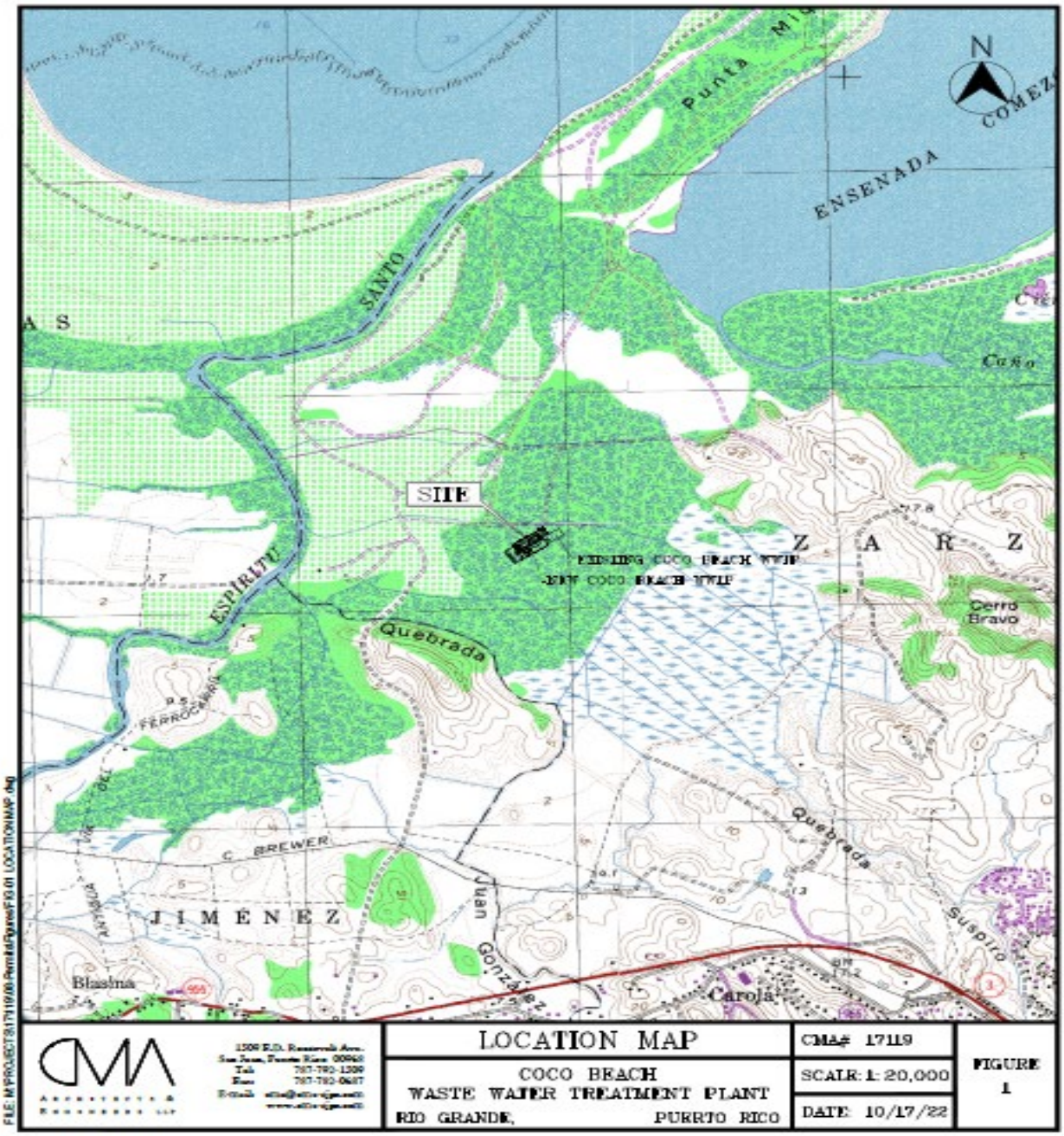
The procedures for reaching a final decision on the final permit are set forth in 40 CFR Part 124 and are described in the public notice for the draft permit. EPA did not receive comment on the draft permit published in a public notice of August 26, 2025. Requests for information or questions regarding the final permit should be directed to

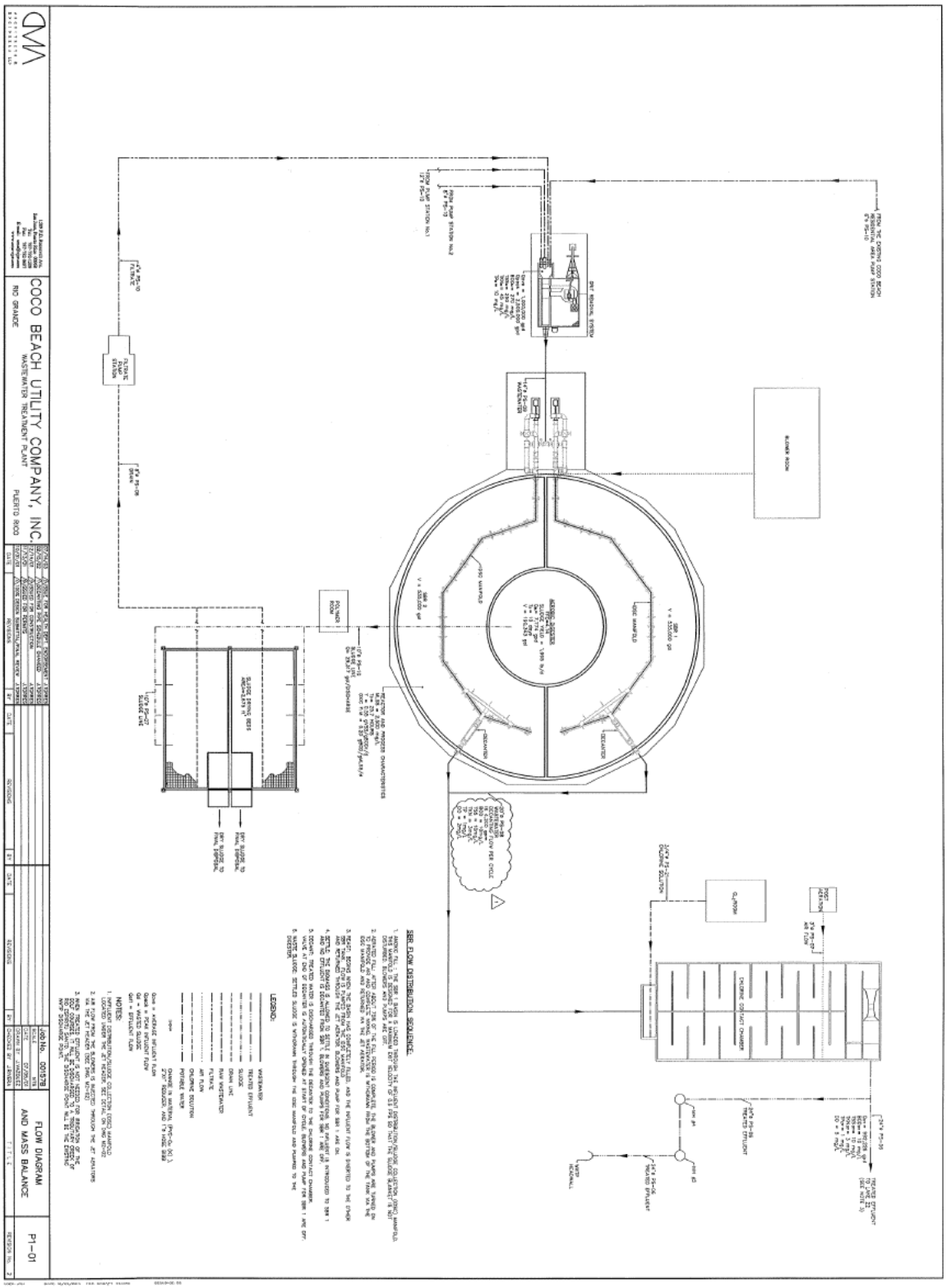
Sergio Bosques, Senior Environmental Engineer
EPA Region 2, Caribbean Environmental Protection Division
Permit Writer Phone: 787-977-5838
Permit Writer Email**:** bosques.sergi@epa.gov

A copy of the draft permit is also available on EPA's website at https://www.epa.gov/npdes-permits/puerto-rico-npdes-permits.

ATTACHMENT A — FACILITY MAP AND FLOW SCHEMATIC

The facility map location and flow design are attached as provided by the discharger in the permit application.




COCO BEACH UTILITY COMPANY, INC.
RIO GRANDE
WASTEWATER TREATMENT PLANT
PUERTO RICO
FLOW DIAGRAM AND MASS BALANCE
P1-01
SBR FLOW DISTRIBUTION SEQUENCE:
LEGEND:
NOTES:

Attachment B — Water Quality certificate

GOVERNMENT OF PUERTO RICO
DEPARTMENT OF NATURAL AND ENVIRONMENTAL RESOURCES

NOV 25 2024

SENT VIA ELECTRONIC MAIL (jwilson@grandreserve.com)

Mr. John J. Wilson
Plant Superintendent
Coco Beach Utility Company, Inc.
900 Coco Beach Boulevard
Río Grande, Puerto Rico 00745

Dear Mr. Wilson:

RE: WATER QUALITY CERTIFICATE
COCO BEACH WASTEWATER TREATMENT PLANT
STATE ROAD NO. 3, KM 26.3 (INTERIOR)
ZARZAL WARD
RÍO GRANDE, PUERTO RICO
NPDES NO. PR0026425

We have received and reviewed the application for a permit under Section 402, National Pollutant Discharge Elimination System (NPDES), of the Federal Clean Water Act, as amended (33 U.S.C. 466 *et seq.*) (the Act) for the referenced facility.

Pursuant to Section 401 (a) (1) of the Act, after due consideration of the applicable provisions established in the Puerto Rico Water Quality Standards Regulation (PRWQSR), as amended and in Sections 301, 302, 303, 306 and 307 of the Act, including the corresponding public participation procedures established in the Act and the PRWQSR, it is certified that there is reasonable assurance, as determined by the Department of Natural and Environmental Resources (DNER), as successor of the Environmental Quality Board, that the allowed discharge will comply with the applicable water quality requirements if the limitations and monitoring requirements on Table A-1 are met. The conditions specified in the aforementioned table shall be incorporated into the NPDES permit in order to satisfy the provisions of Section 401 (d) of the Act.

The applicant must comply with the aforementioned special conditions. Each condition of this WQC is considered as separate. Therefore, if the applicability of any condition of this WQC is stayed due to any circumstance, the remaining conditions of this WQC will not be affected. Pursuant to the provisions of Title 40 of the Code of Federal Regulations (CFR) Part 121.11 (c), the Environmental Protection Agency shall be responsible for enforcing the WQC's conditions incorporated in the federal permit.

This certification applies only to the effects that this activity may have on water quality, and not for other ecological, biological, or environmental effects that may result from the project.

The DNER reserves the right to comment at a later date concerning other environmental aspects of the discharge.

Cordially,

Roberto Méndez Martínez
Acting Secretary
Department of Natural and Environmental Resources

Enclosures

c: Ms. Yasmin Laguer, EPA-CEPD

G:\División de Permisos para Fuentes Precisadas\WORD\Nivia\CCA\WQC_Coco Beach WWTP-PR0026425 (2024)_R.doc

TABLE A-1 **EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS** **NPDES NO. PR0026425**

During the period beginning on the Effective Date of the NPDES Permit (EDP) and lasting through the EDP + 5 years, the permittee is authorized to discharge from outfall serial number 001 tertiary treated wastewater. Such discharge shall be limited and monitored by the permittee as specified below:

Receiving Water Name and Classification: Unnamed creek tributary to Río Espíritu Santo, SD

Effluent Characteristics	Gross Discharge Limitations		Monitoring Requirements	
	Monthly Average	Daily Maximum	Measurements Frequency	Sample Type
BOD_5 (mg/L)	----	5.0	Monthly	Grab
Color (Pt-Co Units)		15	Monthly	Grab
Copper (Cu) (µg/L)		3.0	Monthly	Grab
Dissolved Oxygen (mg/L)	Shall not contain less than 5.0.		Daily	Grab
Enterococci (colonies/100 mL) σ	The enterococci density, in terms of geometric mean shall not exceed 35 colonies/100 mL in any 90-day interval; neither the 90th Percentile of the samples taken shall exceed 130 colonies/100 mL in the same 90-day interval.		Twice per Month	Grab
Flow m^3/day (MGD)		3,785.41 (1.00)	Continuous Recording	
Mercury (Hg) (µg/L) ϕ		0.050	Quarterly	Grab
Oil and Grease (mg/L)	The waters of Puerto Rico shall be substantially free from floating non-petroleum oils and greases as well as petroleum derived oils and greases.		Monthly	Grab
pH (SU)	Shall always lie between 6.0 and 9.0.		Daily	Grab

TABLE A-1 **EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS** **NPDES NO. PR0026425**

Receiving Water Name and Classification: Unnamed creek tributary to Río Espíritu Santo, SD

Effluent Characteristics	Gross Discharge Limitations		Monitoring Requirements	
	Monthly Average	Daily Maximum	Measurements Frequency	Sample Type
Residual Chlorine (µg/L) γ		11	Daily	Grab
Solids and Other Matter	The waters of Puerto Rico shall not contain floating debris, scum or other floating materials attributable to the discharge in amounts sufficient to be unsightly or deleterious to the existing or designated uses of the water body.		----	----
Sulfide (undissociated H_2S) (µg/L) β		2.0	Monthly	Grab
Surfactants as MBAS (µg/L)		100	Monthly	Grab
Suspended, Colloidal or Settleable Solids (mL/L)	Solids from wastewater sources shall not cause deposition in or be deleterious to the existing or designated uses of the water body.		Daily	Grab
Taste or Odor Producing Substances	Shall not be present in amounts that will interfere with the use for potable water supply, or will render any undesirable taste or odor to edible aquatic life.		----	----
Temperature °F (°C)	Except by natural phenomena, no heat may be added to the waters of Puerto Rico, which would cause the temperature of any site to exceed 86°F (30°C).		Daily	Grab
Total Ammonia Nitrogen (TAN) (mg/L)		----	Monthly	Grab
Total Nitrogen (TKN, NO_2, NO_3) (µg/L)		1,700	Monthly	Grab

TABLE A-1 **EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS** **NPDES NO. PR0026425**

Receiving Water Name and Classification: Unnamed creek tributary to Río Espíritu Santo, SD

Effluent Characteristics	Gross Discharge Limitations		Monitoring Requirements	
	Monthly Average	Daily Maximum	Measurements Frequency	Sample Type
Total Phosphorus (P) (µg/L)		160	Monthly	Grab
Total Suspended Solids (mg/L)	----	----	Monthly	Composite
Turbidity (NTU)		50	Monthly	Grab
Special Conditions	See attached sheet, which contains special conditions part of this certification.		----	----

Notes:

To comply with the monitoring requirements specified above, samples shall be taken at the sampling point for discharge 001.
All flow measurements shall achieve accuracy within the range ± 10%.

γ See Special Conditions 5 and 6.
ϕ See Special Condition 9.
β See Special Condition 10.

σ The enterococci density geometric mean and the 90th Percentile shall be calculated on a monthly basis beginning on EDP + 90 days, using the 6 points data set obtained during the previous 90-day interval. A monthly report with the calculations and the data set shall be submitted to DNER's Water Quality Area and to the Municipal Water Programs Branch of the EPA's Region 2 Caribbean Environmental Protection Division, beginning on EDP + 105 days and during the effectiveness of the permit.

A. SPECIAL CONDITIONS

NPDES NO. PR0026425

These special conditions are an integral part of the Water Quality Certificate (WQC) and are authorized by Article 9 of the Environmental Public Policy Act, Law No. 416-2004, as amended. Therefore, they must be incorporated into the NPDES permit in order to satisfy the provisions of Section 401(d) of the Federal Clean Water Act (CWA) as amended (33 U.S.C. 466 *et seq.*):

1. The flow of discharge 001 shall not exceed the limitation of 3,785.41 m^3/day (1.00 MGD) as daily maximum. No increase in flow of discharge 001 shall be authorized without a recertification from the Department of Natural and Environmental Resources (DNER).

2. No changes in the design or capacity of the treatment system will be permitted without the previous authorization of the DNER.

3. Prior to the construction of any additional treatment system or the modification of the existing one, the permittee shall obtain the approval from the DNER of the engineering report, plans and specifications.

4. The permittee shall install, maintain and operate all water pollution control equipment in such a manner as to be in compliance with the Applicable Rules and Regulations.

5. No toxic substances shall be discharged, in toxic concentrations, other than those allowed as specified in the NPDES permit. Those toxic substances included in the permit renewal application, but not regulated by the NPDES permit, shall not exceed the concentrations specified in the applicable regulatory limitations.

6. The waters of Puerto Rico shall not contain any substance attributable to discharge 001, at such concentration which, either alone or as result of synergistic effects with other substances, is toxic or produces undesirable physiological responses in human, fish or other fauna or flora.

7. The discharge 001 shall not cause the presence of oil sheen in the receiving water body.

8. All sample collection, preservation, and analysis shall be carried out in accordance with Title 40 of the Code of Federal Regulations (40 CFR), Part 136. A licensed chemist authorized to practice the profession in Puerto Rico shall certify all chemical analyses. All bacteriological tests shall be certified by a microbiologist or licensed medical technologist authorized to practice the profession in Puerto Rico.

9. The samples taken for the analysis of mercury shall be analyzed using the analytical method approved by the Environmental Protection Agency (EPA) with the lowest possible detection level, in accordance with Rule 1306.8 of the Puerto Rico Water Quality Standards Regulation (PRWQSR), as amended.

10. The permittee shall use the analytical method approved by the Environmental Protection Agency (EPA), with the lowest possible detection limit, in accordance with the 40 CFR, Part 136 for Sulfide (as S). Also, the permittee shall complete the calculations specified in Method 4500-S^{-2} F,

Calculation of Un-ionized Hydrogen Sulfide, of Standards Methods 18th Edition, 1992, to determine the concentration of undissociated H_2S. If the sample results of Dissolved Sulfide are below the detection limit of the EPA approved method established in the 40 CFR, Part 136, then, the concentration of undissociated H_2S shall be reported as "below detection limit".

11. The flow-measuring device for discharge 001, shall be periodically calibrated and properly maintained. Calibration and maintenance records must be kept in compliance with the Applicable Rules and Regulations.

12. The sampling point for discharge 001 shall be located immediately after the primary flow-measuring device of the effluent.

13. The sampling point for discharge 001 shall be labeled with an 18 inches per 12 inches (minimum dimensions) sign that reads as follows:

"Punto de Muestreo para la Descarga 001"

14. All water or wastewater treatment facilities, whether publicly or privately owned, must be operated by a person licensed by the Examination Board of Water and Wastewater Treatment Plants Operators of Puerto Rico.

15. No later than one hundred eighty (180) days after the Effective Date of the NPDES Permit (EDP), the permittee shall conduct semiannually acute toxicity tests for a period of one (1) year, after which the tests shall be performed annually, of its wastewater discharge through outfall serial number 001, in accordance with the following:

    a. The test species should be the *Fathead Minnow* (Pimephales promelas) and *Cladocera* (Daphnia magna). The test should be static renewal type.

    b. The toxicity test shall be conducted in accordance with the EPA publication, EPA-821-R-02-012 Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms (Fifth Edition), October 2002, or the most recent edition of this publication, if such edition is available.

    c. The test shall provide a measure of the acute toxicity as determined by the wastewater concentration, which causes 50 percent mortality of the test organisms over a 48-hour period. The test results shall be expressed in terms of Lethal Concentration (LC) and reported as 48-hour, LC_{50}.

    d. A procedure report shall be submitted within ninety (90) days after the Effective Date of this NPDES Permit Condition. The following information shall be included in the procedure report:

i. An identification of the organizations responsible for conducting the test and the species to be tested.

ii. A detailed description of the methodology to be utilized in the conduct of the test, including equipment, sample collection, dilution water and source of test organisms.

iii. A schematic diagram, which depicts the effluent sampling location in relation to the wastewater treatment facility and the discharge monitoring point.

iv. If stream flow monitoring is required, the method used to obtain the stream flow data in estimating the seven-day two-year low flow ($7Q_2$).

e. The results of the test conducted shall be submitted to the Municipal Water Programs Branch of EPA's Region 2 Caribbean Environmental Protection Division and the DNER's Water Quality Area, within sixty (60) days of completion of the test. Based on the review of the test results, the Regional Administrator of EPA or the DNER can require additional toxicity tests, including chronic tests and toxicity/treatability studies, and may impose toxicity limitations.

16. The solid waste such as sludge, screenings, and grit, generated due to the operation of Coco Beach Wastewater Treatment Plant shall be:

a. Disposed in compliance with the applicable requirements established in the 40 CFR, Part 257. A semiannual report shall be submitted to the Water Quality Area and the Land Pollution Control Area of the DNER and to the Municipal Water Programs Branch of EPA's Region 2 Caribbean Environmental Protection Division, notifying the method or methods used to dispose the solid waste generated in the facility. Also, a copy of the approval or permit applicable to the disposal method used shall be submitted, if any.

b. Transported adequately in such a way that access is not gained to any water body or soil. In the event of a spill of solid waste on land or into a water body, the permittee shall notify the Point Sources Permits Division of the DNER's Water Quality Area in writing within a term no longer than twenty-four (24) hours after the spill to the following electronic address: bypass@drna.pr.gov.

This notification shall include the following information:

i. spilled material,
ii. spilled volume,
iii. measures taken to prevent the spilled material to gain access to any water body.

This special condition does not relieve the permittee from its responsibility to obtain the corresponding permits from the DNER's Land Pollution Control Area and other state and federal agencies, if any.

17. A logbook must be kept for the material removed from the Las Marías Wastewater Treatment Plant, such as sludge, screenings and grit, detailing the following items:

    a. removed material, date and source of it;
    b. approximate volume and weight;
    c. method by which it is removed and transported;
    d. final disposal and location;
    e. person that performs the service.

    A copy of the Non-Hazardous Solid Waste Collection or Transportation Services Permit issued by the authorized official from the DNER must be attached to the logbook.

18. The sludge produced within the facility due to the operation of the treatment system shall be analyzed and all constituents shall be identified as required by "Standards for the Use or Disposal of Sewage Sludge" (40 CFR, Part 503). The sludge shall be disposed properly in such manner that water pollution or other adverse effects to surface waters or to ground waters do not occur.

19. If any standard or prohibition to the sanitary sludge disposal is promulgated and said prohibition or standard is more stringent than any condition, restriction, prohibition, or standard contained in the NPDES permit, such permit shall be modified accordingly or revoked and reissued to be adjusted with regard to such prohibition or standard.

20. The DNER, by the issuance of the WQC, does not relieve the applicant from its responsibility to obtain additional permits or authorizations from the DNER as required by law. The issuance of the WQC shall not be construed as an authorization to conduct activities not specifically covered in the WQC, which will cause water pollution as defined by the PRWQSR, as amended.

B. CITATION AND JUSTIFICATION FOR SPECIAL CONDITIONS

Special Condition	Statement explaining why the condition is necessary (40 CFR 121.7(d)(3))	Citation to federal or state law that authorizes the condition
1	This special condition is established to assure that no changes in nature or flow of the allowed discharge occur without an evaluation of the effects of such changes in the compliance with the applicable water quality requirements set forth in the PRWQSR and in Sections 301, 302 and 303 of the CWA.	• Rule 1306.1.B of the PRWQSR • Sections 301, 302 and 303 of the CWA
2, 3	These special conditions are necessary to assure that the treatment system evaluated and authorized, for compliance with the requirement to implement control measures to prevent adverse effects on the receiving water body, is not altered without prior authorization from DNER.	• Rule 1306.7 of the PRWQSR
4, 11	These special conditions are necessary to require the permittee to establish control measures to prevent that the discharge coming from the facility affects or causes impairment to the applicable water quality requirements set forth in the PRWQSR and in Sections 301, 302 and 303 of the CWA.	• Rule 1306.6.A.1 of the PRWQSR • Sections 301, 302 and 303 of the CWA
5, 6	These special conditions are established to assure that the discharge coming from the facility does not affect or cause impairment to the applicable water quality requirements set forth in the PRWQSR and Sections 301, 302, 303 and 307 of the CWA.	• Rule 1303.1.J of the PRWQSR • Rule 1306.1.B of the PRWQSR • Sections 301, 302, 303 and 307 of the CWA
7	This special condition is established to assure that the discharge coming from the facility does not affect or cause impairment to the applicable water quality requirements set forth in the PRWQSR and Sections 301, 302 and 303 of the CWA.	• Rule 1303.1.H of the PRWQSR • Rule 1306.1.B of the PRWQSR • Sections 301, 302 and 303 of the CWA
8, 10	These special conditions are necessary to establish source monitoring, record keeping, reporting, sampling, and testing methods requirements in the WQC, to assure that the allowed discharge will comply with the applicable water quality requirements established in the PRWQSR and in Sections 301, 302 and 303 of the CWA.	• Rule 1306.2.C of the PRWQSR • Sections 301, 302 and 303 of the CWA
9	This special condition is necessary to establish source monitoring, record keeping, reporting, sampling, and testing methods requirements in the WQC, to assure that the allowed discharge will comply with the applicable water quality requirements established in the PRWQSR and in Sections 301, 302 and 303 of the	• Rule 1306.2.C of the PRWQSR • Rule 1306.8 of the PRWQSR • Sections 301, 302 and 303 of the CWA

Special Condition	Statement explaining why the condition is necessary (40 CFR 121.7(d)(3))	Citation to federal or state law that authorizes the condition
	CWA.	
12, 13	These special conditions are necessary to assure proper characterization of the discharge to comply with the applicable water quality requirements established in the PRWQSR and in Sections 301, 302 and 303 of the CWA.	• Rule 1306.2.E of the PRWQSR • Sections 301, 302 and 303 of the CWA
14	This special condition is necessary to assure that the discharge will comply with the water quality requirements established in the PRWQSR.	• Rule 1306.6.B of the PRWQSR
15	This special condition is necessary to establish source monitoring, record keeping, reporting, sampling, and testing methods requirements in the WQC, to assure that the allowed discharge will comply with the applicable water quality requirements established in the PRWQSR and in Sections 301, 302, 303 and 307 of the CWA.	• Rule 1306.9 of the PRWQSR • Sections 301, 302, 303 and 307 of the CWA.
16, 19	These special conditions are necessary to require the permittee to establish Best Management Practice to prevent solids and other pollutants coming from the facility gaining access to the water body, in such manner that the permitted activity comply with the applicable water quality requirements established in the PRWQSR, and in Sections 301, 302 and 303 of the CWA. Also, these conditions are necessary to establish record keeping and reporting requirements in the WQC, to comply with water quality requirements established in the PRWQSR.	• Rule 1306.1 of the PRWQSR • Rule 1306.2 of the PRWQSR • Rule 1306.4 of the PRWQSR • Rule 1306.6.A.2 of the PRWQSR • Sections 301, 302 and 303 of the CWA
17, 18	These special conditions are necessary to establish source monitoring, record keeping, reporting, sampling, and testing methods requirements in the WQC, to assure that the allowed discharge will comply with the applicable water quality requirements established in the PRWQSR and in Sections 301, 302, and 303 of the CWA.	• Rule 1306.2.A of the PRWQSR • Sections 301, 302 and 303 of the CWA
20	This special condition is necessary to require the permittee to establish the Best Management Practice to prevent pollutants coming from facility gaining access to the water body, in such manner that the facility comply with the applicable requirements established in the PRWQSR concerning the conservation and protection of the natural resources that may affect the quality of water resources.	• Rule 1306.1.B of the PRWQSR

Special Condition	Statement explaining why the condition is necessary (40 CFR 121.7(d)(3))	Citation to federal or state law that authorizes the condition
Table A-1	Table A-1 is necessary to establish the water quality-based effluent limitations and monitoring requirements in order to assure that the allowed discharge will comply with the applicable water quality requirements established in the PRWQSR and in Sections 301, 302, 303 and 307 of the CWA.	• Rule 1302 of the PRWQSR • Rule 1303 of the PRWQSR • Rule 1306 of the PRWQSR • Sections 301, 302, 303 and 307 of the CWA