



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

JUN - 1 2010

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. José Ortiz, P.E.
President
Puerto Rico Aqueduct and Sewer Authority
P.O. Box 7066
San Juan, Puerto Rico 00916-7066

Re: **Carolina Regional Wastewater Treatment Plant Application for a NPDES Permit (No. PR0023752) with Modified Secondary Treatment Requirements Pursuant to Section 301(h) of the Clean Water Act**

Dear Mr. Ortiz:

On December 1, 2006, the Puerto Rico Aqueduct and Sewer Authority (PRASA) submitted an application for renewal of its modified National Pollutant Discharge Elimination System (NPDES) permit for the Carolina Regional Wastewater Treatment Plant (RWWTP), NPDES No. PR0023752, under section 301(h) of the Clean Water Act (the Act), 33 U.S.C. section 1311(h). The modified NPDES permit became effective June 1, 2002 and expired on May 31, 2007, and incorporated a waiver from the secondary treatment requirements contained in section 301(b)(1)(B) of the Act, 33 U.S.C. section 1311(b)(1)(B). Pursuant to 40 CFR § 122.21, the terms and conditions of the modified permit were administratively extended until issuance of a new modified NPDES permit. The U.S. Environmental Protection Agency (EPA) has reviewed the permit application and all relevant information submitted to EPA in support of renewal of a modified NPDES permit for the Carolina RWWTP.

This letter is to inform you of my decision to grant a tentative approval of PRASA's application for renewal of a modified NPDES permit for the Carolina RWWTP, in accordance with the terms, conditions, and limitations of the decision document. Enclosed is a copy of the decision document. Pursuant to 40 CFR § 125.68, the modified permit shall include, in addition to all applicable terms and conditions required by 40 CFR part 122, the following special conditions:

1. All requirements determined necessary by the Puerto Rico Environmental Quality Board as part of its Intent to Issue a Water Quality Certificate to ensure that the modified discharge will comply with all applicable provisions of Commonwealth law, including water quality standards.
[section 401, 40 CFR §124.54]
2. Effluent limitations and mass loadings presented in Table 1, in accordance with 40 CFR parts 122 and 125;

Table 1 - Proposed section 301(h) Modified Effluent Limitations

Parameter	Monthly Average	Average Weekly	Daily Maximum	Percent Removal
Flow, MGD	45	-- ¹	90	--
BOD ₅ , mg/l	130	--	--	30
BOD ₅ , kg/day	22,166	44,332	--	--
TSS, mg/l	70	--	--	60
TSS, kg/day	11,935	23,870	--	--

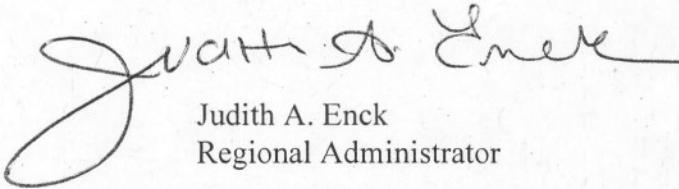
¹No effluent limitation proposed

3. Requirements for the use of chemical addition (e.g., polymer) to increase solids removal to achieve a 60 percent removal rate, on a monthly average basis, for TSS;
4. Monitoring requirements for establishing and implementing Carolina RWWTP section 301(h) Waiver Demonstration Studies that include, but are not limited to, biological, effluent, and water quality monitoring that are consistent with 40 CFR §§ 125.60, 125.62, 125.63, and 125.68(c);
5. Reporting requirements for the Carolina RWWTP section 301(h) Waiver Demonstration Studies, in accordance with 40 CFR § 125.68(d);
6. Requirements to modify, as necessary, and implement a toxics control program upon the effective date of the modified permit to limit the entrance of toxic pollutants from nonindustrial sources into the treatment works; and
7. Requirements for implementing a pretreatment program and nonindustrial control program in accordance with 40 CFR §§ 125.65, 125.66, and 125.68(b).

Under the NPDES regulations at 40 CFR part 124, EPA shall give public notice of the tentative decision and preparation of a draft modified NPDES permit that will allow at least 30 days for comment from all interested parties. You will receive a copy of the fact sheet and draft permit separately. Following the public comment period, EPA will respond to all comments received and issue a final decision and permit under the procedures set forth in 40 CFR part 124.

If you have any questions, please feel free to contact me at (212) 637-5000 or Barbara A. Finazzo, Director, Division of Environmental Planning and Protection, at (212) 637-3724.

Sincerely,

A handwritten signature in black ink, appearing to read "Judith A. Enck". The signature is fluid and cursive, with a large initial "J" and "E".

Judith A. Enck
Regional Administrator

Enclosure

cc: José Capeles, Executive Director, Compliance and Quality Control,
Puerto Rico Aqueduct and Sewer Authority (w/enclosure)
Wanda E. García Hernández, Deputy Director, Water Quality Area,
Puerto Rico Environmental Quality Board (w/enclosure)