

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 2

290 BROADWAY - 24TH FLOOR
NEW YORK, NEW YORK 10007-1866

PUBLIC NOTICE

NOTICE NO. 2010-18

DATE: JUNE 4, 2010

NOTICE: ANNOUNCEMENT OF PREPARATION OF DRAFT NPDES PERMITS AND PERMIT MODIFICATION.

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 THE RENEWAL OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT FOR THE DISCHARGE OF POLLUTANTS INTO WATERS OF THE UNITED STATES.

NPDES NUMBER	APPLICANT	FACILITY NAME	FLOW (MGD)*	RECEIVING WATER/ CLASSIFICATION
PR0023752	PUERTO RICO AQUEDUCT AND SEWER AUTHORITY P.O. BOX 7066 BARRIO OBRERO STATION SAN JUAN, PR 00916	CAROLINA REGIONAL WASTEWATER TREATMENT PLANT	90.0	ATLANTIC OCEAN/SC
PR0001660	PUERTO RICO ELECTRIC POWER AUTHORITY P.O. BOX 364267 SAN JUAN, PR 00936	AGUIRRE POWER PLANT COMPLEX	654.1	JOBOS BAY/SC

*MILLION GALLONS PER DAY (MGD)

THE FOLLOWING DISCHARGER HAS APPLIED FOR A MODIFICATION TO ITS NPDES PERMIT FOR THE DISCHARGE OF POLLUTANTS INTO WATERS OF THE UNITED STATES.

NPDES NUMBER	APPLICANT	FACILITY NAME	FLOW (MGD)*	RECEIVING WATER/ CLASSIFICATION
PR0025984	ECOELECTRICA, LLC ROAD 337 FIRM DELIVERY PENUELAS, PUERTO RICO 00624	ECOELECTRICA LNG TERMINAL AND COGENERATION FACILITY	21.4	GUAYANILLA BAY/SC

*MILLION GALLONS PER DAY (MGD)

THIS NOTICE IS BEING GIVEN TO INFORM THE PUBLIC THAT EPA HAS PREPARED DRAFT PERMITS OR DRAFT PERMIT MODIFICATIONS FOR THESE FACILITIES. THE DRAFT PERMIT CONTAINS EFFLUENT LIMITATIONS, STANDARDS, PROHIBITIONS, AND OTHER CONDITIONS NECESSARY TO CARRY OUT THE PROVISIONS OF THE ACT. IF, AFTER THE CONCLUSION OF THE PROCEEDING SUMMARIZED BELOW, THE REGIONAL ADMINISTRATOR OF REGION 2 OF EPA MAKES A FINAL DECISION TO ISSUE THIS PERMIT, THE APPLICANT WILL BE REQUIRED TO COMPLY WITH ALL THE CONDITIONS IN THAT PERMIT.

THE DRAFT PERMITS PREPARED BY EPA ARE BASED ON THE RESPECTIVE ADMINISTRATIVE RECORDS. 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, AND FACT SHEET DESCRIBING THE REASONS FOR THE CONDITIONS IN THE DRAFT PERMIT. THE ADMINISTRATIVE RECORDS FOR PRASA'S CAROLINA REGIONAL FACILITY ALSO CONTAIN A 301(h) DECISION DOCUMENT ANALYZING THE RENEWAL APPLICATIONS FOR THE SECTION 301(h) MODIFICATIONS TO SECONDARY TREATMENT REQUIREMENTS.

THE ADMINISTRATIVE RECORD (WITH THE EXCEPTION OF MATERIAL READILY AVAILABLE AT EPA, REGION 2 OR PUBLISHED MATERIAL WHICH IS GENERALLY AVAILABLE) IS ON FILE IN ROOM 2128 AT THE ABOVE ADDRESS AND MAY BE INSPECTED AND COPIED AT A CHARGE OF \$.15 PER COPY SHEET AT ANY TIME 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 BY WRITING TO THE ABOVE ADDRESS, OR BY CALLING (212) 637-3717. COPIES OF THE DRAFT PERMITS, STATEMENTS OF BASIS OR FACT SHEETS, AND OTHER INFORMATION ARE ALSO AVAILABLE AT THE EPA REGION 2 CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION, CENTRO EUROPA BUILDING, 1492 AVENIDA PONCE DE LEON-SUITE 417, SAN JUAN, PUERTO RICO 00907-4127 AND MAY BE INSPECTED AND COPIED AT THAT OFFICE BETWEEN 8:00 A.M. AND 4:00 P.M., MONDAY THROUGH FRIDAY. A COPY OF THE DRAFT PERMIT AND OTHER AVAILABLE INFORMATION MAY ALSO BE OBTAINED BY WRITING TO THE EPA

REGION 2 CARIBBEAN ENVIRONMENTAL DIVISION, BY CALLING (787) 977-5870, OR BY VISITING THE EPA WEBSITE AND DOWNLOADING THE DRAFT PERMITS AND FACT SHEETS AT THE FOLLOWING WEB ADDRESS:

<http://www.epa.gov/region02/water/permits.html>

INTERESTED PERSONS MAY SUBMIT WRITTEN COMMENTS ON THE DRAFT PERMIT TO THE CHIEF, CLEAN WATER REGULATORY BRANCH, AT THE ABOVE ADDRESS NO LATER THAN THIRTY (30) DAYS FROM THIS NOTICE. ALL PERSONS, INCLUDING ANY APPLICANTS, WHO BELIEVE THAT PREPARATION OF A DRAFT PERMIT WAS INAPPROPRIATE BECAUSE ANY ONE OF THE VARIANCES OR MODIFICATIONS LISTED IN 40 CFR §122.21(m) SHOULD BE GRANTED OR FOR SOME OTHER REASON, HAVE AN OBLIGATION TO RAISE ALL REASONABLY ASCERTAINABLE ISSUES AND SUBMIT ALL REASONABLY AVAILABLE ARGUMENTS SUPPORTING THEIR POSITION, BY THE CLOSE OF THE PUBLIC COMMENT PERIOD. ANY SUPPORTING MATERIALS WHICH ARE SUBMITTED MUST BE SUBMITTED IN FULL UNLESS THEY HAVE ALREADY BEEN INCLUDED IN THE ADMINISTRATIVE RECORD. IF THE REGIONAL ADMINISTRATOR FINDS THAT COMMENTS TIMELY SUBMITTED APPEAR TO RAISE SUBSTANTIAL NEW QUESTIONS HE MAY REOPEN THE PUBLIC COMMENT PERIOD FOR THAT PERMIT.

IN LIEU OF, OR IN ADDITION TO, THE SUBMISSION OF COMMENTS AS ABOVE PROVIDED, ANY INTERESTED PERSON MAY REQUEST A PUBLIC HEARING. ANY

REQUEST FOR A PUBLIC HEARING UNDER 40 CFR §124.11 MUST BE IN WRITING, STATE THE NATURE OF THE ISSUES PROPOSED TO BE RAISED IN THE HEARING, AND BE SUBMITTED TO THE CHIEF, CLEAN WATER REGULATORY BRANCH, EPA, REGION 2, AT THE ABOVE ADDRESS NO LATER THAN THIRTY (30) DAYS FROM THIS NOTICE. EPA'S DECISION ON THE QUESTION OF WHETHER TO HOLD A PUBLIC HEARING ON THE DRAFT NPDES PERMIT, THE ADMINISTRATION OF ANY HEARING, AND THE RIGHTS AND OBLIGATIONS OF PARTICIPANTS ARE GOVERNED BY REGULATIONS AT 40 CFR §124.12. IF A PUBLIC HEARING IS HELD FOR THE PERMIT, THE PUBLIC COMMENT PERIOD IN THIS NOTICE SHALL AUTOMATICALLY BE EXTENDED TO THE CLOSE OF THE PUBLIC HEARING. IF NO PUBLIC HEARING IS HELD OR IF THE PUBLIC COMMENT PERIOD IS NOT REOPENED, 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, SHALL BE CONSIDERED BY THE REGIONAL ADMINISTRATOR IN MAKING THE FINAL DECISION WITH RESPECT TO THIS PERMIT APPLICATION. ALL COMMENTS SHALL BE ANSWERED AS PROVIDED IN 40 CFR §124.17.

THE APPLICANT AND ANY OTHER PERSON WHO SUBMITS TIMELY WRITTEN COMMENTS OR REQUESTS NOTICE OF FINAL PERMIT DECISION SHALL RECEIVE

NOTICE OF THE REGIONAL ADMINISTRATOR'S FINAL DECISION. WITHIN 30 DAYS OF THE ISSUANCE OF A FINAL PERMIT DECISION, ANY INTERESTED PERSON, WHO HAS SUBMITTED TIMELY WRITTEN COMMENTS OR PARTICIPATED IN ANY PUBLIC HEARING, MAY FILE A NOTICE OF APPEAL AND PETITION FOR REVIEW TO 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 REQUEST MUST MEET THE REQUIREMENTS OF 40 CFR §124.19. ALL PLEADINGS FILED BY MAIL MUST BE ADDRESSED TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY, CLERK OF THE BOARD, ENVIRONMENTAL APPEALS BOARD (MC 1103B), ARIEL RIOS BUILDING, 1200 PENNSYLVANIA AVENUE, N.W., WASHINGTON, D.C. 20460-0001. DOCUMENTS THAT ARE HAND-CARRIED MUST BE DELIVERED TO THE BOARD AT ITS OFFICES AT COLORADO BUILDING, 1341 G STREET, N.W., SUITE 600, 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).

JEFFREY F. GRATZ, CHIEF

CLEAN WATER REGULATORY BRANCH

DIVISION OF ENVIRONMENTAL PLANNING AND PROTECTION