



September 29, 2016

Ms. Carmen Guerrero Pérez<sup>1</sup>  
U.S. EPA Region 2  
Caribbean Environmental Protection Division  
City View Plaza II- Suite 7000 48 Road 165 Km. 1.2  
Guaynabo, PR 00968-8069

**Re: Municipality of Peñuelas, Notice of Intent  
Permit Number PR040034  
Puerto Rico NPDES Municipal Separate Storm Sewer System Permit**

2016 SEP 29 PM 2:19  
U.S. EPA  
CEPD  
RECEIVED

Environmental Development & Sustainability, Inc. (EDS) on behalf of Peñuelas Municipality (Peñuelas) an owner and operator of a Municipal Separate Storm Water System (MS4) is submitting a Notice of Intent (NOI) pursuing coverage under the NPDES Permit PRR040000 issued on July 1<sup>st</sup>, 2016 by the US Environmental Protection Agency (USEPA) for the Commonwealth of Puerto Rico.

Please, find attached all the documents with the required information following the format provided in the document "**General Permit for Stormwater from Small Municipal Separate Storm Sewer Systems In The Commonwealth of Puerto Rico.**"

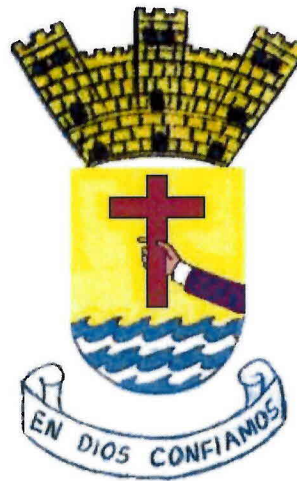
In case of any doubt, you can contact us at 787-788-7644 or 787-413-6017, Sonia Cosme, [soniacosme@edspuertorico.com](mailto:soniacosme@edspuertorico.com)

Sincerely,

Sonia Cosme  
President

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<sup>1</sup> XC: Eng. Sergio Bosques



## **Autonomous Municipality of Peñuelas**

### **National Pollutant Discharge Elimination System (NPDES)**

### **Notice of Intent (NOI) for coverage under the Small Municipal Separate Storm Sewer System (MS4) General Permit (PRR040000) for Puerto Rico (Revision)**

**Septiembre, 2016**

**ENVIRONMENTAL  
DEVELOPMENT  
& SUSTAINABILITY, Inc.**

**PO Box : 1367, Guaynabo,  
PR 00970**

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United States Environmental Protection Agency  
National Pollutant Discharge Elimination System

Notice of Intent (NOI) for coverage under the Small Municipal Separate  
Storm Sewer System (MS4) General Permit (PRR040000) for Puerto Rico

Part A. General Information

1. Name of Municipality or Organization: Autonomous Municipality of Peñuelas
2. Type: ☐ Federal ☐ State ☒ Municipality ☐ Other: \_\_\_\_\_
3. Existing Permittee: ☒ Yes ☐ No If yes, provide EPA NPDES Permit Number: P R R 0 4 0 0 3 4
4. Location Address:
  - a. Street: Casa Alcaldia
  - b. Pedro Velazquez St
  - c. City: Peñuelas  
State: PR Zip Code: 00624
5. Mailing Address:
  - a. Street: P.O. Box 10
  - b. City: Peñuelas State: PR Zip Code: 00624
6. Telephone Number: 787-836-1136 Fax: 787-836-2191
7. E-mail: [rerodriguez@municipiodepeñuelas.com](mailto:rerodriguez@municipiodepeñuelas.com)
8. Standard Industrial Classification (SIC) Code (see instructions for common codes): 9199
9. Latitude: (use the format provided.) Longitude: (use the format provided.)  
*2.2.4.2 Approximate center of the regulated portion of the MS4.*  
18°03'26"N (degrees, minutes, seconds) 66°43'18"W (degrees, minutes, seconds)

Part B. Primary MS4 Program Manager Contact Information

1. Name: Eng. Rose Rodríguez
2. Position Title: Planning Director
3. Stormwater Management Program (SWMP) Location (web address or physical location): Casa Alcaldia , Land Planning Department, Pedro Velazquez St Peñuelas, PR 00624.



## 4. Mailing Address:

a. Street: P.O.Box 10b. City: Peñuelas State: PR Zip Code: 006245. Telephone Number: 787-836-1136, 787-349-14366. E-mail: [rerodriguez@municipiodepeñuelas.com](mailto:rerodriguez@municipiodepeñuelas.com)**Part C. Eligibility Determination**1. Endangered Species Act (ESA) determination complete? ☒ Yes ☐ Noa. Eligibility Criteria (check all that apply): ☐ A ☐ B ☐ C ☐ D ☒ E ☐ F2. National Historic Preservation Act (NHPA) determination complete? ☒ Yes ☐ Noa. Eligibility Criteria (check all that apply): ☐ A ☒ B ☐ C ☐ D**Part D. Map/Boundaries**

1. MS4/Organization Description of regulated boundaries (narrative):

Peñuelas is a municipality in Puerto Rico located in the southern coast of the island, south of Adjuntas, east of Guayanilla, west of Ponce and north of the Caribbean Sea. Peñuelas is spread over 12 wards and Peñuelas Pueblo (The downtown area and the administrative center of the city). According to the 2010 Census data for Peñuelas County, the population is 24,282 persons. Peñuelas covers an area of 45.00 square miles. Three rivers run through Peñuelas Municipality; Macaná, Tallaboa, and Guayanés rivers. The first runs approximately seven (7) miles. Tallaboa river runs about 14 miles and is nourished by the Guayanes river. Another body of water present in Peñuelas is the Caribbean Sea, which borders the southern perimeter of the municipality. In terms of topography, Peñuelas belongs to the coastal southern plains, but the municipality northern area belongs to the Central mountain range. In these areas, Macana and Barreal wards, elevations over 800 meters above mean sea level are experienced.

2. Location Map/Boundaries. A location map must be attached showing the pertinent city, town, wards, or boundaries, the boundaries of the Small MS4, including surface water body(s), and the "urbanized area" (UA) when applicable.

Is map attached? ☒ Yes ☐ No**Part E. MS4 Infrastructure (if covered under the 2006 general permit)**1. Estimated Percent of Outfall Map Complete? (Section 4.2.3 of 2006 general permit): 75%a. If 100% of 2006 requirements are not met, enter an estimated date of completion: 06/30/2020  
(MM/DD/YYYY)

- b. Web address where MS4 map is published: See attached maps (Attachment A)  
*If outfall map is unavailable on the internet an electronic or paper copy of the outfall map must be included with NOI submission.*

**Part F. Bylaw/Ordinance Development (if covered under the 2006 general permit)**

1. Illicit Discharge Detection and Elimination (IDDE) authority adopted? ☒ Yes ☐ No

a. Effective Date or Estimated Date of Adoption: 04/30/2017  
 (MM/DD/YYYY)

2. Construction/Erosion and Sediment Control authority adopted? ☒ Yes ☐ No

a. Effective Date or Estimated Date of Adoption: 04/30/2017  
 (MM/DD/YYYY)

3. Post-Construction Stormwater Management adopted? ☒ Yes ☐ No

a. Effective Date or Estimated Date of Adoption: 04/30/2017  
 (MM/DD/YYYY)

**Part G. Receiving Waters**

List the names of all surface waterbody segments to which your MS4 discharges. For each waterbody segment, please report the number of outfalls discharging into it and, if applicable, any impairments. You may attach additional information.

Waterbody Segment that receives flow from the MS4	Number of Outfalls into receiving waterbody segment	Have any monitoring been performed to outfalls? (Yes/No)	List of Pollutant(s) causing impairment (if applicable)	List of TMDL Pollutant (s) (if any)
Tallaboa River	22	No	Turbidity (2500)	NA
Guayanes River	14	No	—	NA
Unknown Creek (Tallaboa South_PR2)	6	No	—	NA

**Part H. Summary of Stormwater Management Program (SWMP) under the 2006 Small MS4 General Permit**

For every measurable goal and associated Best Management Practice (BMP) listed in the adopted program, provide the following information (You may include additional pages):

BMP Description or BMP ID (e.g. MCM-1)	Goal Achieved (Yes/No)	Continued in next permit cycle? (Yes/No)	Who was the targeted audience? Explain reason for not achieving goal.	Modification(s) to goals or BMP for next permit cycle
Public Education and Outreach				
Establish relationships with other municipalities	No	No	SWM Committees from neighbors MS4. Lack of resources	Yes
Development of Educational and Outreach Material	Yes	Yes	General public, regulated community.	No
Develop within the Municipal government a complaint program for SW issues and train personnel in how to handle a complaint	No	No	General public, regulated community. The ordinance was not approved. Complaints were handled by the Planning Personnel with the consultant assistance.	No
Stormwater Educational Pamphlet Distribution Campaign	Yes	Yes	General public, regulated community.	No
Train teachers from the local schools in SWMP and general information.	Yes	Yes	Teachers from local schools.	No
Outlets labeling campaign	Yes	Yes	General public, regulated community.	No
Include a Pollution Prevention Booth in Municipal activities	Yes	Yes	General public, regulated community.	No

Educate the local community on recycling programs	Yes	Yes	General public, regulated community.	No
Train the leaders of the special communities	Yes	Yes	Community leaders and representatives.	No
Public Participation and Involvement				
BMP Description or BMP ID (e.g. MCM-1)	Goal Achieved (Yes/No)	Continued in next permit cycle? (Yes/No)	Who was the targeted audience? Explain reason for not achieving goal.	Modification(s) to goals or BMP for next permit cycle
Run a reforestation campaign "Adopt a tree"	No	No	General Public, Regulated Community. Lack of resources.	Yes. It will be substituted by "adopt a river" to promote conservation.
Promote the participation of the community in the stormwater related complaint process.	Yes	Yes	General public, regulated community.	No
Tallaboa and Guayanés River Cleanup activity	Yes	Yes	General public, regulated community.	No
Municipal Stormwater Hotline to request information, report illicit discharge, maintenance need.	No	No	General public, regulated community. Lack of resources	Yes. It will be substitute by using social networks (Facebook, twitter, etc.)
Illicit Discharge Detection and Elimination Program				



Prepare an SW Ordinance to address illegal discharges.	No	No	General public, regulated community. Social and economic situation.	No
Map all storm drains outfalls along the streams of the urban area with a GPS.	No	Yes	MS4 permit area. It was completed in 75%. Lack of resources.	No
Coordinate with state agencies (i.e. AAA) to improve and give maintenance to the sewage system in the Municipality	Yes	Yes	MS4 permit area	No
Use the patent registry as a database for commercial and industrial inspection	No	No	Regulated community. Lack of resources to create and manage the database.	Yes. It was substituted by field inspection.
Train the personnel in detection of illegal discharges	No	No	Municipal personnel. Lack of human resources.	No
Create a new ordinance regarding the control and operation of septic tanks.	No	No	General public, regulated community. The septic tanks are under the Health Department authority	Yes. It was substituted by offering a low cost cleaning service provided by the municipality.
<b>BMP Description or BMP ID (e.g. MCM-1)</b>	<b>Goal Achieved (Yes/No)</b>	<b>Continued in next permit cycle? (Yes/No)</b>	<b>Who was the targeted audience? Explain reason for not achieving goal.</b>	<b>Modification(s) to goals or BMP for next permit cycle</b>
Construction Site Storm Water Runoff				
Develop procedures for inspections and enforcement of stormwater control requirements at construction sites	No	No	Regulated community. Brochures addressing construction activities were prepared. Lack of human resources to be allocated to	No

			the inspections.	
Certified NPDES field inspectors	No	No	Municipal personnel. Lack of resources.	Yes. Provide local training to assigned personnel.
Conduct site visits to construction projects to verify compliance with SWMP compliance, specifically, erosion and sedimentation control measures.	Yes	Yes	General public, regulated community.	No
Establish liaisons with government agencies in order to have in advanced information regarding new projects approved to be built in the municipality.	No	No	Municipality. Peñuelas was approved as autonomous and have more control over local projects.	Yes.
BMP Description or BMP ID (e.g. MCM-1)	Goal Achieved (Yes/No)	Continued in next permit cycle? (Yes/No)	Who was the targeted audience? Explain reason for not achieving goal.	Modification(s) to goals or BMP for next permit cycle
Post Construction				
BMP Description or BMP ID (e.g. MCM-1)	Goal Achieved (Yes/No)	Continued in next permit cycle? (Yes/No)	Who was the targeted audience? Explain reason for not achieving goal.	Modification(s) to goals or BMP for next permit cycle
Inspection during post construction phase	Yes	Yes	Regulated Community	No

Communicate the impact on the stormwater system posed by construction projects based on post construction findings.	Yes	Yes	General public, regulated community.	No
Inspection during post construction phase	Yes	Yes	Regulated Community	No
Pollution Prevention/Good housekeeping				
Implement a system to clean critical segments of the Municipality of Peñuelas stormwater sewer system on a regular basis.	Yes	Yes	General public, regulated community.	No
Cleaning and debris removal at Peñuelas rivers and creeks.	Yes	Yes	General public, regulated community.	No
Train maintenance personnel on stormwater issues, NPDES General permit, SWMP and BMPs.	Yes	Yes	General public, regulated community.	No

Part I. 2016 Stormwater Management Program (SWMP) Summary

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Part I. 2016 Stormwater Management Program (SWMP) Summary

**Public Education and Outreach** (See Section 2.4.2 for detailed information of required BMPs):

BMP Description or BMP ID (e.g. MCM-1)	Program Description (Describe the program and how it will inspire public participation, e.g. special events, volunteer sampling and monitoring efforts, household hazardous waste recycling, etc.)	Measurable Goal (What is the end result of this program? What indicator will determine the goal has been met? (e.g., participation, amount of sampling performed, waste collected, etc.)
Public Education and Outreach	An educated and informed population is crucial for successful implementation and success of this program. If the public understands the importance of the program the municipality will have the support to achieve compliance. Public participation is vital to develop support and a sense of responsibility, to implement the plan according to the itinerary, to provide economic benefits, and to increase the participation in others municipal programs.	
Public Education and Outreach	Maintain all documents pertaining the SWMP in the Municipal Public Library for public access, and notify this on the website	At least two copies of the SWMP hard copy on the Municipal Public Library and or pdf electronic files.
Public Education and Outreach Training Program	Continue offering training on SWMP to the Municipality personnel.	Train 100% of required personnel.
Public Education and Outreach	Continue with workshops targeted at school children as well as participants of the summer camps sponsored by the municipal government.	Number of participants attending summer camps to be identify by year of attendance and place were the workshop was offered.  Number of summer camp offered every year.



**Part I. 2016 Stormwater Management Program (SWMP) Summary (continued)**

Public Education and Outreach	Include information regarding the storm water program on Peñuelas' website, <a href="http://www.municipio.depeñuelas.com">www.municipio.depeñuelas.com</a> links to view the SWMP, and links to access EPA website Phase II NPDES MS4 permit	Changes in website Number of visits to the website
Public Education and Outreach	Post information of the SWMP on Peñuelas Facebook and Twitter web pages.	Number of visits to the website

**Public Involvement and Participation (See Section 2.4.3 for detailed information of required BMPs):**

BMP Description or BMP ID (e.g. MCM-1)	Program Description (Describe the program and how it will inspire public participation, e.g. special events, volunteer sampling and monitoring efforts, household hazardous waste recycling, etc.)	Measurable Goal (What is the end result of this program? What indicator will determine the goal has been met? (e.g., participation, amount of sampling performed, waste collected, etc.)
Public Participation and Involvement	Public participation is vital to develop support and a sense of responsibility, to implement the plan according to the itinerary, to provide economic benefits, and to increase the participation in others municipal programs.	
Public Participation and Involvement	Sponsor a booth with information on SWMP in at least one major event such as Earth Day, Scuba Dog Coastal Clean- up and health fairs, among others.	Number of visitors to the booth Number of events
Public Participation and Involvement	Post news and articles related to SWMP Program in the Municipality web page and social media networks as Facebooks, Twitter, among others.	Number of visits/followers/likes in the social network sites.

**Part I. 2016 Stormwater Management Program (SWMP) Summary (continued)****Illicit Discharge Detection and Elimination** (See Section 2.4.4 for detailed information of required BMPs):

BMP Description or BMP ID (e.g. MCM-1)	Program Description (Describe the program and how it will identify and remove illicit connections from the MS4, e.g. new regulations, investigation practices, removal of illicit connections, etc.)	Measurable Goal (What is the end result of this program? What indicator will determine the goal has been met? (e.g., adoption of bylaws/ordinances, amount of investigation performed, identified and removed illicit connections, etc.)
<b>Illicit Discharge Detection and Elimination</b>	Illicit discharges are considered "illicit" because MS4s are not designed to accept, process, or discharge such non-storm water wastes. By reducing illicit discharges storm waters are protected from pollutants.	
<b>Illicit Discharge Detection and Elimination</b>	Focus on lowering the load of fecal coliforms carry by storm waters, fields inspections will be continued in those areas that lack a sanitary sewer system and use septic tanks for wastewater disposal.	Reduce waste water discharge to the storm water system 20% per year.
<b>Illicit Discharge Detection and Elimination</b>	Mark ID's to all outfalls and record any discharge during dry weather	Mark 100% of the outfalls
<b>Illicit Discharge Detection and Elimination</b>	Continue to update the list of the establishments in Peñuelas and perform periodic inspections of them to assure no illicit connections exist	Inspect 20% of business per year
<b>Illicit Discharge Detection and Elimination</b>	Develop an Ordinance that establishes penalties and fines to the construction sites found in non-compliance with the Phase II NPDES permit requirements	Approval of an Ordinance
<b>Illicit Discharge Detection and Elimination</b>	Continue with the training to the municipality public work personnel, municipality employees and the community on the hazards caused by improper waste disposal. Continue to investigate and carry out an action plan to eliminate all illicit discharges reported.	Number of trainings to be offered  Closing more than 50% of reported illicit discharges per year.

**Part I. 2016 Stormwater Management Program (SWMP) Summary (continued)****Construction Site Stormwater Runoff Control (See Section 2.4.5 for detailed information of required BMPs):**

BMP Description or BMP ID (e.g. MCM-1)	Program Description (Describe the program and how it will help control stormwater runoff at construction sites, e.g. new regulations, construction practices, inspection protocols, etc.)	Measurable Goal (What is the end result of this program? What indicator will determine the goal has been met? (e.g., adoption of bylaws/ordinances, amount of inspections performed and sites actively regulated, etc.)
<b>Construction Sites Run-Off Control</b>	Polluted storm water runoff from construction sites often flows to MS4s and ultimately is discharged into local rivers and streams. The resulting contribution of other pollutants from construction sites can cause physical, chemical, and biological harm to waterways. The Program focus on preventing pollutants from reaching storm waters.	
<b>Construction Sites Run-Off Control</b>	Develop an Ordinance that establishes penalties and fines to the construction sites found in non-compliance with the Phase II NPDES permit requirements	Approval of an Ordinance
<b>Construction Sites Run-Off Control</b>	Establish a system to notify regulatory agencies in case of any violation. Such as PREQB related to erosion and sedimentation control, DNER regarding soil extraction activities, EPA Storm water construction activities permit, etc.	Notify more than 50% of allege cases. Maintain adequate recordkeeping
<b>Construction Sites Run-Off Control</b>	Continue to request the regulatory documents related to soil erosion and sedimentation control for those construction projects developed in Peñuelas, such as an Erosion and Sediment Control Plan, as part of the construction permit application or during inspections	Perform a site visit to 20% the projects requesting permits, concentrate and large developments where significant earth movement activities are conducted.

**Part I. 2016 Stormwater Management Program (SWMP) Summary (continued)**

<b>Construction Sites Run-Off Control</b>	Provide training to those contractors retained by the municipal government on SWMP and best management practices	Number of training offered
<b>Construction Sites Run-Off Control</b>	Carry out field inspections to those construction projects in the municipality of Peñuelas	Inspect 100% of the projects at least once during the phase of construction.

**Post-Construction Stormwater Management in New Development and Redevelopment (See Section 2.4.6 for detailed information of required BMPs):**

BMP Description or BMP ID (e.g. MCM-1)	Program Description (Describe the program and how it will control stormwater runoff from properties after they are developed, e.g. new regulations, practices, or resources for contractors to use Low Impact Development (LID), etc.)	Measurable Goal (What is the end result of this program? What indicator will determine the goal has been met? (e.g., adoption of bylaws/ordinances, amount of implemented practices, development of capacity building resources, etc.)
<b>Post-Construction Run-Off Control</b>	By developing, implementing, and enforcing a program to address discharges of post-construction storm water runoff from new development and redevelopment areas pollutants reaching storm water can be reduce. Applicable controls could include preventative actions such as protecting sensitive areas (e.g., wetlands) or the use of structural controls	
<b>Post-Construction Run-Off Control</b>	Develop an Ordinance that establishes penalties and fines to the construction sites found in non-compliance with the Phase II NPDES permit requirements.	Inspect 100% of the projects at least once during the phase of construction.
<b>Post-Construction Run-Off Control</b>	Implement a process where the storm water drainage patterns before and after the construction project can be evaluated versus the proposed storm sewer system and controls, during the construction permit process.	Keep record of those complaints presented against already built new projects.



**Part I. 2016 Stormwater Management Program (SWMP) Summary (continued)**

**Good Housekeeping and Pollution Prevention in Municipal Operations** (See Section 2.4.7 for detailed information of required BMPs):

BMP Description or BMP ID (e.g. MCM-1)	Program Description (Describe the program and how it will mitigate stormwater runoff at municipal properties or through municipal activities, e.g. installation of structural stormwater controls on the municipal properties, new practices to reduce pollutant exposure to rain events, runoff management, trainings, etc.)	Measurable Goal (What is the end result of this program? What indicator will determine the goal has been met? (e.g., structural BMPs installed, SOPs developed and implemented, etc.)
<b>Pollution Prevention/ Good Housekeeping</b>	By implementing a program focus on reducing the amount and type of pollution that collects on streets, parking lots, open spaces, storage and vehicle maintenance areas privation is achieved in discharging pollutants into local waterways; and on cleaning and adequate maintenance to municipality outdoors.	
<b>Pollution Prevention/ Good Housekeeping</b>	Clean critical portions of the Peñuelas storm sewer system at least once per year.	Clean 75% of storm sewer near creeks.
<b>Pollution Prevention/ Good Housekeeping</b>	Sweep the streets of Peñuelas downtown once per month.	Cleaning once per month  Increase areas already served by 10 %.
<b>Pollution Prevention/ Good Housekeeping</b>	Continue to receive the community calls for debris disposal	Number of services provided compared to received calls. Establish a route and public schedule for debris collection
<b>Pollution Prevention/ Good Housekeeping</b>	Assure adequate permitting for waste management and disposal. Evaluate the contract for landfill operation to assure the contractor complies with all the regulatory requirements.	Recordkeeping and report a summary in the annual report.

**Part I. 2016 Stormwater Management Program (SWMP) Summary (continued)**

Pollution Prevention/ Good Housekeeping	<p>Develop an SOP for the handling of wastes, oil, debris and sediments generated during the Municipality operations (Public Works)</p> <p>Perform periodic inspections to Peñuelas Public Works facilities to verify their compliance with the SWMP.</p>	<p>Number of SOP developed</p> <p>Number of inspections</p>
Pollution Prevention/ Good Housekeeping	Cleaning and debris removal at the Peñuelas water bodies.	Cleaning at least once per year each water body, and at least twice to those in flooding areas.
Pollution Prevention/ Good Housekeeping	Train the municipal operations personnel in good housekeeping practices during routine activities such as oil/used oil management, painting, gardening, waste management, cleaning, etc.	<p>Number of trainees per year</p> <p>Train 100% of the municipal operations on the SOP for material and waste storage, handling, and disposal.</p>

**Part I. 2016 Stormwater Management Program (SWMP) Summary (continued)****Part J. Application Certification and Signature**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

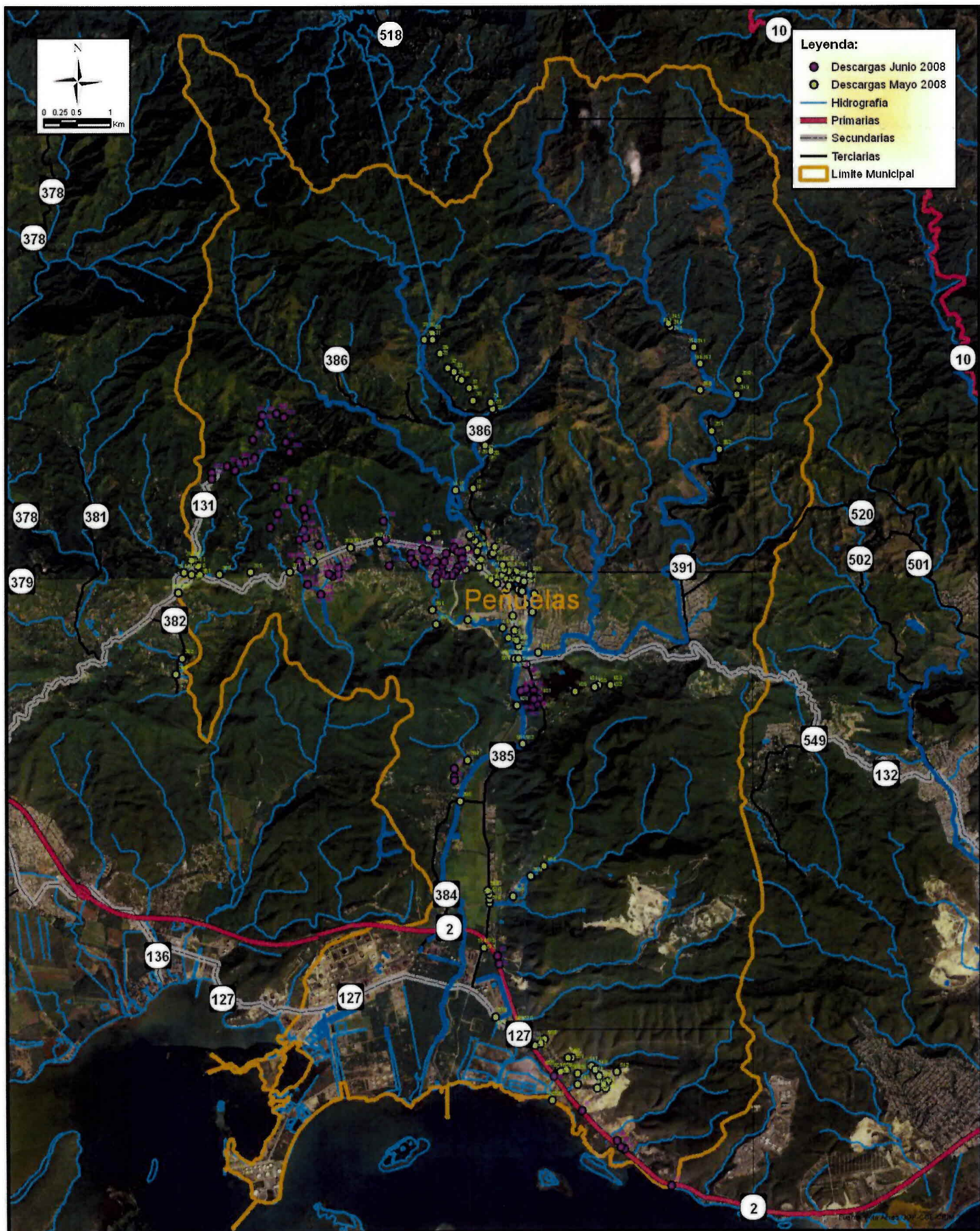
Signature of Mayor/Elected Official: \_\_\_\_\_

Print Name of Mayor/Elected Official: **WALTER TORRES MALDONADO**Title: **ALCALDE**

Date: \_\_\_\_\_

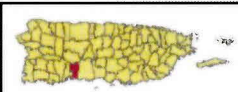




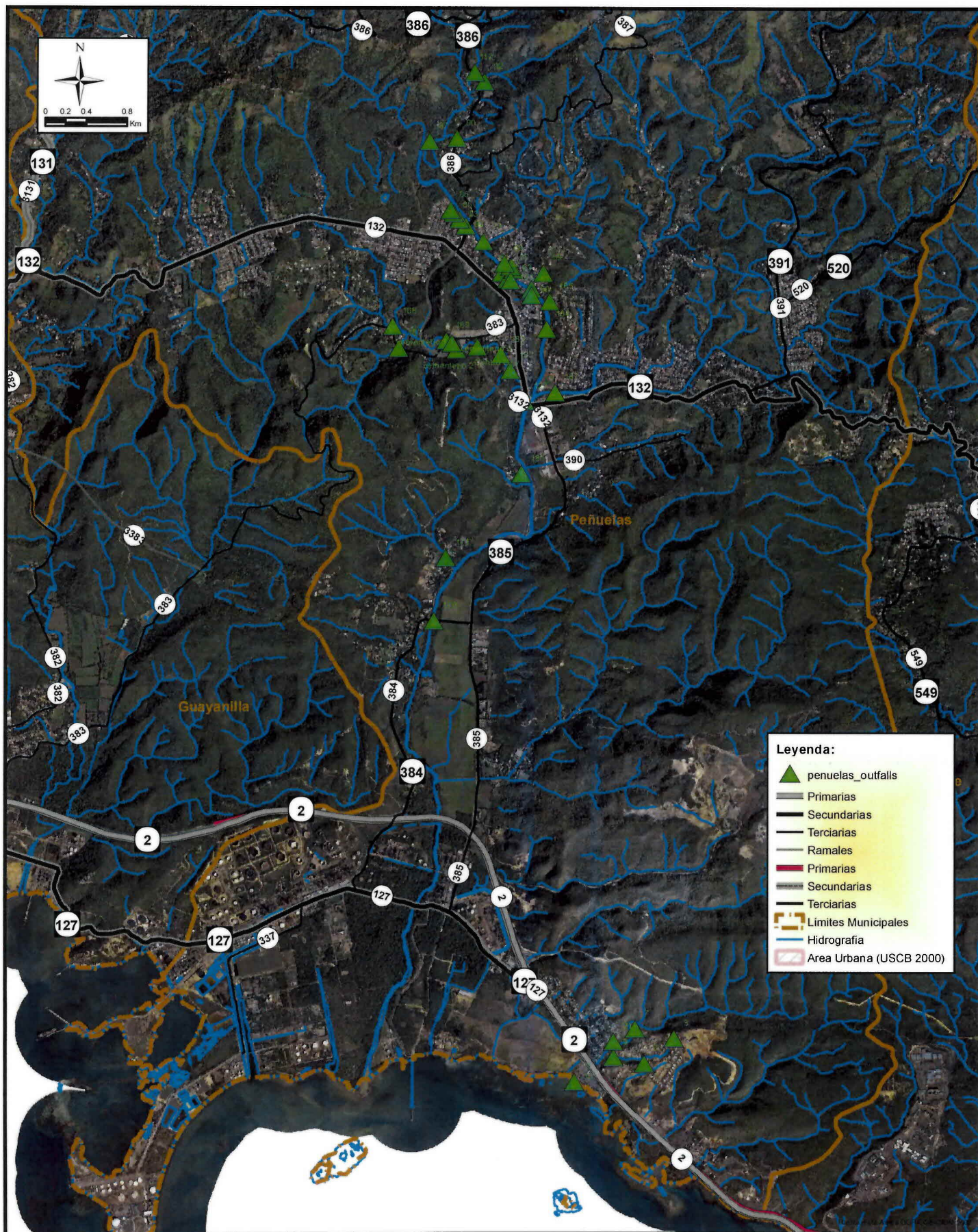


Puntos de Descargas. Stormwater Management Program

Municipio de Peñuelas









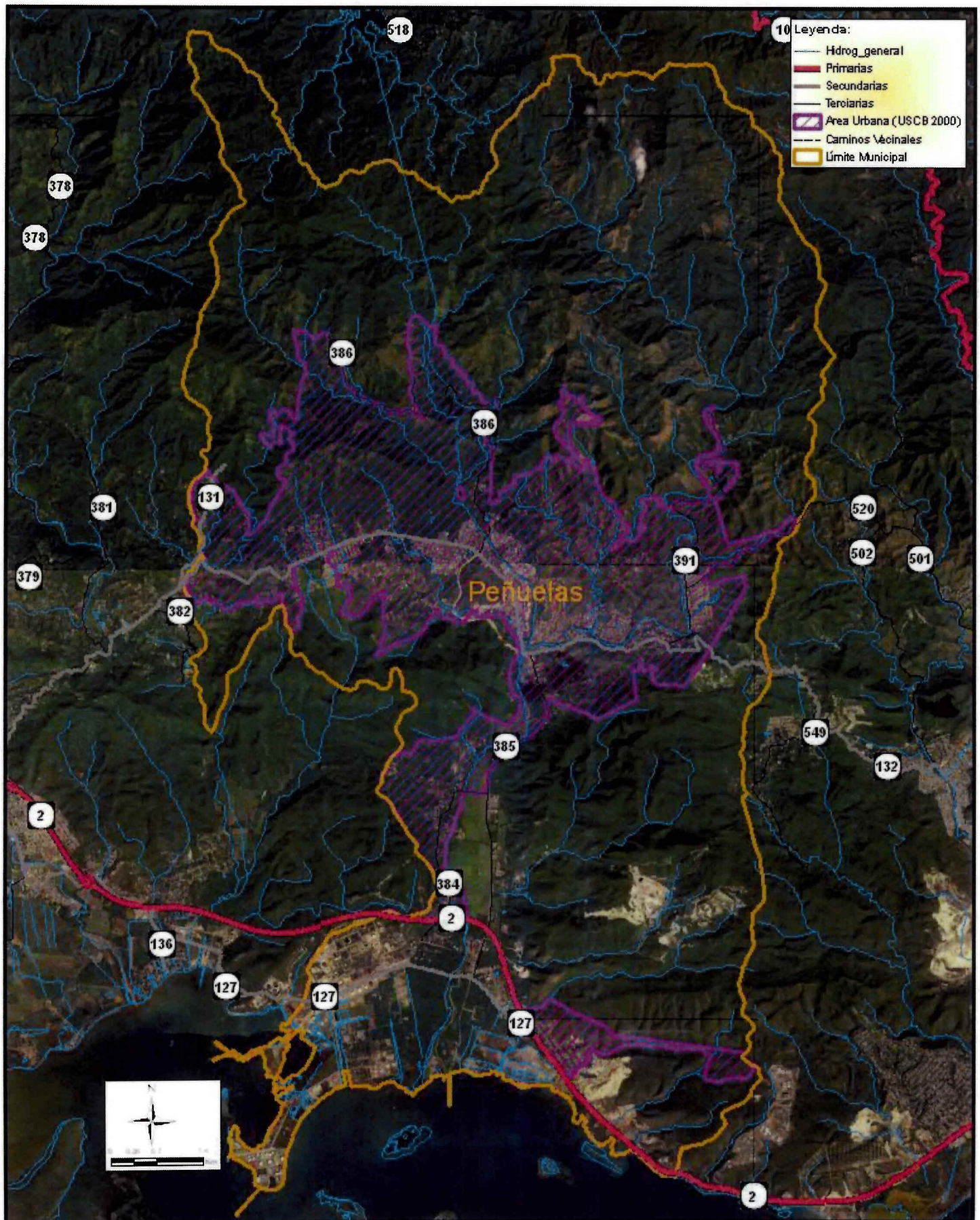


Figura 1 - Foto Satélite, Notice of Intent, Permiso NPDES

Municipio de Peñuelas

