

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION II  
290 Broadway  
New York, New York 10007

**STATEMENT OF BASIS  
DRAFT NPDES PERMIT TO DISCHARGE  
INTO THE WATERS OF THE UNITED STATES**

NPDES Application No. **PR0020834**

Name and Address of Applicant:

**PRASA San Lorenzo Wastewater Treatment Plant**  
P.O. Box 7066  
Barrio Obrero Station  
San Juan, Puerto Rico 00916

Name and Address of Facility where Discharge Occurs:

State Road No. 186 KM 9.5  
San Lorenzo, Puerto Rico 00754

Receiving Water: Río Grande de Loíza River

Classification: SD

Name of Preparer: Lalitssa López-Burgos

**I. LOCATION OF DISCHARGE**

The above named applicant has applied for a National Pollutant Discharge Elimination System (NPDES) permit, to the U.S. Environmental Protection Agency (EPA) to discharge into the designated receiving water. The location of the discharge, Outfall 001, is described by the following U.S.G.S. coordinates are:

**Latitude 18° 11' 43"**  
**Longitude 65°57' 51"**

**II. DESCRIPTION OF APPLICANT'S FACILITY AND DISCHARGE**

This is a facility designed to provide secondary treatment for an average daily flow of 2 million gallons per day (MGD) of wastewater. This activity has a Standard Industrial Classification (SIC) code of 4952.

### III. DESCRIPTION OF LIMITATIONS AND CONDITIONS

A brief summary of the basis of each effluent limitation and other conditions in the draft permit is provided in Attachment I.

### IV. STATE CERTIFICATION REQUIREMENTS

State Certification requirements, based upon an Intent Water Quality Certificate (IWQC) issued by the Environmental Quality Board (EQB) of the Commonwealth of Puerto Rico, are described in the draft permit. Review and appeals of limitations and conditions attributable to this certification shall be made through the applicable Commonwealth procedures and may not be through EPA procedures.

### V. PROCEDURES FOR REACHING A FINAL DECISION ON THE DRAFT PERMIT

These procedures, which are set forth in 40 CFR 124, are described in the public notice of preparation of this draft permit. Included in the public notice are requirements for the submission of comments by a specified date, procedures for requesting a hearing and the nature of the hearing, and other procedures for participation in the final agency decision.

### VI. EPA CONTACT

Additional information concerning the draft permit may be obtained between the hours of 8:00 A.M. and 4:30 P.M., Monday through Friday from:

Mr. Jaime Geliga, Chief  
Municipal Water Program Branch  
U.S. Environmental Protection Agency-Region II  
City View Plaza II  
#48 RD, 165, K1.2  
Guaynabo, Puerto Rico 00968-8069  
787- 977-5870

Mr. José C. Font, Acting Director  
Caribbean Environmental Protection Division  
U.S. Environmental Protection Agency - Region II  
City View Plaza II  
#48 RD, 165, K1.2  
Guaynabo, Puerto Rico 00968-8069  
787- 977-5870

## ATTACHMENT II

### DESCRIPTION OF DISCHARGE / DRAFT PERMIT CONDITIONS

#### Discharge 001

The treatment plant effluent is discharged through outfall No. 001 into the **Río Grande de Loíza River (SD)**.

The following are the proposed effluent limitations / permit conditions:

1. The effluent limitations, monitoring requirements, and other conditions of this permit are described in the draft permit. The effluent limitations in the permit are equivalent to the most stringent values specified in the applicable technology-based guidelines or water quality-based limitations. All anti-backsliding decisions are made in accordance with EPA Region II Antibacksliding Policy.
2. Maximum daily discharge: **2.0 MGD**
3. The effluent limitation for **2,4,6-Trichlorophenol; 2-Chlorophenol; 2,4-Dichlorophenol; 2,4-Dimethylphenol; 2-Methyl-4; BOD; Cadmium; Chromium III; Chromium IV; Color; Copper; Cyanide, Free; Dissolved Oxygen; Fecal Coliforms; Flow; Nitrate plus Nitrite; Oil & Grease; Pentachlorophenol; pH; Residual Chlorine; Selenium; Silver; Solids and Other Matters; Sulfide; Surfactants; Suspended, Colloidal or Settleable Solids; Taste and Odor Producing Substances; Temperature; Total Ammonia, Total Coliforms; Total Phosphorous; Total Suspended Solids; Turbidity; and Zinc** are based on EQB's IWQC.
4. The water quality-based effluent limitation from the previous permit for **Arsenic; Fluoride; Lead; Manganese; Mercury; and Phenolic Substances** are not included in the IWQC issued by EQB. EPA has determined that it is appropriate to remove the effluent limitation for this parameter without violating the anti-backsliding provisions of the CWA, in accordance with section 402(o), since one of the exceptions to the provisions has been satisfied. 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. Information submitted in the NPDES application and the Discharge Monitoring Reports submitted during the previous permit indicate that the discharge from outfall 001 cannot reasonably be expected to contribute to a water quality exceedance for this parameter. Therefore, a water quality-based effluent limitation is not necessary for this parameter. Antidegradation requirements are not violated by removing the limits for this parameter. Since the permittee will be discharging the pollutant at the same level, the discharge would not contribute to further degradation of the receiving water and existing uses would be maintained.

5. The water quality-based numerical limitation from the existing permit for **Free Cyanide; Dissolved Oxygen; Nitrate plus Nitrite; Oil and Grease; and Zinc** have been replaced with a less stringent water quality-based limitation in the IWQC issued by the EQB. 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), since one of the exceptions to the provisions has been satisfied. Section 303(d)(4) of the CWA allows relaxation of water quality-based effluent limitations developed in accordance with a Total Maximum Daily Load/Waste Load Allocation (TMDL/WLA) or Mixing Zone procedures, provided that attainment of water quality standards is assured and antidegradation requirements are considered. The EQB water quality certificate constitutes a determination that the limit is sufficient to assure that the water quality standards are or will be attained.
  
6. The proposed NPDES permit contains water quality-based effluent limitations for **2,4,6-Trichlorophenol; 2, 4-Dichlorophenol; 2, 4-Dimethylphenol; 2, Chlorophenol; and 2-Methyl-4, 6-Dinitrophenol; Chromium III; Chromium IV; Pentachlorophenol; Selenium; and Silver** which were not included in the previous NPDES permit. Pursuant to Section 401 (d) of the Act and 40 C.F.R. 122.44 (d) and 124.55, all State certified limitations and requirements contained in a Section 401 certification must be incorporated into a NPDES permit issued by EPA. The water quality-based limitations referenced in this paragraph have been included in the draft NPDES permit, based on EQB's IWQC.
  
7. The water quality-based effluent limitation from the previous permit for **Cadmium; Color; Copper; Fecal Coliform; Surfactants; Total Ammonia; and Total Phosphorus** have been replaced with a more stringent water quality-based limitation in the Intent to Issue a WQC issued by the EQB. Pursuant to Section 401 (d) of the Act and 40 C.F.R. 122.44 (d) and 124.55, all State certified limitations and requirements contained in a Section 401 certification must be incorporated into a NPDES permit issued by EPA. The water quality-based effluent limitations referenced in this paragraph have been included in the draft NPDES permit, based on EQB's IWQC.