

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION 2
 290 BROADWAY - 24TH FLOOR
 NEW YORK, NEW YORK 10007-1866

Public Notice No. 2012-17

Date: April 9, 2012

Notice: 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 National Pollutant Discharge Elimination System (NPDES) permits for the discharge of pollutants into waters of the United States:

<u>NPDES Number</u>	<u>Applicant</u>	<u>Facility Name</u>	<u>Flow (MGD) *</u>	<u>Receiving Water/ Classification</u>
PR0026935	Portal del Futuro PO Box 362350 San Juan, PR 00936	Capehart Wastewater Treatment Plant	0.961	Ensenada Honda / SB
PR0025798	Puerto Rico Aqueduct and Sewer Authority P.O. Box 7066 Barrio Obrero Station San Juan, PR 00916	Rucio WTP	0.035	Unnamed Creek / SD
PR0025534	Puerto Rico Aqueduct and Sewer Authority P.O. Box 7066 Barrio Obrero Station San Juan, PR 00916	Rio Arriba WTP	0.026	Jobos Creek / SD
PR0024422	Puerto Rico Aqueduct and Sewer Authority P.O. Box 7066 Barrio Obrero Station San Juan, PR 00916	Negros WTP	0.073	Unnamed Creek to Rio Grande de Mantí / SD
PR0026557	Puerto Rico Aqueduct and Sewer Authority P.O. Box 7066 Barrio Obrero Station San Juan, PR 00916	Culebrinas WTP	0.5184	Caño Media Luna / SD

*million gallons per day (MGD)

Pursuant to procedures at 40 CFR §§124.6 through 124.19 which govern the permit appeals process, EPA is withdrawing permit certain contested permit conditions and issuing draft NPDES permit modifications for the following dischargers of pollutants into waters of the United States.

<u>NPDES Number</u>	<u>Applicant</u>	<u>Facility Name</u>	<u>Flow (MGD) *</u>	<u>Receiving Water/ Classification</u>
PR0000591	Bacardi Corp. PR #165 Cataño, PR 00632	Bacardi Corp.	2	Atlantic Ocean / SC
PR0021555	Puerto Rico Aqueduct and Sewer Authority P.O. Box 7066 Barrio Obrero Station San Juan, PR 00916	Puerto Nuevo WWTP	144	Atlantic Ocean / SC
PR0023728	Puerto Rico Aqueduct and Sewer Authority P.O. Box 7066 Barrio Obrero Station San Juan, PR 00916	Bayamón WWTP	88	Atlantic Ocean / SC

*million gallons per day (MGD)

This notice is being given to inform the public that EPA has prepared draft NPDES 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 these permits, the applicants will be required to comply with all the conditions in those permits.

The draft NPDES permits prepared by EPA are based on the respective administrative records. Among other documents, the administrative record required by 40 CFR 124.9, consists of the application, draft NPDES permit, and fact sheet describing the basis for the conditions in the permit. All data submitted by the applicant is available as part of the administrative record. Copies of the administrative records are on file at the EPA Region 2 Caribbean Environmental Protection Division in City View Plaza II, Suite 7000, #48 RD. 165 Km, 1.2 Guaynabo, Puerto Rico, 00968-8069 and may be inspected and photocopied at a cost of \$0.15 per page at any time between 8:30 A.M. and 4:00 P.M., Monday through Friday. A copy of the draft permits and fact sheets may be obtained by writing to the above address or by calling (787) 977- 5870. The draft permit and fact sheet are also available on the EPA website at the following web address: <http://www.EPA.gov/region02/water/permits.html>.

Interested persons may submit written comments on the draft permits with NPDES numbers PR0026935, PR0025798, PR0025534, PR002442, PR0026557, PR0021555, and PR0023728 to the Director, Caribbean Environmental Protection Division, USEPA Region 2, City View Plaza II, Suite 7000, #48 RD. 165 Km, 1.2 Guaynabo, Puerto Rico, 00968-8069. Interested persons may submit written comments on the draft permit modifications with NPDES number PR00000591 to the Chief, Clean Water Regulatory Branch, USEPA Region 2, 290 Broadway, 24th Floor, New York, NY 10007. All comments must be submitted by no later than 30 days from the date of this notice. All persons may provide comments during the public comment period. If the EPA finds that comments timely submitted appear to raise substantial new questions, EPA may reopen the public comment period for that permit.

Any interested persons may request a public hearing on these documents. Any request for a public hearing under 40 CFR §124.11 on EPA's draft permits shall be in writing, state the nature of the issues proposed to be raised in the hearing, and be submitted to the Director, Caribbean Environmental Protection Division, City View Plaza II, Suite 7000, #48 RD. 165 Km, 1.2 Guaynabo, Puerto Rico, 00968-8069, by no later than 30 days from the date of this notice. EPA's decision on the question of whether to hold a public hearing on the draft NPDES permits, the administration of any hearing and the rights and obligations of participants are governed by regulations at 40 CFR §124.12. If EPA holds a public hearing, the public comment period in this notice shall automatically be extended to the close of the public hearing.

If EPA does not hold a public hearing or reopen the comment period, 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 by EPA shall be considered in making the final decision with respect to these permit applications. 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 EPA's final decision. Within 30 days of service of such notice, any interested person who has submitted timely written comments 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.

José C. Font, Acting Director
Caribbean Environmental Protection Division
U.S. Environmental Protection Agency