



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION
CITY VIEW PLAZA II, SUITE 7000
GUAYNABO, PUERTO RICO 00968-8069

Public Notice No. 2012-33

Date: August 24, 2012

NOTICE: PREPARATION OF DRAFT NPDES PERMITS

Notice is hereby given that the following parties:

Puerto Rico Aqueduct and Sewer Authority (PRASA)
P.O. Box 7066
Barrio Obrero Station
San Juan, Puerto Rico 00916

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 a National Pollutant Discharge Elimination System (NPDES) permit to discharge pollutants from the following facilities into waters of the United States:

<u>NPDES Number</u>	<u>Facility Name</u>	<u>Flow (MGD)*</u>	<u>Receiving Water / Classification</u>
PR0020711	PRASA Morovis WWTP	0.5	Morovis River / SD
PR0021717	PRASA Yabucoa WWTP	1.5	Santiago's Creek / SD
PR0025968	PRASA Jaguas Pesas WTP	0.112	Toro Negro River/SD
PR0020583	PRASA Las Marias W WTP	0.25	Arenas River / SD
PR0025861	PRASA Barranquitas WWTP	0.6	Barranquitas River/SD
PR0026531	PRASA Jayya (New) WWTP	1.0	Rio Grande de Jayuya / SD

*Million gallons per day.

This Notice is being given to inform the public that the Environmental Quality Board (EQB) has provided the certifications required by Section 401 of the Act and EPA has prepared drafts permit based on EQB's Water Quality Certificates. These draft permits contain effluent limitations, standards, prohibitions and other conditions necessary to carry out the provisions of the Act. If, after the conclusion of the proceedings summarized below, EPA makes a final decision to issue the permits, the applicant will be required to comply with all the conditions in those permits.

The draft permits prepared by EPA are based on the 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 38488 (May 19, 1980), consists of the application, draft permit, and statement of basis or fact sheet describing the reasons for the conditions in the draft permit. The administrative records (with the exception of material readily available at EPA, Region II, or published material which is generally available) are filed at the EPA Region 2 Caribbean Environmental Protection Division Office in City View Plaza II, Suite 7000, #48 RD, 165 Km, 1.2 Guaynabo, Puerto Rico 00968-8069 and may be inspected at anytime between 8:30 A.M. and 4:00 P.M., Monday through Friday. A copy of the draft permits and other available information may be obtained at a charge of \$0.15 per page 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 permit to the Director, Caribbean Environmental Protection Division, at the above address by no later than 30 days from this notice. All persons, including the applicant, who believe that the preparation of the draft permits was inappropriate or that any of the conditions of the draft permits are not appropriate either because one of the variances or modifications listed in 40 C.F.R. 122.53(1) should be granted or for some other reason, have an obligation to raise all reasonably ascertainable issues and submit all reasonably available arguments and factual grounds supporting their positions, including all supporting materials, by the close of the public comment period. All supporting materials must be submitted in full unless it is already included in the administrative record. If EPA finds that timely comments were submitted which appear to raise substantial new questions, EPA may reopen the public comment period.

In lieu of, or in addition to, the submission of comments as above provided, any interested persons may request a public hearing. Any request for a public hearing under 40 C.F.R. 124.12 on EPA's draft permits must 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 Office 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 C.F.R. 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 C.F.R. 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 appeal must meet the requirements of 40 CFR 124.19. All pleadings sent through the U.S. Postal Service (except by Express Mail) must be addressed to:

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 delivered to the Board by hand or courier, including Federal Express, UPS, and U.S. Postal Express Mail, must be delivered to the following address:

U.S. Environmental Protection Agency
Clerk of the Board, Environmental Appeals Board
Ronald Reagan Building, EPA Mail Room
1300 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Documents that are hand-carried may be delivered to the Clerk of the Board from 8:30 a.m. to 12:00 p.m. and from 1:00 p.m. to 4:30 p.m., Monday through Friday (excluding federal holidays).

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