



**United States Environmental Protection Agency
Region 2**

Caribbean Environmental Protection Division
City View Plaza II-Suite 7000, #48 Rd. 165 km 1.2
Guaynabo, Puerto Rico 00968-8069

FACT SHEET

**DRAFT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
OROCOVIS WWTP
PERMIT No. PR0020745**

This Fact Sheet sets forth the principle facts and technical rationale that serve as the legal basis for the requirements of the accompanying draft permit. The draft permit has been prepared in accordance with Clean Water Act (CWA) section 402 and its implementing regulations at Title 40 of the *Code of Federal Regulations* (CFR), Parts 122 through 124, and the Intent to Issue Water Quality Certificate (IWQC) issued by the Puerto Rico Environmental Quality Board (EQB) pursuant to CWA section 401 requirements.

Pursuant to 40 CFR 124.53, the Commonwealth of Puerto Rico must either grant a certification pursuant to CWA section 401 or waive this certification before the U.S. Environmental Protection Agency (EPA) may issue a final permit. On **APRIL 8, 2014** EQB provided in the WQC that the allowed discharge will not cause violations to the applicable water quality standards at the receiving water body if the limitations and monitoring requirements in the Intent to Issue a WQC are met. In accordance with CWA section 401, EPA has incorporated the conditions of the IWQC into the draft permit. The WQC conditions are discussed in this Fact Sheet and are no less stringent than allowed by federal requirements. Additional requirements might apply to comply with other sections of the CWA. Review and appeals of limitations and conditions attributable to the IWQC were made through the applicable procedures of the Commonwealth of Puerto Rico and not through EPA procedures.

A. Permittee and Facility Description

The Puerto Rico Aqueduct and Sewer Authority (PRASA) (referred to throughout as the Permittee) has applied for renewal of its Orocovis WWTP National Pollutant Discharge Elimination System (NPDES) permit. The Permittee is discharging pursuant to NPDES Permit No. **PR0020745**. The Permittee submitted Application Form 1, and 2A, dated May 30, 2012, and applied for an NPDES permit to discharge treated wastewater from Orocovis WWTP, Orocovis, PR, called the facility. The facility is classified as a major discharger by EPA in accordance with the EPA rating criteria.

The Permittee owns and operates wastewater treatment plant which provides secondary treatment. Attachment A of this Fact Sheet provides a map of the area around the facility and a flow schematic of the facility.

The treatment system consists of the following:

The Orocovis Wastewater Treatment Plant (WWTP) is a publicly owned treatment work (POTW) that treat sanitary discharges in the Municipality of Orocovis. It was designed to provide secondary treatment through an activated sludge package plant for a monthly average flow of 0.5 MGD, and to remove 85% of BOD and TSS. The plant discharges its clarified effluent to the Orocovis River.

Sanitary wastewater is processed through the following units:

- Comminutors, Mechanical Bar Screens
- Grit Removal System
- Aeration Tank
- Aerobic Digester
- Chlorination System
- Clarifier
- Dechlorination System
- Sludge Drying Beds; Sludge is dewatered and disposed in a landfill.

Summary of Permittee and Facility Information

Permittee	Puerto Rico Aqueduct and Sewer Authority (PRASA)
Facility contact, title, phone	Mrs. Irma Lopez, Executive Director Compliance and Quality Control (787) 620-2270
Permittee (mailing) address	Puerto Rico Aqueduct and Sewer Authority P.O. Box 7066 Barrio Obrero Station Santurce, Puerto Rico 00916-7066
Facility (location) address	State Road 155 Km 28.7 Barros Ward, Orocovis, PR 00720
Type of facility	Publicly-owned Treatment Works
Pretreatment program	N/A
Facility monthly average flow	.296 million gallons per day (mgd)
Facility design flow	.500 mgd
Facility classification	Major

B. Discharge Points and Receiving Water Information:

Wastewater is discharged from Outfall 001 to the Orocovis River, a water of the United States, and a tributary to Grande River of Manati.

The draft permit authorizes the discharge from the following discharge point(s):

Outfall	Effluent description	Outfall latitude	Outfall longitude	Receiving water name and classification
001	Secondary treated wastewaters	18°, 14', 02" N	66°, 23', 15" W	Orocovis River, SD

As indicated in the Puerto Rico Water Quality Standards (PRWQS) Regulations, the designated uses for Class **SD** receiving waters include:

- Surface water intended for use as a raw source of public water supply, propagation and preservation of desirable species.
- Primary and secondary contact recreation.

CWA section 303(d) requires the Commonwealth of Puerto Rico to develop a list of impaired waters, establish priority rankings for waters on the list, and develop TMDLs for those waters. The receiving water has been determined to have water quality impairments for one or more of the designated uses as determined by section 303(d) of the CWA. Total maximum daily loads (TMDLs) have been developed and approved by EPA for fecal coliform.

C. Compliance Orders/Consent Decrees

The Permittee has a Consent Decree with the Agency (civil action no 06-16-24 (sec)) in which the facility is included. This consent decree does not affect this permit action.

D. Summary of Basis for Effluent Limitations and Permit Conditions - General

The effluent limitations and permit conditions in the permit have been developed to ensure compliance with the following, as applicable:

- Clean Water Act section 401 certification requirements;
- NPDES regulations (40 CFR Part 122); and
- PRWQS (March 2010)
- Secondary Treatment Requirements (40 CFR 133)
- Biosolids (Sewage Sludge) Requirements (40 CFR Parts 257, 258 and 503)

PART II: RATIONALE FOR EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

CWA section 301(b) and 40 CFR 122.44(d) require that permits include limitations more stringent than applicable technology-based requirements where necessary to achieve applicable water quality standards. In addition, 40 CFR 122.44(d)(1)(i) requires that permits include effluent limitations for all pollutants that are or may be discharged at levels that cause, have the reasonable potential to cause, or contribute to an exceedance of a water quality criterion, including a narrative criterion. The process for determining reasonable potential and calculating water quality-based effluent limits (WQBELs) is intended to protect the designated uses of the receiving water, and achieve applicable water quality criteria. Where reasonable potential has been established for a pollutant, but there is no numeric criterion for the pollutant, WQBELs must be established using (1) EPA criteria guidance under CWA section 304(a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or policy interpreting the state's narrative criterion, supplemented with other relevant information, as provided in 40 CFR 122.44(d)(1)(vi).

The effluent limitations and permit conditions in the permit have been developed to ensure compliance with all federal and state regulations, including PRWQS. The basis for each limitation or condition is discussed below.

A. Effluent Limitations

The permit establishes both Technology-based Effluent Limitations (TBELs) and WQBELs for several pollutants and the basis for these limitations are discussed below.

1. **Flow:** An effluent limitation for flow has been established in the permit. Monitoring conditions are applied pursuant to 40 CFR 122.21(j) (4)(ii) and the EQB's Intent to issue a WOC.
2. **5-Day Biochemical Oxygen Demand (BOD₅):** The effluent concentration and percent removal limitations are based on technology-based secondary treatment standards for publicly owned treatment works (POTWs) specified in 40 CFR 133.102(a). The permit also requires influent monitoring and reporting in accordance with 40 CFR 122.44(i) to meet the requirement of the percent removal limitation (see section C.1.—Monitoring Requirements— of this Part).
3. **Total Suspended Solids (TSS):** The effluent concentration and percent removal limitations are based on technology-based secondary treatment standards for POTWs specified in 40 CFR 133.102(b). The permit also requires influent monitoring and reporting in accordance with 40 CFR 122.44(i) to meet the requirement of the percent removal limitation (see section C.1.—Monitoring Requirements— of this Fact Sheet).
4. **pH:** The effluent limitation for pH is based on technology-based secondary treatment standards for POTWs specified in 40 CFR 133.102(c). Based on Class SD, 2,c of the PRWQS and the WQC. In no case the pH will be outside of 6 – 9, standard pH units, except when it is altered by natural causes.
5. **Temperature:** The effluent limitation for temperature is based on the water quality criterion for Class **SD** waters as specified in Rules **1303.1 D** of PRWQS, and the WQC.
6. **Fecal Coliform:** The discharge consists of domestic sewage that is a source of pathogens. To ensure that the recreational use and public water supply use of the water body is met, effluent limitations for fecal coliform are established in the permit and are based on the water quality criterion for Class **SD** waters as

specified in the PRWQS and the WQC. Consistent with the expression of the water quality criteria for fecal coliform, EPA establishes a monitoring frequency of 5 grab samples per month to calculate a geometric mean and to monitor and report the single sample result of each of the 5 samples to comply with the effluent limitation of no more than 20 percent of the single samples must be above the single-sample maximum of 400 colonies per 100 mL.

7. **Dissolved Oxygen (DO):** The effluent limitation is based on the water quality criterion for Class **SD** waters as specified in Rule 1303.2 C.2.a of PRWQS, and the IWQC.
8. **Total Residual Chlorine (TRC):** TRC has been identified as a contaminant of concern since the facility uses chlorination to disinfect the effluent to meet water quality criteria for pathogens. PRWQS do not have a numeric water quality criterion for TRC. Instead, Rule 1303(l) of PRWQS establishes a narrative water quality criterion that prohibits the discharge of toxic pollutants in toxic amounts. To protect aquatic life from the impact of TRC, the EPA has translated the narrative water quality criterion using EPA's National Recommended Water Quality Criteria for TRC and has conducted a reasonable potential analysis based on the CCC of 11 ug/L and CMC of 19 µg/L for chlorine. The existing permit did not established a water quality-based effluent limitation for TRC and instead established an effluent limitation of 500 ug/l (0.50 mg/l) based on the level of treatment needed to ensure that the fecal coliform water quality criteria would be met at the end-of-pipe.
9. **Ammonia (Total):** Ammonia has been detected in quantities above the water quality criterion of **13 mg/L** for Class **SD** waters as specified in Rule 1303.d and the IWOC.
10. **Whole Effluent Toxicity (WET):** The permit establishes a requirement for the Permittee to conduct accelerated testing and develop a Toxicity Reduction Evaluation (TRE) Workplan as Special Conditions. These requirements are necessary to ensure that the Permittee has a process for the addressing effluent if toxicity is observed.
11. **Color:** The effluent limitation is based on the water quality criterion for **Class SD** waters as specified in Rule 1303.2.d of PRWQS, and the IWQC.
12. **Turbidity:** The effluent limitation is based on the water quality criterion for **Class SD** waters as specified in Rule 1303.2 e of PRWQS, and the IWQC.
13. **Taste and Odor Producing Substances:** The effluent limitation is based on the water quality criterion for **Class SD** waters as specified in Rule 1303.2.g of PRWQS, and the IWQC.
14. **Sulfates:** The effluent limitation is based on the water quality criterion for **Class SD** waters as specified in Rule 1303.2.j of PRWQS, and the WQC.
15. **Surfactants:** The effluent limitation is based on the water quality criterion for **Class SD** waters as specified in Rule 1303.2 i of PRWQS, and the IWQC.
16. **Oil and Grease:** The effluent limitation is based on the water quality standards as specified in Rule 1303.1.H of PRWQS, and the IWQC.
17. **Suspended. Colloidal or Settleable Solids:** The effluent limitation is based on the water quality standards as specified in Rule 1303.1.E of PRWQS, and the IWQC.
18. **Solids and Other Matters:** The effluent limitation is based on the water quality standards as specified in Rule 1303.1.A of PRWQS, and the IWQC.
19. **Copper, Chromium, Mercury, Nitrate and Nitrite, Zinc, Lead, Nickel, Free Cyanide, Nitrogen, Silver, and Sulfide:** The effluent limitation is based on the water quality standards as specified in Rule 1303.1.1.1 of PRWQS, and the IWQC.
20. **Phosphorous:** The effluent limitation is based on the water quality criterion for Class SD waters as specified in Rule 1303.2, D. h of PRWQS, and the IWQC

B. Effluent Limitations Summary Table: Outfall Number: 001

Parameter	Units	Effluent limitations					
		Averaging period	Highest Reported Value (1)	Existing limits	Interim limits	Final limits	Basis
BOD ₅		Average monthly	41	30	n/a	30	TBEL
BOD ₅ percent removal	%		98.92	85	n/a	85	TBEL
Copper	µg/L	Daily maximum	85	30	n/a	24	WQBEL
Color	Pt-Co	Daily maximum	30	30	n/a	40	WQBEL
Free Cyanide	µg/L	Daily maximum	4.6764	8.4	n/a	9	WQBEL
Dissolved Oxygen	mg/L	Daily Maximum	7.2	≥ 3.0	n/a	≥ 3.0	WQBEL
Fecal Coliform	col/100 mL	Daily maximum	160000	400	n/a	200 col / 100 mL	WQBEL
Flow	MGD	Daily maximum	.841	.500	n/a	.553	WQBEL
Nitrate + Nitrite (NO ₃ , NO ₂)	µg/L	Daily maximum	20100	25000	n/a	39,975	WQBEL
pH	SU	Daily maximum	7.99	6.0 – 9.0	n/a	6.0 – 9.0	WQBEL
Residual Chlorine	mg/L	Daily maximum	1.13	0.50	n/a	0.50	WQBEL
Sulfates	mg/L	Daily maximum	--	--	n/a	Monitor	WQBEL
Sulfide	µg/L	Daily maximum	2	2	n/a	2	WQBEL
Surfactants	µg/L	Daily maximum	270	100	n/a	105	WQBEL
Total Suspended Solids (TSS)	mg/L	Average monthly Average weekly	5.0808 5.5154	-----	n/a	30.0 45.0	TBEL
TSS percent removal	%	Average monthly	98.19	-----	n/a	85	TBEL
Turbidity	NTU	Daily maximum	23	75	n/a	50	WQBEL
Copper, (Cu)	ug/L	Daly maximum	85	8	--	24	WQBEL
Mercury (Hg)	ug/L	Daily maximum	.1664	.102	n/a	.188	WQBEL
Zinc (Zn)	ug/L	Daily maximum	66	130	n/a	153.34	WQBEL
Oil & Grease	mg/l	Daily maximum	18.9	Note 2 , 3	n/a	-----	-----
Solids & Other Matter	See	Note 3	----	-----	n/a	-----	-----
Suspended Colloidolor Settleable Solids	See	Note1	-----	-----	-----	-----	-----
Taste & Odor-Producing Substances	See	Note 4	-----	-----	-----	-----	----
Temperature	°C- (°F)	Daily maximum	30.7	32.2 (90)	n/a	32.2 (90)	WQBEL
Total Ammonia (NH ₃)	ug/L	Daily maximum	27.2	25	n/a	13	WQBEL
Total Phosphorous (P)	mg/L	Daily maximum	5.02	2.20	n/a	4.79	WQBEL
Lead (Pb)	ug/L	Daily maximum	1.8	2.6	n/a	4.6	WQBEL
T. Dissolved Solids (TDS)	mg/L	Average maximum	390	-----	n/a	500	WQBEL

Parameter	Units	Effluent limitations					
		Averaging period	Highest Reported Value (1)	Existing limits	Interim limits	Final limits	Basis
Chromium Hexavalent	ug/L	Daily maximum	9	-----	n/a	14.90	

Notes, Footnotes and Abbreviations

Note: Dashes (--) indicate there are no effluent data, no limitations, or no monitoring requirements for this parameter.
 (1) Wastewater data from DMRs dated May 31, 2011 to May 31, 2014.

2. Outfall 001 Narrative Limitations

- a. The waters of Puerto Rico shall not contain any substance, attributable to the discharge at such concentration which, either alone or as result of synergistic effects with other substances, is toxic or produces undesirable physiological responses in humans, fish, or other fauna or flora.
- b. The discharge shall not cause the presence of oil sheen in the receiving water body.
- c. The waters of Puerto Rico shall not contain floating debris, scum, or other floating materials attributable to discharges in amounts sufficient to be unsightly or deleterious to the existing or designated uses of the water body.
- d. Solids from wastewater sources shall not cause deposition in or be deleterious to the existing or designated uses of the waters.
- e. Taste and odor-producing substances shall not be present in amounts that will interfere with primary contact recreation, or will render any undesirable taste or odor to edible aquatic life.
- f. No toxic substances shall be discharged, in toxic concentrations, other than those allowed as specified in the NPDES permit, Those toxic substances included in the permit renewal application, but not regulated by the NPDES permit, shall not exceed the concentrations specified in the applicable regulatory limitations.

C. Monitoring Requirements

NPDES regulations at 40 CFR 122.48 require that all permits specify requirements for recording and reporting monitoring results. The Part III of the Permit establishes monitoring and reporting requirements to implement federal and state requirements. The following provides the rationale for the monitoring and reporting requirements for this facility.

1. Influent Monitoring Requirements

For POTWs: To calculate percent removal values, influent monitoring is required for BOD₅ and TSS in accordance with 40 CFR 133.102. Influent monitoring must be conducted before any treatment, other than de-gritting, and before any addition of any internal waste stream.

2. Effluent Monitoring Requirements

Effluent monitoring frequency and sample type have been established in accordance with the requirements of 40 CFR 122.44(i) and recommendations in EPA's TSD. Consistent with 40 CFR Part 136 monitoring data for toxic metals must be expressed as total recoverable metal. Effluent monitoring and analyses shall be conducted in accordance with EPA test procedures approved under 40 CFR Part 136, Guidelines Establishing Test Procedures for the Analysis of Pollutants Under the Clean Water Act, as amended. For situations where there may be interference, refer to Solutions to Analytical Chemistry Problems with Clean Water Act Methods (EPA 821-R-07-002). A licensed chemist authorized to practice the profession in Puerto Rico shall certify all chemical analyses. All bacteriological tests shall be certified by a microbiologist or licensed medical technologist authorized to practice the profession in Puerto Rico.

The sampling point for Outfall 001 shall be located immediately after the primary flow measuring device of the effluent of the treatment system.

D. Compliance with Federal Anti-Backsliding Requirements and Puerto Rico's Anti-Degradation Policy

Federal regulations at 40 CFR 131.12 require that state water quality standards include an anti-degradation policy consistent with the federal policy. The discharge is consistent with the anti-degradation provision of 40 CFR 131.12, 72 Federal Register 238 (December 12, 2007, pages 70517-70526) and EQB's *Anti-Degradation Policy Implementation Procedure* in Attachment A of PRWQS. In addition, CWA sections 402(o) (2) and 303(d) (4) and federal regulations at 40 CFR 122.44(l) prohibit backsliding in NPDES permits. Further, the Region 2 Antibacksliding Policy provides guidance regarding relaxation of effluent limitations based on water quality for Puerto Rico NPDES permits. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit with some exceptions where limitations may be relaxed.

- The water quality-based effluent limitation from the previous permit for, Fecal Coliform, Total Ammonia, Total Suspended Solids, Turbidity, Total Dissolved Solids and Chromium Hexavalent 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 Intent to IWQC.
- The water quality-based effluent limitation from the previous permit for Nitrate plus Nitrite, Zinc, Color, Copper, Cyanide Free, Mercury, Oil & Grease Total Phosphorous, Surfactants, and Lead have been replaced with a less stringent water quality-based limitation in the Final WQC 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.
- The water quality-based effluent limitations from the previous permit for Arsenic, Phenol, Fluoride, Pentachlorophenol, 2-Chlorophenol; 2, 4-Dichlorophenol; 2, 4-Dimethylphenol; 2, 4-Dinitrophenol; 2-Methyl-4, 6-Dinitrophenol, 2, 4, 6-Trichlorophenol and Chromium III are not included in the Final WQC issued by EQB. EPA has determined that it is appropriate to remove the effluent limitation for these parameters 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 these parameters. Therefore, a water quality-based effluent limitation is not necessary for these parameters. Antidegradation requirements are not violated by removing the limits for these parameters. 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.
- The proposed NPDES permit contains water quality-based effluent limitations for Sulfates 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 Intent to Issue a Water Quality Certificate.

PART III. RATIONALE FOR STANDARD AND SPECIAL CONDITIONS

A. Standard Conditions

In accordance with 40 CFR 122.41, standard conditions that apply to all NPDES permits have been incorporated by reference in Part IV.A.1 of the permit and expressly in Attachment B of the permit. The Permittee must comply with all standard conditions and with those additional conditions that are applicable to specified categories of permits under 40 CFR 122.42 and specified in Part IV.A.2 of the Permit.

B. Special Conditions

In accordance with 40 CFR 122.42 and other regulations cited below, special conditions have been incorporated into the permit. This section addresses the justification for special studies, additional monitoring requirements, Best Management Practices, Compliance Schedules, and/or special provisions for POTWs as needed. The special conditions for this facility are as follows:

1. Special Conditions from the Water Quality Certificate

In accordance with 40 CFR 124.55, EPA has established Special Conditions from the WQC in the permit that EQB determined were necessary to meet PRWQS. The Special Conditions established in this section are only those conditions from the WQC that have not been established in other parts of the permit.

2. Best Management Practices (BMP) Plan

In accordance with 40 CFR 122.2 and 122.44(k), BMPs are schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution to waters of the United States. The Permittee is required to develop a BMP Plan in Part IV.B.3.a of the permit to control or abate the discharge of pollutants.

3. Compliance Schedules

A compliance schedule has not been authorized for any pollutant or parameter in the permit on the basis of 40 CFR 122.47

Other Special Conditions:

Pre-treatment: Pursuant to the authority under Section 307 of the Act, 33 U.S.C. § 1317, EPA promulgated 40 C.F.R. Part 403 - General Pretreatment Regulations for Existing and New Sources of Pollution ("Pretreatment Regulations"). This Part establishes responsibilities of federal, state and local government, industry and the public to implement National Pretreatment Standards to control pollutants which pass through or interfere with treatment processes in publicly owned treatment works or which may contaminate sewage sludge. It requires that the POTW develop and implement procedures to identify industrial users who contribute pollutants to the POTW and monitor their compliance with pretreatment standards.

Biosolids: Pursuant to the authority under Section 309 of the Act, 33 U.S.C. § 1345, EPA promulgated 40 C.F.R. Part 503 – Standards for the Use or Dispose of Sewage Sludge. This part establishes standards, which consist of general requirements, pollutant limits, management practices, and operational standards, for the final use or disposal of sewage sludge generated during the treatment of domestic sewage in treatment works. This part include standards for sewage sludge applied to the land, placed on surface disposal site, or fired in a sewage sludge incinerator. It requires pathogen and alternative vector attraction reduction requirements for sewage sludge applied to the land or placed on a surface disposal site.

PART IV. COMPLIANCE WITH APPLICABLE PROVISIONS OF OTHER FEDERAL LAWS OR EXECUTIVE ORDERS

A. Endangered Species Act

Under 40 CFR 122.49(c), EPA is required pursuant to section 7 of the Endangered Species Act (ESA), 16 U.S.C. 1531 *et seq.* and its implementing regulations (50 CFR Part 402) to ensure, in consultation with the National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service (USFWS) that the discharge authorized by the permit is not likely to jeopardize the continued existence of any endangered or threatened species or adversely affect its critical habitat. **No federally listed endangered or threatened species, or critical habitat, are in the vicinity of the discharge. Therefore, EPA has determined that the discharge is not likely to affect species or habitat listed under the ESA**

C. Environmental Justice – NA

D. Climate Change

EPA has considered climate change when developing the conditions of the permit. This is in accordance with the draft *National Water Program 2012 Strategy: Response to Climate Change* that identifies ways to address climate change impacts by NPDES permitting authorities (77 Federal Register 63, April 2, 2012, 19661-19662). Climate change is expected to affect surface waters in several ways, affecting both human health and ecological endpoints. As outlined in the draft National Water Program 2012 Strategy, EPA is committed to protecting surface water, drinking water, and ground water quality, and diminishing the risks of climate change to human health and the environment, through a variety of adaptation and mitigation strategies. These strategies include encouraging communities and NPDES permitting authorities to incorporate climate change strategies into their water quality planning, encouraging green infrastructure and recommending that water quality authorities consider climate change impacts when developing water load and load allocations for new TMDLs, identifying and protecting designated uses at risk from climate change impacts. The 2010 *NPDES Permit Writers' Manual* also identifies climate change considerations for establishing low-flow conditions that account for possible climatic changes to stream flow. The conditions established in the permit are consistent with the draft National Water Program 2012 Strategy.

F. National Historic Preservation Act – Not applicable since this a renovation

G. Magnuson-Stevens Fishery Conservation and Management Act – Not applicable

PART V. PUBLIC PARTICIPATION

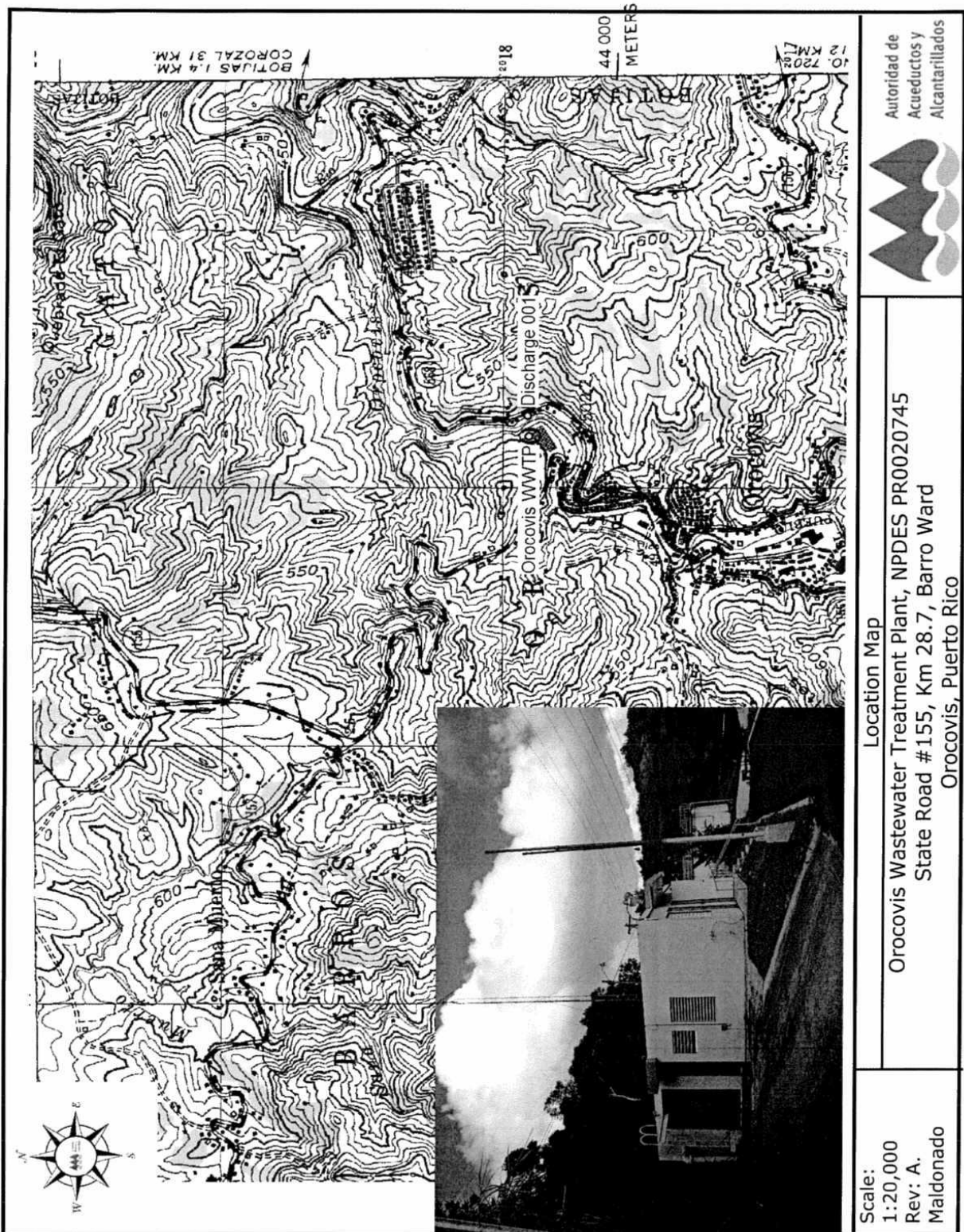
The procedures for reaching a final decision on the draft permit are set forth in 40 CFR Part 124 and are described in the public notice for the draft permit, which is published in *El Vocero*. Included in the public notice are requirements for the submission of comments by a specified date, procedures for requesting a hearing and the nature of the hearing, and other procedures for participation in the final agency decision. EPA will consider and respond in writing to all significant comments received during the public comment period in reaching a final decision on the draft permit. Requests for information or questions regarding the draft permit should be directed to:

Normando Colón
EPA Region 2, Caribbean Environmental Protection Division
Permit Writer Telephone Number: 787-977-5847
Permit Writer Email: colon.normando@epa.gov

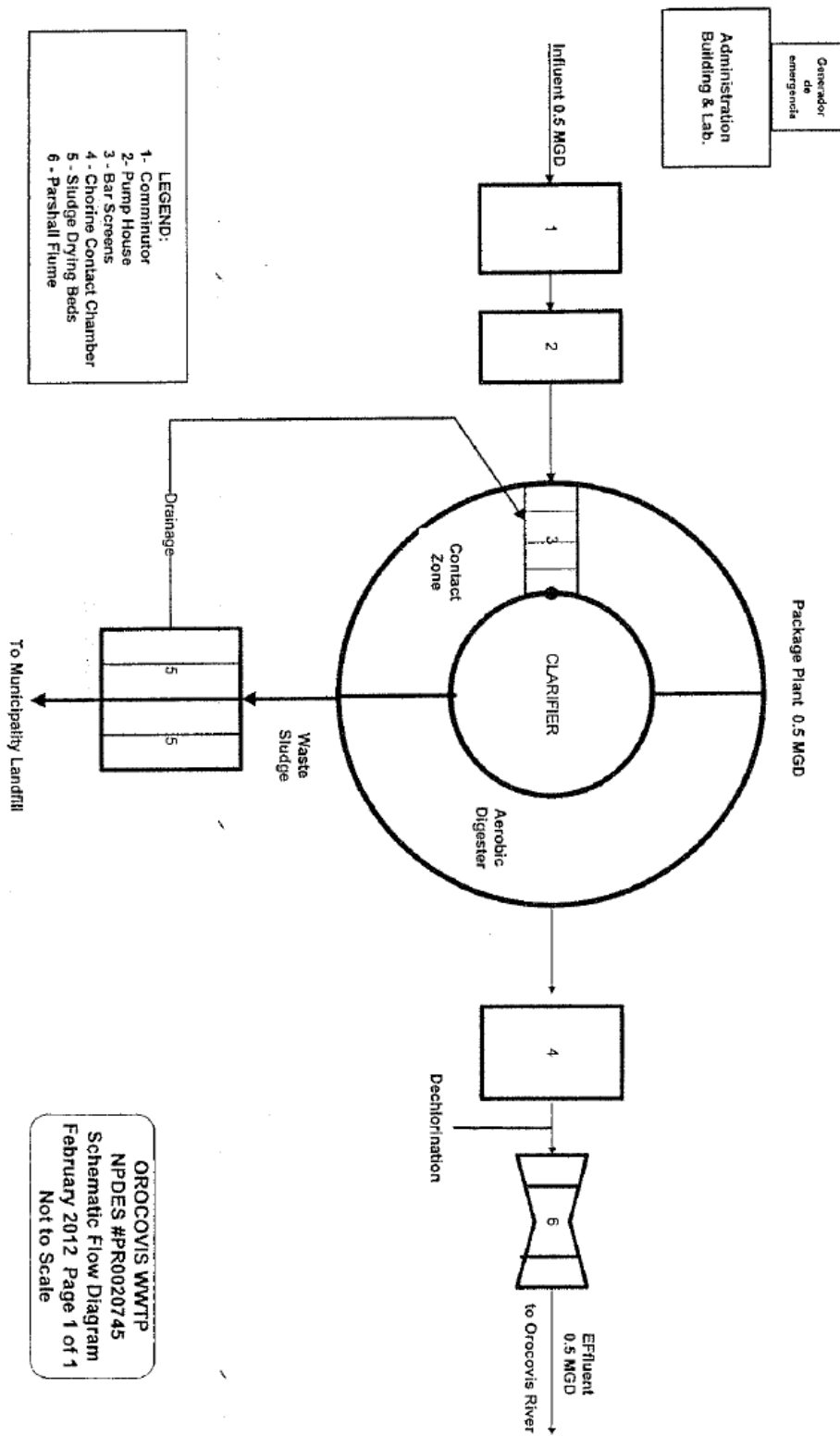
A copy of the draft permit is also available on EPA's website at www.epa.gov/region02/water/permits.html.

ATTACHMENT A — FACILITY MAP AND FLOW SCHEMATIC

The facility map and flow schematic are attached as provided by the discharger in the application.



SCHEMATIC FLOW DIAGRAM OROCOVIS WWTP NPDES PR0020745



- LEGEND:**
- 1 - Comminutor
 - 2 - Pump House
 - 3 - Bar Screens
 - 4 - Chlorine Contact Chamber
 - 5 - Sludge Drying Beds
 - 6 - Parshall Flume

OROCOVIS WWTP
 NPDES #PR0020745
 Schematic Flow Diagram
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 Not to Scale