

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION

1492 PONCE DE LEON AVE. - SUITE 417

SAN JUAN, PUERTO RICO 00907-4127

Public Notice No. 2011-38

Date: July 1, 2011

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

and

**Bacardí Corporation**

P.O. Box 363549  
San Juan, Puerto Rico 00936-3549

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. (CWA or the Act), for National Pollutant Discharge Elimination System (NPDES) permits to discharge pollutants from the following facilities into waters of the United States:

**PRASA Puerto Nuevo Regional Wastewater Treatment Plant**

Road #2 km 2, John F. Kennedy Avenue  
San Juan, PR 00926  
NPDES No. PR0021555

**PRASA Bayamón Regional Wastewater Treatment Plant**

Road 869 KM. 2.9 BO Palmas  
Catano, PR 00962  
NPDES No. PR0023728

**Bacardí Corporation**

State Road No. 165, Km 2.6  
Industrial Area  
Cataño, Puerto Rico 00632

The PRASA Puerto Nuevo and Bayamón Regional Wastewater Treatment Plants are publicly owned treatment works with primary treatment processes which treat sanitary and industrial wastewater for the municipalities of San Juan, Trujillo Alto, Cataño, Guaynabo, Bayamón, parts of Carolina, Toa Alta and Toa Baja. The wastewater treatment processes of the facilities mentioned above consist of screening, sedimentation and chlorination.

The Bacardí Corporation facility is engaged in the production of ethyl alcohol in the form of rum. Rum is produced by the fermentation and distillation of molasses. Waste product generated is treated by anaerobic digesters. The Bacardi facility's discharge is tied into a combined outfall which also discharges treated effluent from the Bayamón RWWTP and the Puerto Nuevo RWWTP. The combined effluent is then discharged approximately 7,365 ft from the shoreline into the Atlantic Ocean, designated as a class SC waterbody.

This notice is being given to inform the public that the EPA has prepared draft permits for these facilities. The draft permits for the two PRASA facilities contain modifications of secondary treatment requirements pursuant to Section 301(h) of the Act.

The draft NPDES permits prepared by EPA are based on the respective administrative records. Among other documents, the administrative record required by 40 C.F.R. 124.9 consists of the application, draft NPDES permit, and fact sheet describing the basis for the conditions in the permit. The administrative record for the Bayamon and Puerto Nuevo plants also contains the Tentative Decision Document issued under CWA Section 31(h), which evaluates PRASA's application for modification from secondary treatment requirements. All data submitted by the applicant is available as part of the administrative record.

A copy of the administrative records are on file at the EPA Region 2 Caribbean Environmental Protection Division Office in Centro Europa Building, Suite 417, 1492 Ponce de León Avenue, San Juan, Puerto Rico 00907-4127 and may be inspected and photocopied at a cost of \$0.15 per page at anytime 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 PR0021555 and PR0023728 to the Director, Caribbean Environmental Protection Division, at the above address by no later than 45 days from the date of this notice. Interested persons may submit written comments on the draft permit for PR0000591 to the Chief, Clean Water Regulatory Branch, USEPA Region 2, 290 Broadway, 24<sup>th</sup> Floor, New York, NY 10007, by no later than 45 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 C.F.R. §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 Office in Edif. Centro Europa, Suite 417, 1492 Ponce de León Avenue, San Juan, Puerto Rico 00907-4127, by no later than 45 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 request must meet the requirements of 40 C.F.R. §124.19.

Carl-Axel P. Soderberg, Director

Caribbean Environmental Protection Division

U.S. Environmental Protection Agency