Estado Libre Asociado de Puerto Rico
Gobierno Municipal de Fajardo

Hon. Aníbal Meléndez Rivera
Alcalde

November 23, 2009

Carl Axel P. Soderberg, PE
Director
Caribbean Environmental Protection Division
United States Environmental Protection Agency
Multi-Media Permits and Compliance Branch
Centro Europa Building, Suite 417
1492 Ponce de Leon Ave.
San Juan, PR 00907

RE: NOTICE OF INTENT - NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES), GENERAL PERMIT FOR DISCHARGES FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4)

Dear. Eng. Soderberg:

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. 1251 et. seq.), except as provided in Part 1.3 of this permit, operators of small municipal separate storm sewer systems, located in the area specified in Part 1.1, Commonwealth of Puerto Rico, and who submit a Notice of Intent and a Storm Water Management Plan in accordance with Part II, are authorized to discharge pollutants to waters of the United States in accordance with the conditions and requirements set forth herein.

For additional information please contact Betsy L. López Roldán, Land Use Plan Office Director, at 787-863-4013 x.294 or via email at blopez@fajardopr.org.

Cordially,

Hon. Aníbal Meléndez Rivera
Mayor

PO BOX 865 • FAJARDO, PUERTO RICO 00738-0865 • **TEL.** (787) 863-1400 / 863-0005 • **FAX** (787) 863-0393

E-MAIL: ameléndez@fajardopr.org • **WEB SITE:** www.fajardopr.org

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF FAJARDO

NOTICE OF INTENT

GENERAL PERMIT
MUNICIPAL SEPARATE STORM SEWER SYSTEM
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Prepared by:
Geographic Application Developers LLC
#319 Les Jardins
Trujillo Alto, PR 00976

Submittal Date:
November 30, 2009

CERTIFICATION

"I certify under the penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Hon. Aníbal Meléndez Rivera
Mayor
Municipality of Fajardo
Commonwealth of Puerto Rico

NOTICE OF INTENT
GENERAL PERMIT
MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

1. The Municipality of Fajardo operates a municipal separate storm sewer system located in urban area of the Municipality.

2. The person responsible and location of the MS4 covered by this Notice of Intent is:

Hon. Aníbal Meléndez Rivera
Mayor
Municipality of Fajardo
P.O. Box 865
Fajardo, PR 00738-0865
787-863-4013

3. The Standard Industrial Classification (SIC) code established by the federal Office of Management and Budget for public administration of local government activities is 9199.

4. The operator of this MS4 is:

Plan. Betsy L. López Roldán
Director
Planning & Land Use Office
Municipality of Fajardo
P.O. Box 865
Fajardo, PR 00738-0865
787-863-4013, x.294
blopez@fajardopr.org

5. A list of permits or construction approvals received or approved in the municipal territory on 2009 has been requested from specific federal and state agencies. As of the submittal date of this Notice of Intent, we are waiting response from: the Environmental Quality Board (EQB) and the Department of Natural and Environmental Resources. The *Annex #1* includes copies of the letters requesting information on these permits.

6. As of the submittal date of this Notice of Intent, there is no storm sewer map available. This storm sewer map is scheduled to be developed in 2010. Although, in the *Annex #2*, we are including maps describing:

   - the municipal wards
   - potable water infrastructure
   - industrial, domestic and agricultural wells
   - sanitary sewer infrastructure
   - geology

- soil
- surface waters
- aquifers

7. General Description

The municipality of Fajardo is located in the northeast side coastal littoral of Puerto Rico. Fajardo shares its limits with the municipality of Luquillo on the west, the municipality of Ceiba on the south and the Atlantic Ocean on the north and east.

Fajardo is composed of nine (9) wards, Fajardo Pueblo (17,775 inhabitants), Quebrada Fajardo (10,240 inhabitants), Florencio (4,407 inhabitants), Quebrada Vueltas (3,249 inhabitants), Cabezas (1,411 inhabitants), Río Arriba (1,319 inhabitants) Sardinera (1,031 inhabitants), Demajagua (1,011 inhabitants), Naranjo (269 inhabitants). The population density is 1,362 per square miles. Fajardo has 17,136 housing units.

According to the US Census 2000, the municipal urban expansion is distributed among five (5) wards: Fajardo Pueblo, Quebrada Fajardo, Florencio, Cabezas, Sardinera, and in small area on Quebrada Vueltas. The municipality extends an area of approximately 29.9 square miles, from which approximately 9 square miles are urbanized. The population of Fajardo was estimated at 40,712 habitants, which was projected to be approximately 42,883 on 2010.

The local government provides the essential services to all Fajardo residents. These services include infrastructure maintenance, solid waste collection and disposal, industrial development, tourism development and support, and others. The main economic developed sectors in municipality are Services (39.2%), Manufacture (12.9%) and Commerce (12.6%).

The state government provides potable water distribution and sanitary sewer water collection. The potable water distribution is mainly composed of 2 water filtration plants and approximately twenty (20) wells, divided among domestic, agricultural and industrial. The sanitary sewer infrastructure extends an approximate of 2.25 square miles, an approximate 25% of the 9 square miles of urban expansion area. The rest of the sanitary sewer infrastructure is composed of unitary or multi-familiar septic tanks.

The geologic formation of municipality is from the Middle Cretaceous; and Middle and Lower Quaternaries Period. The soil distribution in the municipality ranges from low to high permeability, and some that are not surveyed. Note that most of not surveyed soils are those inside the urban expansion area, which are basically impermeable (Annex #2, Permeability Map).

The central area of the municipality is a coastal area of the Rio Fajardo watershed. This is the main river in the municipality that drains to the Atlantic Ocean. In the north, the Fajardo coastal creek is connected by estuaries and wetlands with Aguas Prietas Lagoon and Grande Lagoon. In the southeast the Rio Demajagua drains to the Vieques Sonda in the southeast side boundary near to the Municipality of Ceiba. The Rio Fajardo and its tributaries; Juan Diego creek, Aguas Buenas creek and Mata Redonda creek are the most important surface

water bodies in the municipality. Most of the aquifers in the municipality of Fajardo are alluvial aquifers and the most predominant alluvial aquifer runs along the Río Fajardo, although there is another important alluvial aquifer inside the urban expansion area where most of the wells are located.

8. The MS4 of the municipality of Fajardo serves and estimated area of 9 square miles.

9. The Best Management Practices (BMPs) are described in the *Annex #3* of this document.

10. The measurable goals for each BMP are also described in the *Annex #3* of this document, although the times where the actions will be taken are not established since the Storm Water Management Plan is yet to be developed. Instead, we are including the estimated times required to complete each BMP.

11. The person responsible for coordinating the applicant's storm water management program is:

Plan. Betsy L. López Roldán
Director
Planning & Land Use Office
Municipality of Fajardo
P.O. Box 865
Fajardo, PR 00738-0865
787-863-4013, x.294
blopez@fajardopr.org

Annexes

Annex #1

Estado Libre Asociado de Puerto Rico
Gobierno Municipal de Fajardo

Hón. Aníbal Meléndez Rivera
Alcalde

4 de noviembre de 2009

Daniel J. Galán Kercado
Secretario
Departamento de Recursos Naturales y Ambientales
Apartado 366147
San Juan, PR 00936-6147

Atención: Sr. Nelson Velázquez, Director División Permisos y Franquicias de Agua

RE: SOLICITUD DE LISTA DE PERMISOS SOLICITADOS Y/O APROBADOS PARA EL MUNICIPIO DE FAJARDO

Estimado señor Galán:

En el interés del municipio de Fajardo de cumplir con la Ley de Aguas Limpias y su permiso de descarga de aguas superficiales (NPDES, por sus siglas en ingles), el municipio debe obtener un permiso general de descarga para el cual se nos está solicitando una lista de permisos solicitados y/o aprobados bajo cualquiera estos programas:

- ***Resource Conservation or Recovery Act***
- ***Underground Injection Control*** bajo la Ley de Agua Potable Segura
- ***Ocean Dumping Permits*** bajo la Ley de Protección Marina

En vista de que su Departamento es una de las agencias estatales a cargo de velar por el cumplimiento de estas leyes y la otorgación de dichos permisos, por este medio le solicitamos que nos brinde la información solicitada a la mayor brevedad posible.

Cualquier duda al respecto, puede comunicarse con la Plan. Betsy L. López Roldán, Directora de la Oficina de Ordenación Territorial y Planificación del Municipio al 7(87)863-4013 x. 294.

Atentamente,

Aníbal Meléndez Rivera
Alcalde

PO BOX 865 • FAJARDO, PUERTO RICO 00738-0865 • **TEL.** (787) 863-1400 / 863-0005 • **FAX** (787) 863-0393

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Estado Libre Asociado de Puerto Rico
Gobierno Municipal de Fajardo

Hon. Aníbal Meléndez Rivera
Alcalde

4 de noviembre de 2009

Lcdo. Pedro J. Nieves Miranda
Presidente
Junta de Calidad Ambiental
P.O. Box 11488
San Juan, PR 00910

Atención: Wanda García, Directora Oficina de Calidad de Agua
Leimarys Delgado, Directora Oficina de Calidad de Aire

RE: SOLICITUD DE LISTA DE PERMISOS SOLICITADOS Y/O APROBADOS PARA EL MUNICIPIO DE FAJARDO

Estimado licenciado Nieves:

En el interés del Municipio de Fajardo de cumplir con la Ley de Aguas Limpias y su permiso de descarga de aguas superficiales (NPDES, por sus siglas en ingles), el Municipio debe obtener un permiso general de descarga para el cual se nos está solicitando una lista de permisos solicitados y/o aprobados bajo cualquiera de estos programas:

- ***NPDES Program*** bajo la Ley de Agua Limpia
- ***Prevention of Significant Deterioration Program*** bajo la Ley de Aire Limpio
- ***Nonattainment Program*** bajo la Ley de Aire Limpio
- ***National Emission Standards for Hazardous Air Pollutants*** bajo la Ley de Aire Limpio
- ***Dredge or fill Permits*** bajo la sección 404 de la Ley de Agua Limpia

En vista de que su Departamento es una de las agencias estatales a cargo de velar por el cumplimiento de estas leyes y la otorgación de dichos permisos, por este medio le solicitamos que nos brinde la información solicitada a la mayor brevedad posible.

Cualquier duda al respecto, puede comunicarse con la Plan. Betsy L. López Roldán, Directora de la Oficina de Ordenación Territorial y Planificación del Municipio al 7(87)863-4013 x. 294.

Atentamente,

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Annex #2

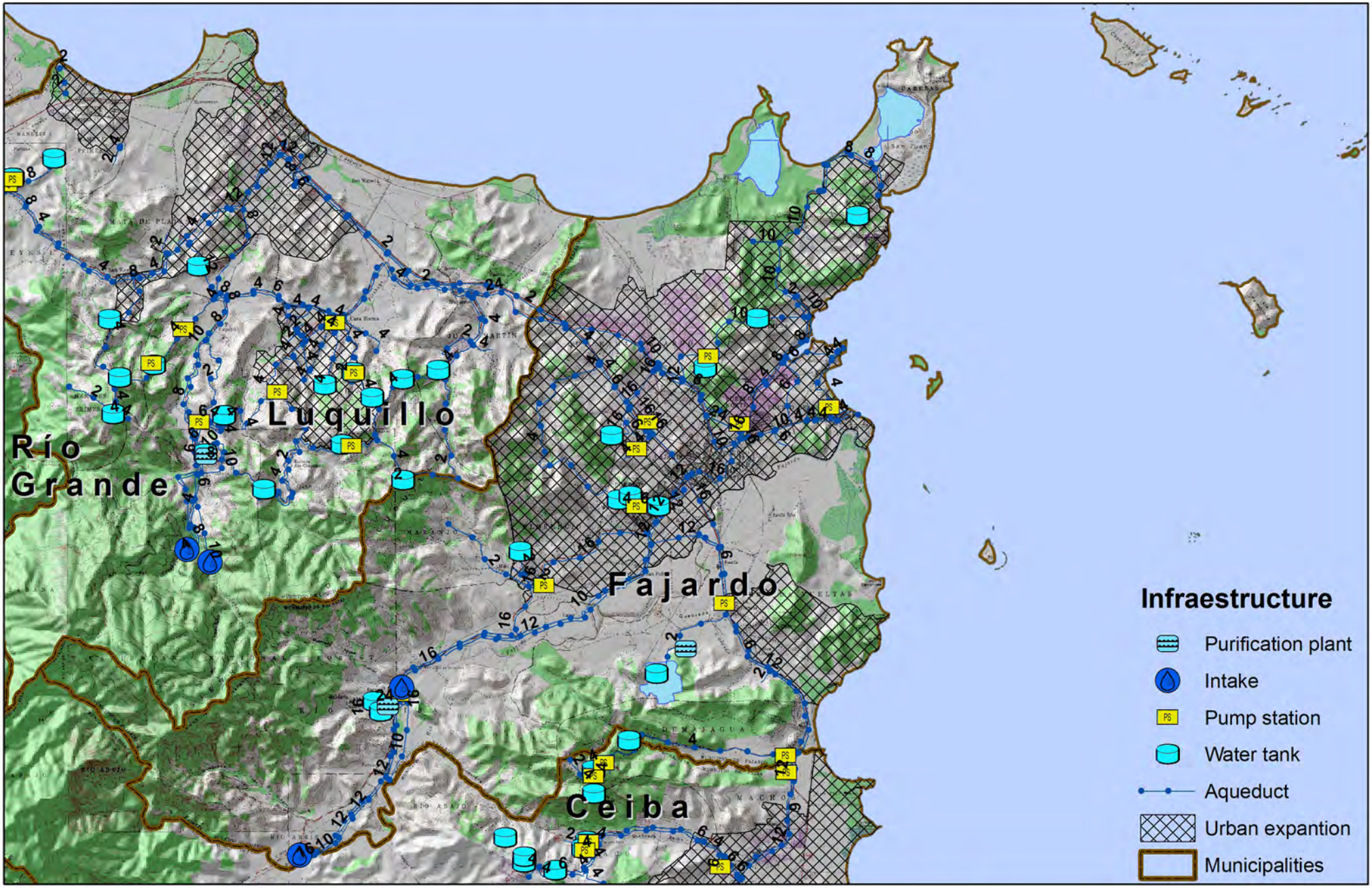
NPDES: MUNICIPALITY OF FAJARDO

0 0.5 1 2 Kilometers
0 0.5 1 2 Miles

FAJARDO WARDS

1:82,500

NPDES: MUNICIPALITY OF FAJARDO

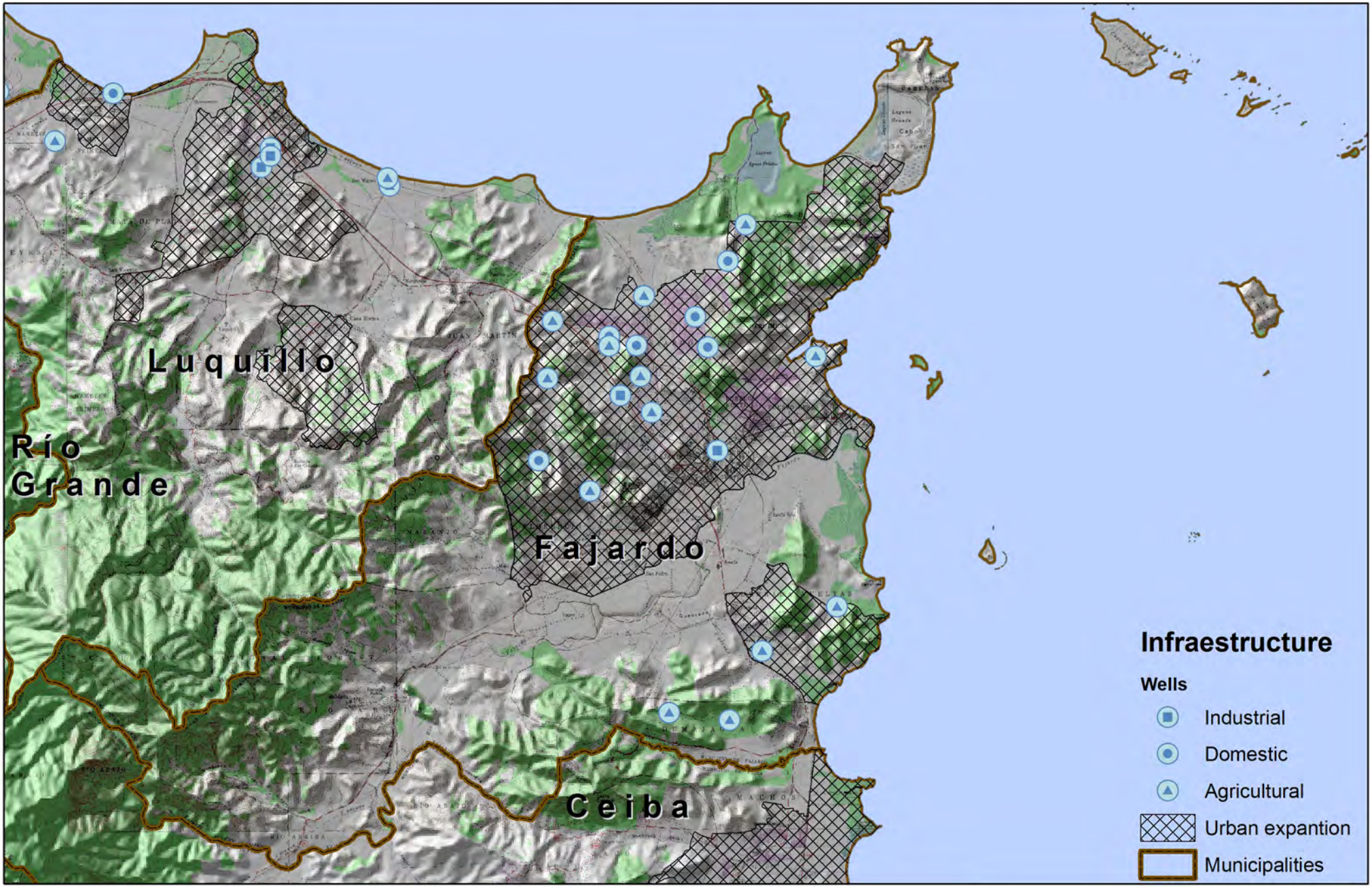


0 0.5 1 2 Kilometers
0 0.5 1 2 Miles

PRASA: AQUEDUCT SYSTEMS

1:82,500

NPDES: MUNICIPALITY OF FAJARDO

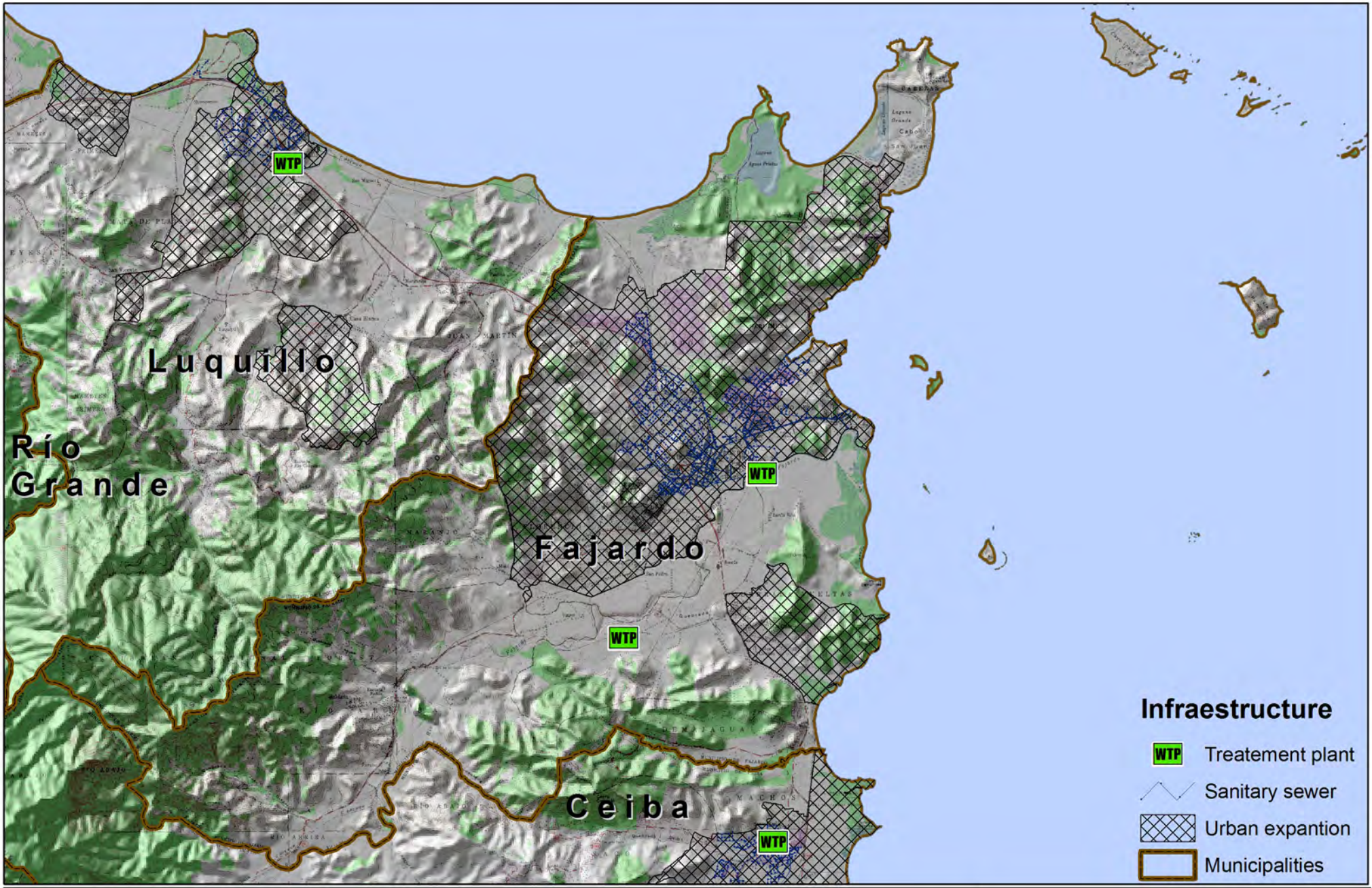


0 0.5 1 2 Kilometers
0 0.5 1 2 Miles

WELLS: INDUSTRIAL, DOMESTIC, AGRICULTURAL

1:82,500

NPDES: MUNICIPALITY OF FAJARDO



0 0.5 1 2 Kilometers
0 0.5 1 2 Miles

PRASA: SANITARY SEWER SYSTEM

1:82,500

NPDES: MUNICIPALITY OF FAJARDO

0 0.5 1 2 Kilometers
0 0.5 1 2 Miles

GEOLOGIC

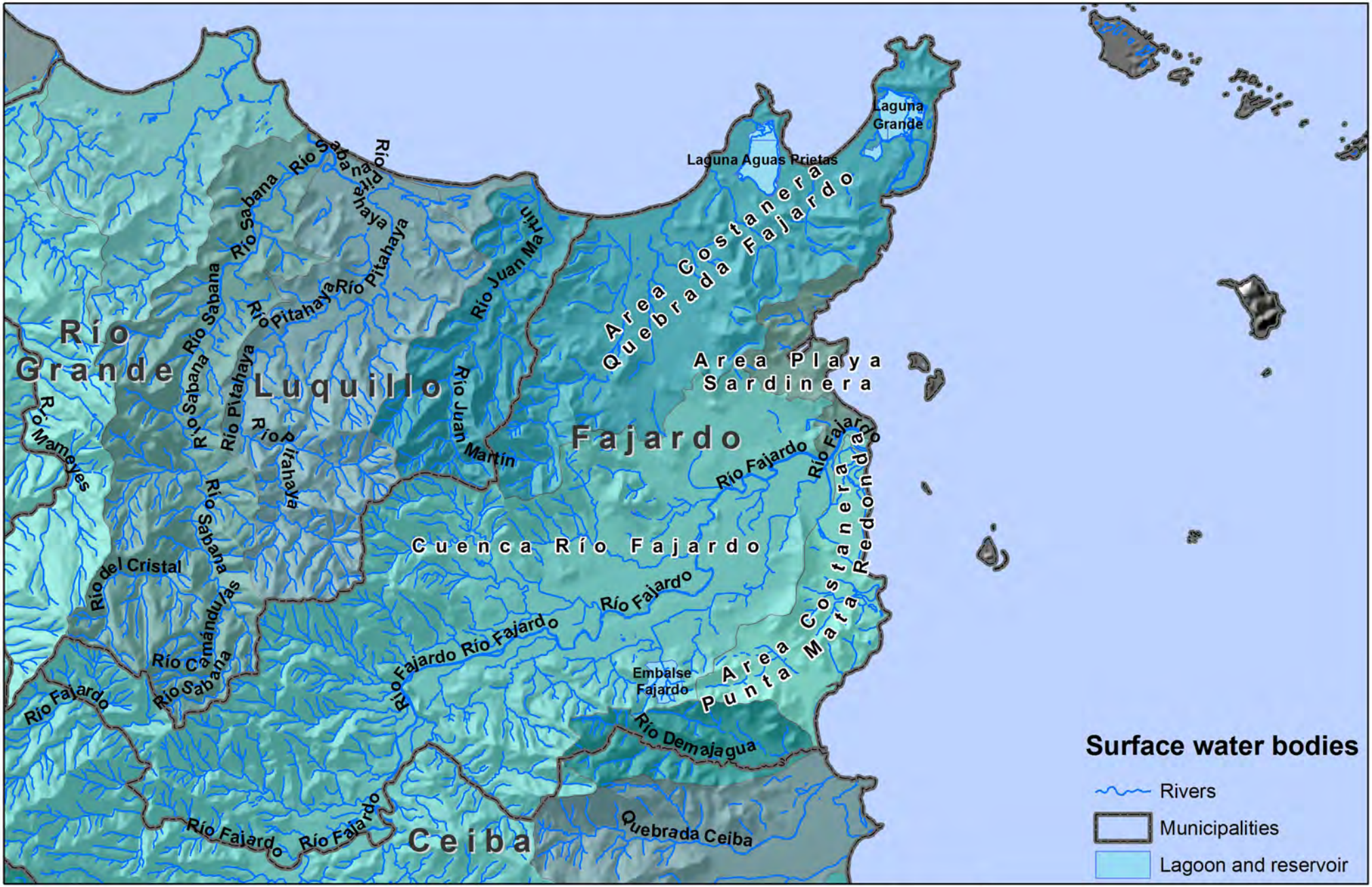
1:82,500

NPDES: MUNICIPALITY OF FAJARDO

PERMEABILITY

1:82,500

NPDES: MUNICIPALITY OF FAJARDO

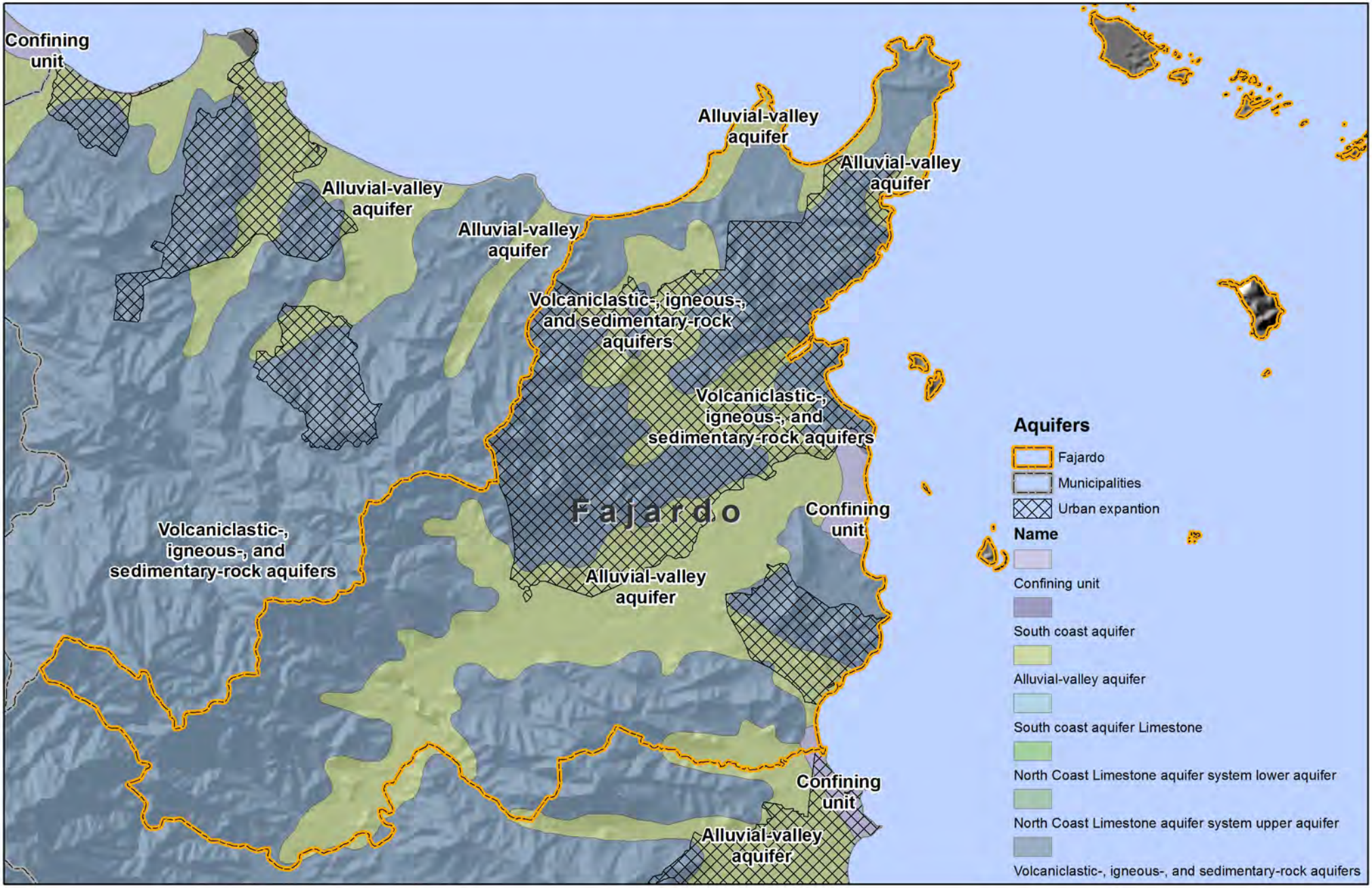


0 0.5 1 2 Kilometers
0 0.5 1 2 Miles

SURFACE WATER BODIES AND WATERSHEDS

1:82,500

NPDES: MUNICIPALITY OF FAJARDO



0 0.5 1 2 Kilometers
0 0.5 1 2 Miles

AQUIFERS

1:82,500

Annex #3

Menu of BMPs

Minimum Control Measure	Category	BMP	Description	Performance Metric	Time Period
Public Education and Outreach	Promoting the Stormwater Message	Classroom Education on Stormwater	Stormwater education through schools to convey the message, not only to students but to their parents.	Total of 5,270 students reached	6 months
		Stormwater Outreach for Commercial Businesses	Addressing commercial activities specifically in an outreach strategy to encourage businesses to change their behavior.	% of businesses reached	6 months
		Tailoring Outreach Programs to Minority and Disadvantaged Communities and Children	Education programs in poorer neighborhoods to address the concerns of resident.	% of communities reached	6 months
	Stormwater Outreach Materials	Educational Displays, Pamphlets, Booklets, and Bill Inserts	Printed materials to inform the public about the impacts of stormwater pollution.	# of materials distributed	3 months
		Promotional Giveaways	Small tokens bearing educational slogans and graphics, given free to the public to help raise awareness of environmental issues.	# of tokens distributed	1 year
		Stormwater Outreach Materials	Specific goals and objectives, target audience, the message, and how the message will be distributed.	# of activities attendees	2 years
Public Participation/ Involvement	Stormwater-Related Activities	Adopt-A-Stream Programs	Volunteer programs in which participants "adopt" a stream, creek, or river to study, clean up, monitor, protect, and restore.	# stream meters adopted	2 years
		Reforestation Programs	Forested buffers that lie between land and water are an essential part of the ecosystem.	# of square miles reforested	5 years
		Storm Drain Marking	Simple phrases or graphics to remind people that the storm drains connect to local waterbodies and that dumping will pollute those waters.	% of storm drains marked	6 months
		Stream Cleanup and Monitoring	Participants volunteer to walk (or paddle) the length of the stream or river, collecting trash and recording information about the quantity and types of garbage that has been removed.	# pounds of garbage removed	2 years
	Developing an	Illicit Discharge Detection and Elimination Program Development	Adequate legal authority to prohibit and penalize illicit discharges identifying potential areas, pollutants, or behaviors of concern; and to establish measurable goals.	# of ordinances developed	1 year

Illicit Discharge Detection and Elimination	IDDE Program	Reducing the Occurrence of Sanitary Sewer Overflows	Adequate memoradums of understanding with corresponding agengies to identify and minimize sanitary sewer overflows; and to establish measurable goals.	# of SSOs eliminated	1-3 years
	Trash and Illegal Dumping	Illegal Dumping Control	Adequate legal authority to prohibit and penalize illegal trash dumping and to establish measurable goals.	# of illegal trash dumping areas eliminated	1 year
	Decentralized Wastewater	Preventing Septic System Failure	Construction and maintenance guides to be distributed throughout communities without sewer systems.	# of communities reached	1 year
		Sewage from Recreational Activities	Alternatives for properly disposing sewage generated by recreational activities to avoid contamination on aquatic environments and their associated developments. (i.e. marinas and campgrounds).	# of marinas adopting these practices	5 years
	Public Reporting	Community Hotlines	Means for concerned citizens and agencies to contact the appropriate authority when they see people creating water quality problems.	# of complaints received	2 years
Construction Site Runoff Control	Municipal Program Oversight	Construction Phase Plan Review	Identifying key staff to conduct the reviews, developing a system to track plans, developing procedures for consistent plan review, and training staff.	# of trained staff	1 year
		Contractor Training and Certification	Formal certification for on-site contractors.	# of certificates awarded	1 year
		Local Ordinances for Construction Site Runoff Control	Ordinances in the Municipal Land Use Plan to require on-site contractors a SWPPP or alternative documentation.	# of ordinances developed	2 years
		Municipal Construction Inspection Program	Municipal personnel reviewing construction plans, conducting site inspections, and enforcing control measures necessary to minimize water quality impacts.	# of inspections conducted	1 year
	Construction Site Planning and Management	Preserving Natural Vegetation	Plans to protect desirable trees and vegetation from damage during project development.	# of trees preserved	5 years
		Concrete Washout	Washout facilities to consolidate solids for easier disposal and prevent runoff of liquids.	# of facilities created	5 years
		General Construction Site Waste Management	Trash disposal, recycling, proper material handling, spill prevention and cleanup measures to reduce the potential surface and ground water contamination.	# of pounds removed	5 years

	Good Housekeeping/ Materials Management	Spill Prevention and Control Plan	Measures to stop the source of a spill, contain the spill, clean up the spill, dispose of contaminated materials, and train personnel to prevent and control future spills.	# of spills prevented	5 years
		Vehicle Maintenance and Washing Areas at Construction Sites	Measures to prevent untreated nutrient-enriched wastewater or hazardous wastes from being discharged to surface or ground waters.	# of spills prevented	5 years
Post-construction Runoff Control	Municipal Program Elements	BMP Inspection and Maintenance	Plan for routine inspection and maintenance to prevent potential odors, mosquitoes, weeds, etc.	# of square miles inspected	2 years
		Ordinances for Post-construction Runoff	Ordinances in the Municipal Land Use Plan to promote public welfare by guiding, regulating, and controlling the design, construction, use, and maintenance of any development or other activity that disturbs or breaks the topsoil or results in the movement of earth on land.	# of ordinances developed	2 years
		Post-construction Plan Review	Development plans reviewing to ensure that they minimize water quality impacts from the site after construction is complete.	# of trained staff	1 year
	Innovative BMPs for Site Plans	Green Parking	Plans to implement techniques such as: setting maximums for the number of parking lots created; minimizing the dimensions of parking lot spaces; using bioretention areas to treat stormwater; and providing economic incentives for structured parking.	# of square miles of green parkings	5 years
		Green Roofs	Plans to implement green roofs to absorb, store, and later evapotranspire initial precipitation, thereby acting as a stormwater management system and reducing overall peak flow discharge to a storm sewer system.	# of square miles of green roofs	5 years
		Open Space Design	Techniques that concentrates dwelling units in a compact area in one portion of the development site in exchange for providing open space and natural areas elsewhere on the site.	# of developments adopting these techniques	5 years
		Riparian/Forested Buffer	Areas along a shoreline, wetland, or stream where development is restricted or prohibited.	# of square miles preserved	5 years

		Street Design and Patterns	Guidances on designing "green streets," that focuses on narrower widths, infiltration opportunities, and eliminating curbs and gutters.	# of square miles created	5 years
		Urban Forestry	Specific measures to protect and manage urban forests and trees to reduce stormwater management needs in urban areas.	# of square miles protected	2 years
Pollution Prevention/ Good Housekeeping	Education	Municipal Employee Training and Education	Programs to teach staff about potential sources of stormwater contamination and ways to minimize the water quality impact of municipal activities, such as building maintenance, construction and land disturbances, and storm drain system maintenance.	# of trained staff	6 months
	Municipal Activities	Municipal Landscaping	Proper landscape management to effectively reduce water use and contaminant runoff.	Reduction in water consumption	1 year
		Municipal Vehicle Fueling	Plans to prevent spills and leaks of fuel and heavy metals that if washed into the storm drain system by stormwater runoff can seriously impair the water quality of nearby waterbodies.	# of spills prevented	1 year
		Municipal Vehicle and Equipment Maintenance	Proper storage automotive fluids and spills clean up to help reduce the effects of automotive maintenance practices on stormwater runoff.	# of spills prevented	1 year
		Municipal Vehicle and Equipment Washing	Plans to reduce dry weather runoff contaminated with detergents, oils, grease, and heavy metals.	# of spills prevented	1 year
		Parking Lot and Street Cleaning	Street sweeping to control dust and decrease the accumulation of pollutants in catch basins.	Reduction of clogged pipes	1 year
		Storm Drain System Cleaning	Routine cleaning to reduce the amount of pollutants, trash, and debris both in the storm drain system and in receiving waters.	Reduction of clogged pipes	1 year
		Hazardous Materials Storage	Practices such as covering hazardous materials or proper storage to reduce runoffs.	# of spills prevented	1 year
		Materials Management	Responsible management of common chemicals, such as fertilizers, solvents, paints, cleaners, and automotive products.	# of spills prevented	1 year

	Municipal Facilities	Municipal Facilities Management	Practices to prevent pollutants released during city activities from entering storm drain systems or receiving waters.	# of spills prevented	1 year
		Spill Response and Prevention	Practices to stop the source of the spill, how to contain and clean up the spill, how to dispose of contaminated materials, and how to train personnel to prevent and control future spills.	# of spills prevented	1 year