

APPENDIX B



COMMONWEALTH OF PUERTO RICO
OFFICE OF THE GOVERNOR
ENVIRONMENTAL QUALITY BOARD

PUERTO RICO
VERDE

Water Quality Area

RETURN RECEIPT REQUESTED

April 14, 2010

Mrs. Martha Rivera Rosa
Special Assistant for the Executive Director
Compliance and Quality Control
Puerto Rico Aqueduct and Sewer Authority
P.O. Box 7066
San Juan, Puerto Rico 00916-7066

Dear Mrs. Rivera:

**Re: Intent to Issue a Modified Water Quality Certificate and
Authorize a Mixing Zone (MZ)
Puerto Nuevo Regional Wastewater Treatment Plant
Cataño, Puerto Rico
NPDES No. PR0021555**

We have received and reviewed the application for a modification of the permit under Section 402, National Pollutant Discharge Elimination System (NPDES), of the Federal Clean Water Act, as amended (33 U.S.C. 466 *et seq.*) (the Act) for the discharge of the referenced facility. We also have received and evaluated a request for the modification of the Water Quality Certificates (WQCs) issued on June 12, 2007, submitted by the Puerto Rico Aqueduct and Sewer Authority (PRASA) and Bacardí Corporation (BC) in letter dated January 29, 2010 pursuant to Section 6.11 of the Puerto Rico Water Quality Standards Regulation (PRWQSR) as amended. The modification requested consists of an increase of the effluent limitation of the monthly average flow from 72 MGD to 80 MGD of the Puerto Nuevo Regional Wastewater Treatment Plant. As a result of the evaluation of the information submitted it is necessary to modify the effluent limitations established in the WQC for the following parameters: Arsenic, Biochemical Oxygen Demand, Copper, Cyanide (Free), Enterococci, Fecal Coliforms, Lead, Mercury, Nickel, Nitrogen, Silver, Sulfide, Surfactants (MBAS), Thallium, Turbidity, and Zinc.

Therefore, the Environmental Quality Board (EQB) prepared a draft WQC for the referenced facility after due consideration of the applicable provisions established in the PRWQSR and in Sections 208 (e), 301, 302, 303, 304 (e), 306 and 307 of the Act, with water quality based effluent limitations. Copy of the draft of the modified WQC, Public Notice and Preliminary Determinations are enclosed.

14-Apr-10
AB

Mrs. Martha Rivera Rosa
IWQC Puerto Nuevo Regional Wastewater Treatment Plant
NPDES No. PR0021555
Page 2


Due to the fact that the proposed modification to the WQC consists solely to incorporate the increase of the flow effluent limitation and the modification of the effluent limitations of the parameters aforementioned, the EQB will only consider comments related to the aforementioned changes. No other comments will be considered because the corresponding public participation period was given during the previous certification process to comment and consider such matters.

The EQB will publish a notice in a newspaper of wide circulation in Puerto Rico informing the Board's intention to grant the modified WQC requested pursuant to the Act. The cost of the publication of such notice shall be paid by the petitioner of the corresponding permit that requires the WQC as indicated in Section 6.11 (2) of the PRWQSR. This Board will notify the petitioner, fifteen (15) days prior to the publishing date of the notice, of the requirement to pay for the publication of said notice in order to allow time for the payment of the publication. If the petitioner of the permit subject to the WQC does not pay the publication of the notice as required under Section 6.11 (2) of the PRWQSR, the public notice will not be published and the modification to the WQC will be denied.

The EQB intends to certify pursuant to the PRWQSR, that there is reasonable assurance 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 Table A-1 of the enclosed draft of the modified WQC are met. The conditions specified in the aforementioned table shall be incorporated into the NPDES permit in order to satisfy the provisions of Section 301 (b) (1) (C) of the Act.

This Board reserves the right to comment at a later date concerning any other environmental aspects of the discharge.

Cordially,


Roberto Ayala Prado
Director
Water Quality Area

c: Mr. Carl-Axel P. Soderberg, EPA-CEPD

**PRELIMINARY DETERMINATIONS FOR
MODIFIED WATER QUALITY CERTIFICATE
DEFINE AND AUTHORIZE A MIXING ZONE**

NPDES NO. PR0021555

The Environmental Quality Board (EQB) has received from the Puerto Rico Aqueduct and Sewer Authority (PRASA) (P.O. Box 7066, Bo. Obrero Station, San Juan PR 00916) and the Bacardí Corporation (BC) (P. O. Box 363549, San Juan PR00936-3549) requests to obtain modified Water Quality Certificates (WQCs) based on a mixing zone definition and authorization, for the combined discharge of wastewaters from the Puerto Nuevo Regional Wastewater Treatment Plant (WWTP), Bayamón WWTP and BC, pursuant to Article 5 of the Puerto Rico Water Quality Standards Regulation (PRWQSR) as amended.

The modification requested for the Puerto Nuevo WWTP consists of an increase of the effluent limitation of the monthly average flow from 72 MGD to 80 MGD. As a result of the evaluation of the information submitted it is necessary to modify the effluent limitations established in the WQC for the following parameters: Arsenic, Biochemical Oxygen Demand, Copper, Cyanide (Free), Enterococci, Fecal Coliforms, Lead, Mercury, Nickel, Nitrogen, Silver, Sulfide, Surfactants (MBAS), Thallium, Turbidity, and Zinc.

PRASA and Bacardí have requested from the Environmental Protection Agency (EPA) permits under the National Pollutant Discharge Elimination System (NPDES) for the combined discharge from the above mentioned facilities.

The applicant of this WQC, PRASA, proposes to discharge 545,205.96 m³/day (144.0 MGD) as daily maximum flow of primary treated wastewater through the discharge point 001 to the Atlantic Ocean from the Puerto Nuevo WWTP.

The receiving body of water, Atlantic Ocean, is classified as SC by the PRWQSR, as amended.

After the corresponding evaluation of the applications for the NPDES permits, the mixing zone applications, other available information, and the applicable provisions established in the PRWQSR and in Sections 208(e), 301, 302, 303, 304(e), 306 and 307 of the Federal Clean Water Act as amended (33 U.S.C. 466 *et seq.*) (the Act); the EQB intends to issue modified WQCs, to define and authorize a mixing zone, subject to compliance with all the conditions specified in Table A-1. In this manner, EQB intends to certify that there is a reasonable assurance that the allowed discharges will not cause violations to the applicable water quality standards at the receiving water body.

The conditions specified in the aforementioned table shall be incorporated into the applicable NPDES permit in order to satisfy the provisions of Section 301 (b) (1) (C) of the Act.

SPECIAL CONDITIONS

NPDES No. PR0021555

These special conditions are an integral part of the Water Quality Certificate (WQC) and shall be incorporated into the NPDES permit in order to satisfy the provisions of Section 301 (b) (1) (C) of the Federal Clean Water Act (CWA) as amended (33 U.S.C. 466 *et seq.*):

1. The flow of discharge 001 shall not exceed the limitation of 545,205.96 m³/day (144.0 MGD) as daily maximum. No increase in flow shall be authorized without a recertification from the Puerto Rico Environmental Quality Board (EQB). ^{1,4,5}
2. The permittee will provide to the EQB an inventory of all industries connected to the treatment system with its corresponding waste characteristics, in a term not greater than eighteen (18) months after the Effective Date of the Permit (EDP).

The permittee shall require any industrial user of the treatment system to comply with the requirements of Section 307 and 308 of the Federal Clean Water Act as amended (33 U.S.C. 466 *et seq.*) by requiring each user to provide pretreatment to all industrial wastewater prior to the discharge to such system as determined by the Environmental Protection Agency (EPA) and EQB. The permittee shall require to each industrial user to comply with Section 308 of the Federal Clean Water Act by requiring to each user to perform the necessary monitoring to verify compliance with the level of pretreatment required. Each industrial user shall establish and maintain good records in relation to their pretreatment and shall allow entry to their facilities by EPA and EQB personnel at any time for any appropriate inspection. ⁷

3. The permittee shall provide written notice to the EQB and EPA of the following changes that may affect the treatment system:
 - a. Any new introduction of pollutants, not exclusively sanitary, coming from an industrial facility. If the industrial facility is an existing significant industrial user, shall notify only when the new introduction of pollutants, exceeds 1,000 gallons/day.
 - b. Any significant change in volume or character of pollutants being introduced into the treatment system by an existing source, that may cause a variation in the quality of the effluent to be discharged.

Such notice shall include information of the quality and quantity of the effluent to be introduced into such treatment system and the anticipated impact of such change in quantity and/or quality of the effluent to be discharged from the system. ⁷

4. 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 permit, shall not exceed those concentrations as specified in the applicable regulatory limitations. ^{1,2}
5. The samples taken for the analysis of cyanide and mercury shall be analyzed using the analytic method approved by the EPA with the lowest possible detection level, in accordance with Section 6.2.3 of the Puerto Rico Water Quality Standard Regulation (PSRWQSR). ⁴
6. The permittee shall use the approved EPA analytical method, with the lowest possible detection limit, in accordance with the Code of Federal Regulations Number 40 (40 CFR) Part 136 for Sulfide (as S). Also, the permittee shall complete the calculations specified in Method 4500-S-2 F, Calculation of Un-ionized Hydrogen Sulfide, of Standards Methods 18th Edition, 1992, to determine the concentration of undissociated H₂S. If the sample results of Dissolved Sulfide are below the detection limit of the approved EPA method established in the 40 CFR Part 136, then, the concentration of undissociated H₂S should be reported as "below detection limit". ^{2,3}
7. All sample collection, preservation, and analysis shall be carried out in accordance with the 40 CFR Part 136. 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 a medical technician licensed to practice the profession in Puerto Rico. ^{1,3}
8. The solid wastes (sludge, screenings and grit) generated due to the treatment system operation shall be:
 - a. Disposed in compliance with the applicable requirements established in the 40 CFR Part 257. A semiannual report shall be submitted to EQB and EPA notifying the methods used to dispose the solid wastes generated in the facility. Also, copy of the approval or permit applicable to the disposal method used shall be submitted, if any.
 - b. Transported adequately in such way that access is not gained to any body of water or soil. In the event of a spill of solid waste on land or into a body of water, the permittee shall notify the Point Sources Permits Division of the EQB's Water Quality Area in the following manner:

- 1) By telephone communication within a term no longer than twenty four (24) hours after the spill (787-767-8073).
- 2) By letter, within a term no longer than five (5) days after the spill.

This notification shall include the following information:

- a) Spill material
- b) Spill volume
- c) Measures taken to prevent the spill material to gain access to any body of water.

This special condition does not relieve the permittee from its responsibility to obtain the corresponding permits from the EQB's Solid Wastes Program and other state and federal agencies, if any. ^{4,6}

9. A log book should be kept for the material removed from the treatment system, such as sludge, screenings and grit detailing the following items:
 - a. Removed material, date and source of it.
 - b. Approximate volume and weight.
 - c. Method by which it is removed and transported.
 - d. Final disposal and location.
 - e. Person that offers the service.

A copy of the Non-Hazardous Solid Waste Collection and Transportation Service Permit issued by the authorized official from the EQB should be attached to the log book. ³

10. The sludge produced within the facility due to the operation of the system shall be analyzed and all constituents shall be identified as required by "Standards for the Use or Disposal of Sewage Sludge" (40 CFR, Part 503). The sludge shall be disposed properly in such manner that water pollution or other adverse effects to surface waters or to ground water do not occur. ^{4,6}
11. If any standard or prohibition to the sanitary sludge disposal is promulgated and said prohibition or standard is more stringent than any condition, restriction, prohibition or standard contained in the NPDES permit, such permit shall be modified accordingly or revoked and reissued to be adjusted with regard to such prohibition or standard. ⁶

12. No changes in the design or capacity of the treatment system will be permitted without the previous authorization of EQB. ⁵
13. Prior to the construction of any additional treatment system or prior to the modification of the existing one, the permittee shall obtain the approval of the engineering report, plans and specifications from EQB. ⁵
14. The permittee shall install, maintain and operate all water pollution control equipment in such manner as to be in compliance with the applicable Rules and Regulations. ^{1,4}
15. The flow measurement device for the discharge 001 shall be periodically calibrated and properly maintained. Calibration and maintenance records must be kept in compliance with the applicable Rules and Regulations. ^{4,5}
16. The sampling point for discharge 001 shall be located immediately after the primary flow measuring device of the effluent of the treatment system.
17. The sampling point for discharge 001 shall be labeled with a 18 inches x 12 inches (minimum dimensions) sign that reads as follows:

"PUNTO DE MUESTREO PARA LA DESCARGA 001"

18. All water or wastewater treatment facilities, whether publicly or privately owned, must be operated by a person licensed by the Potable Water and Wastewaters Treatment Plants Operations Examining Board of the Commonwealth of Puerto Rico. ⁴
19. The EQB has defined and authorized a Mixing Zone (MZ) pursuant to Article 5 of the PRWQSR. ³
 - a. The MZ is delineated by the following points (See diagram I):

Geographic Coordinates *

Point 1	Lat. 18° 29.181' Long. 66° 08.518'
Point 2	Lat. 18° 29.202' Long. 66° 08.503'
Point 3	Lat. 18° 29.100 Long. 66° 08.340'

Geographic Coordinates *

Point 1	Lat. 18° 29.181' Long. 66° 08.518'
Point 4	Lat. 18° 29.097' Long. 66° 08.150'
Point 5	Lat. 18° 29.072' Long. 66° 08.150'

***NAD 83 State Plane Coordinates**

The diffuser configuration is a one hundred twenty (120) degree "Y" type consisting of two (2) legs of one thousand ten (1,010) feet long and a constant diameter of eighty-four (84) inches. A total of one hundred two (102) ports along each diffuser's leg shall be opened. There are twenty (20) ports of seven (7) inches at the end of each diffuser's leg and eighty two (82) ports of six (6) inches between the "Y" split and the larger ports at the end of each diffuser's leg. The ports discharge in alternate directions at a constant spacing of ten (10) feet.

b. The MZ is defined for the following parameters:

<u>Parameter</u>	<u>Daily Maximum Discharge Limitation at Outfall Serial Number 001</u>	<u>Daily Maximum Limitation at the Borders of the MZ</u>
Cadmium (Cd) (µg/l)	Monitoring Only	8.85
Color (Pt-Co Units)	70	Ω
Copper (Cu) (µg/l)	207.7	3.73
Cyanide, Free (CN) (µg/l)	32.2	1.0
Dissolved Oxygen (mg/l)	Monitoring Only	≥4.0
Lead (Pb) (µg/l)	15.1	8.52
Mercury (Hg) (µg/l)	0.29	0.051
Nickel (µg/l)	12.5	8.28
Nitrogen (NO ₂ , NO ₃ , NH ₃) (mg/l)	21.190	5.000

^Ω The color at the edge of the mixing zone shall not exceed the color of the receiving water body (background sampling point).

<u>Parameter</u>	<u>Daily Maximum Discharge Limitation at Outfall Serial Number 001</u>	<u>Daily Maximum Limitation at the Borders of the MZ</u>
pH (SU)	6.0 – 9.0	7.3 – 8.5
Silver (Ag) (µg/l)	3.3	2.24
Sulfide (undissociated H ₂ S) (µg/l)	84	2
Surfactants (MBAS) (µg/l)	7,020	500
Temperature F (C)	**	**
Thallium (Tl) (µg/l)	4.3	0.47
Turbidity (NTU)	119	10
Zinc (µg/l)	129.20	85.62

- c. The permittee shall conduct annually definitive acute and chronic toxicity tests using the organisms Mysidopsis bahia, Cyprinodon variegatus and Arbacia punctulata for the wastewater discharge identified as 001.
- d. The toxicity tests shall be conducted according to the most recent editions of the following publications of the Federal Environmental Protection Agency (EPA):
 - 1) “Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms” EPA-821-R-02-012 (Fifth Edition), October 2002.
 - 2) “Short Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms” EPA-821-R-02-013 (Fourth Edition), October 2002.
- e. The procedures, methods, techniques, conditions, etc., included in the above mentioned publications shall be followed at all times. If the permittee determines to use other procedures, methods, etc., because the permitte understands that:
 - 1) by the nature or conditions of this case is impossible to follow such publications;
 - 2) other procedures, methods, etc., are adequate,

** No heat may be added to the waters of Puerto Rico, which would cause the temperatura of any site to exceed 90°F (32.2 °C)

- f. The effluent samples for the toxicity tests shall be used in or before 36 hours after being collected.
- g. A report on the toxicity tests conducted shall be submitted to the EQB, during the sixty (60) days period after the tests were conducted. This report shall be prepared according to the aforementioned publications of EPA.
- h. Based on the review of the test results, the EQB can require additional toxicity tests, including toxicity/treatability studies and can revoke the final mixing zone authorization according with Section 5.14 of the PRWQSR.
- i. Solids from wastewater sources shall not cause deposition in, or be deleterious to, the designated uses of the waters.
- j. The discharge shall not cause the growth or propagation of organisms that negatively disturb the ecological equilibrium in the areas adjacent to the mixing zone.
- k. The mixing zone shall be free of debris, scum, floating oil and any other substances that produce objectionable odors.
- l. The permittee shall maintain in good operating conditions the discharge system (discharge outfall [land and submarine], diffuser, ports, etc.). At least once a year, the discharge system shall be inspected to determine if some repairs, replacing, etc., on the discharge system is required. A report of such inspections shall be submitted to EPA and EQB not later than sixty (60) days after the performance of the inspection.
- m. The EQB, can require that the permittee conduct bioaccumulation studies, dye studies, water quality studies or any other pertinent studies. If the EQB require one or more of the aforementioned studies, the permittee will be notified to conduct such study(ies). One hundred and twenty (120) days after the notification of the EQB, the permittee shall submit, for evaluation and approval of the EQB, a protocol to conduct such study(ies). Sixty (60) days after the EQB approval, the permittee shall conduct such study(ies). Ninety (90) days after conducting such study(ies), the permittee shall submit a report that includes the results of such study(ies).
- n. The permittee shall conduct a dye study to verify the Critical Initial Dilution and the plume behavior within the mixing zone. The dye study shall be conducted ninety (90) days after the written approval of the corresponding Protocol and Quality Assurance

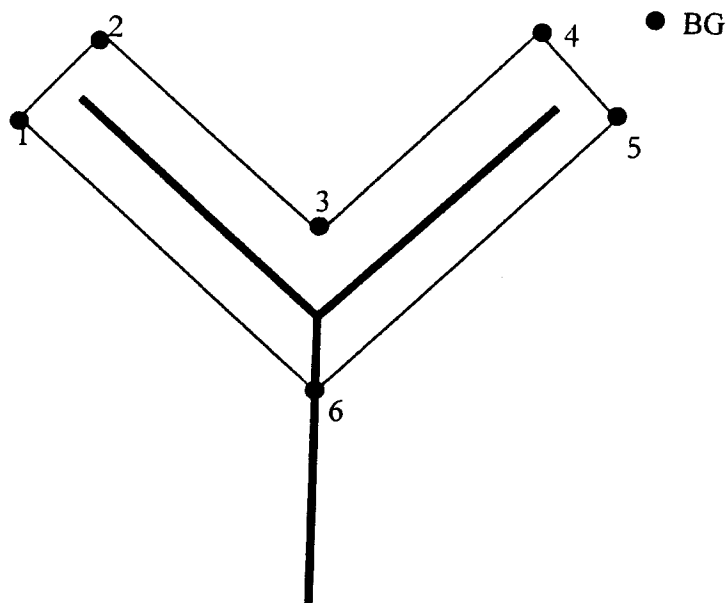
Project Plan (QAPP). Such Protocol and QAPP shall be submitted to EQB ninety (90) days after the EDP. This study shall consist of at least one set of the required samples, as established in the QAPP for a complete sampling event.

- o. The authorization for the mixing zone will not be transferable and does not convey any property rights of any sort or any exclusive privileges, nor it authorizes any injury to persons or property or invasion of other private rights, of any infringement of Federal or State laws or regulations.
- 20. The conditions of this WQC are considered as separate. Therefore, if the applicability of any condition of this WQC is stayed due to any circumstance, the remaining conditions of this WQC will not be affected. ⁵
- 21. The EQB, by the issuance of the WQC, does not relieve the applicant from its responsibility to obtain additional permits or authorizations from the EQB as required by law. The issuance of the WQC shall not be construed as an authorization to conduct activities not specifically covered in the WQC, which will cause water pollution as determined by the PRWQSR. ⁴

For 1, 2, 3, 4, 5, 6, 7 and 8 see page 10

DIAGRAM-I

Puerto Nuevo RWWTP Mixing Zone



Geographic Coordinates*

Point 1	Lat. 18° 29.181' Long. 66° 08.518'
Point 2	Lat. 18° 29.202' Long. 66° 08.503'
Point 3	Lat. 18° 29.100' Long. 66° 08.340'
Point 4	Lat. 18° 29.097' Long. 66° 08.150'
Point 5	Lat. 18° 29.072' Long. 66° 08.150'
Point 6	Lat. 18° 29.075' Long. 66° 08.348'

*NAD 83 State Plane Coordinates

1. According to Article 1, Puerto Rico Water Quality Standards Regulation as Amended.
2. According to Article 3, Puerto Rico Water Quality Standards Regulation as Amended.
3. According to Article 5, Puerto Rico Water Quality Standards Regulation as Amended.
4. According to Article 6, Puerto Rico Water Quality Standards Regulation as Amended.
5. According to the Environmental Public Policy Act of September 22, 2004, Act No. 416, effective since March 22, 2005.
6. According to the Section 405 (d) (4) of the Federal Clean Water Act as Amended (33 U.S.C. 466 *et seq.*).
7. According to Environmental Protection Agency Pretreatment Standard (40 CFR 403, June 26, 1978, effective August 25, 1978, as Amended.
8. According to the Code of Federal Regulation Number 40 (40 CFR), Part 131.40, as amended (Federal Register/Volume 69, No. 16/Monday, January 26, 2004).

TABLE A-1 EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

NPDES NO. PR0021555

During the period beginning on EDP and lasting through 5 years the permittee is authorized to discharge from outfall serial number 001 (primary treated wastewaters). Such discharge shall be limited and monitored by the permittee as specified below:

Receiving Waters Name and Classification: Atlantic Ocean, SC

<u>Effluent Characteristics</u>	<u>Gross Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Monthly Average	Daily Maximum	Measurements Frequency	Sample Type
Arsenic (As) ($\mu\text{g/l}$) ^{2,3,4}		36.0	Monthly	Grab
BOD ₅ (mg/l) ^{1,2,3,4} α	117.00		Monthly	Composite
Cadmium (Cd) ($\mu\text{g/l}$) ^{2,3,4}		----	Monthly	Grab
Color (Pt-Co Units) ^{2,3,4}		70	Monthly	Grab
Copper (Cu) ($\mu\text{g/l}$) ^{2,3,4}		207.7	Monthly	Grab
Cyanide, Free (CN) ($\mu\text{g/l}$) ^{2,3,4} γ Δ		32.2	Monthly	Grab
Dissolved Oxygen (mg/l) ^{1,2,3,4}		----	Daily	Grab
Enterococci (colonies/100 ml) ^{1,2,4,8}	The enterococci density in terms of geometric mean of at least 5 representative samples taken sequentially shall not exceed 35/100 ml. No single sample should exceed the upper confidence limit of 75% using 0.7 as the log standard deviation until sufficient site data exist to establish a site-specific log standard deviation.		Monthly	Grab

TABLE A-1 EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

NPDES NO. PR0021555

Receiving Waters Name and Classification: Atlantic Ocean, SC

<u>Effluent Characteristics</u>	<u>Gross Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Monthly Average	Daily Maximum	Measurements Frequency	Sample Type
Fecal Coliforms (colonies/100 ml) ^{1,2,4,8}	The coliform geometric mean of a series of representative samples (at least five samples) of the waters taken sequentially in a given instance shall not exceed 200 colonies/100 ml. Not more than 20% of the samples shall exceed 400 colonies/100 ml.		Monthly	Grab
Flow m ³ /day (MGD) ^{4,5}	302,832.96 (80.0)	545,205.96 (144.0)	Continuous Recording	
Lead (Pb) (µg/l) ^{2,3,4}		15.1	Monthly	Grab
Mercury (Hg) (µg/l) ^{2,3,4} γ		0.29	Monthly	Grab
Nickel (Ni) (µg/l) ^{2,3,4}		12.5	Monthly	Grab
Nitrogen (NO ₃ , NO ₂ , NH ₃) (mg/l) ^{2,3,4}		21.190	Monthly	Grab
Oil and Grease (mg/l) ^{2,4}	The waters of Puerto Rico shall be substantially free from floating non-petroleum oils and greases as well as petroleum derived oil and greases.		Twice per Month	Grab
pH (SU) ^{2,3,4}	Shall always lie between 6.0 – 9.0		Daily	Grab
Residual Chlorine (mg/l) ^{2,4}		0.50	Daily	Grab

TABLE A-1 EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

NPDES NO. PR0021555

Receiving Waters Name and Classification: Atlantic Ocean, SC

<u>Effluent Characteristics</u>	<u>Gross Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Monthly Average	Daily Maximum	Measurements Frequency	Sample Type
Silver (Ag) ($\mu\text{g/l}$) ^{2,3,4}		3.3	Monthly	Grab
Solids and Other Matter (ml/l) ^{2,4}	The water of Puerto Rico shall not contain floating debris, scum and other floating materials attributable to discharges in amounts sufficient to be unsightly or deleterious to the existing or designated uses of the water body.		----	----
Sulfide (undissociated H_2S) ($\mu\text{g/l}$) ^{2,3,4, 8}		84	Monthly	Grab
Surfactants (as Methylene Blue Activate Substances) ($\mu\text{g/l}$) ^{1,2,3,4}		7,020	Monthly	Grab
Suspended, Colloidal or Settleable Solids (ml/l) ^{1,2,4}	Solids from wastewater sources shall not cause deposition in, or be deleterious to, the designated uses of the waters.		Daily	Grab
Taste and Odor-producing Substances ^{2,4}	Shall not be present in amounts that will interfere with the use for potable water supply, or will render any undesirable taste or to edible aquatic life.		----	----
Temperature $^{\circ}\text{F}$ ($^{\circ}\text{C}$) ^{2,4}	No heat may be added to the waters of Puerto Rico which would cause the temperature of any site to exceed 90°F (32.2°C).		Daily	Grab

TABLE A-1 EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

NPDES NO. PR0021555

Receiving Waters Name and Classification: Atlantic Ocean, SC

<u>Effluent Characteristics</u>	<u>Gross Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Monthly Average	Daily Maximum	Measurements Frequency	Sample Type
Thallium (Tl) ($\mu\text{g/l}$) ^{2,3,4}		4.3	Monthly	Grab
Turbidity (NTU) ^{2,3,4}		119	Monthly	Grab
Zinc (Zn) ($\mu\text{g/l}$) ^{2,3,4}		129.20	Monthly	Grab
Special Conditions	See attached sheet which contains special conditions that constitute part of this certification.			

Notes:

To comply with the monitoring requirements specified above, samples shall be taken at the outfall of discharge serial number 001.

All flow measurements shall achieve accuracy within the range of plus or minus 10%.

- α The effluent limitation for BOD₅ is based on the PRASA Mixing Zone Application for the Puerto Nuevo Wastewaters Treatment Plant, after determining that there is a reasonable assurance that this limit will not cause violations to the water quality standard for Dissolved Oxygen for Class SC.
- γ See Special Condition 5.
- δ See Special Condition 6.
- Δ The samples shall be analyzed using the method approved by EPA in letter of February 20, 2007.



ESTADO LIBRE ASOCIADO DE PUERTO RICO
OFICINA DEL GOBERNADOR
JUNTA DE CALIDAD AMBIENTAL

AVISO AMBIENTAL

INTENCION DE EMITIR CERTIFICADOS DE CALIDAD DE AGUA MODIFICADO Y DEFINIR Y AUTORIZAR UNA ZONA DE MEZCLA

La Junta de Calidad Ambiental (JCA) ha recibido de la Autoridad de Acueductos y Alcantarillados (AAA) de Puerto Rico, (P.O. Box 7066, Estación Barrio Obrero, San Juan, Puerto Rico 00916) y Bacardí Corporation, (P.O. Box 363549, San Juan, Puerto Rico 00936-3549), una solicitud para obtener Certificados de Calidad de Agua modificados (CCA), basados en la definición y autorización de una zona de mezcla, a tenor con el Artículo 5 del Reglamento de Estándares de Calidad de Agua de Puerto Rico (RECA) según enmendado, para la descarga combinada de aguas usadas provenientes de las siguientes instalaciones:

<u>Nombre y Número NPDES</u>	<u>Dirección</u>	<u>Flujo</u>
Planta Regional de Tratamiento de Aguas Usadas de Bayamón (PTAU) PR0023728	Carretera Estatal Núm. 869 Km 2.8 Cataño, P.R.	333,116.16 m ³ /día (88.0 MGD)
Planta Regional de Tratamiento de Aguas Usadas de Puerto Nuevo PR0021555	Avenida Kennedy San Juan, P.R.	545,205.96 m ³ /día (144.0 MGD)
Bacardí Corporation PR0000591	Carretera Estatal Núm. 165, Km 2.6 Cataño, P.R.	7,570.80 m ³ /día (2.0 MGD)

La AAA y Bacardí Corporation han solicitado de la Agencia Federal para la Protección Ambiental (*Environmental Protection Agency, EPA*) permisos bajo el Sistema Nacional para la Eliminación de Descargas Contaminantes (*National Pollutant Discharge Elimination System, NPDES*) para las instalaciones antes mencionadas.

Las aguas usadas descargadas de las plantas regionales de tratamiento de aguas usadas de Bayamón y Puerto Nuevo reciben tratamiento primario antes de combinarse con las aguas usadas de Bacardí Corporation, las cuales consisten de lo siguiente:

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| a. purga, lavado y extracción de caldera | f. enjuagues y condensado de planta de azufre |
| b. mosto (destilación, fermentación y lavados) | g. lavado de planta embotelladora y de botellas rotas |
| c. lavado de planta de clarificación | h. lavados de proceso (seguro) |
| d. descargas de planta de tratamiento anaeróbico | i. descarga de melaza y descarga de sellos |
| e. trampas de vapor para sabor | j. drenajes de piso de fermentación |

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| k. lavado de piso de destilería | o. condensado y lavados de planta de CO ₂ |
| l. lavado de barriles | |
| m. lavado de torre de enfriamiento | p. trampas de vapor del tratamiento de aguas de proceso |
| n. purga de torre de enfriamiento y otros | |

La modificación solicitada para la PTAU de Bayamón consiste en aumentar el límite de efluente del flujo promedio mensual de 40 MGD a 52 MGD y el flujo máximo diario de 68 MGD a 88 MGD. A raíz de la evaluación de información sometida es necesario modificar los límites de efluente establecidos en el CCA para los siguientes parámetros: Agentes Tensoactivos como Sustancias Reactivas con Azul de Metileno, Arsénico, Cianuro (Libre), Cobre, Coliformes Fecales, Color, Demanda Bioquímica de Oxígeno, Enterococos, Níquel, Nitrógeno Total, Plata, Plomo, Sulfuro, Talio, Turbiedad y Zinc.

La modificación solicitada para la PTAU de Puerto Nuevo consiste en aumentar el límite de efluente del flujo promedio mensual de 72 MGD a 80 MGD. A raíz de la evaluación de información sometida es necesario modificar los límites de efluente establecidos en el CCA para los siguientes parámetros: Agentes Tensoactivos como Sustancias Reactivas con Azul de Metileno, Arsénico, Cianuro (Libre), Cobre, Coliformes Fecales, Demanda Bioquímica de Oxígeno, Enterococos, Mercurio, Níquel, Nitrógeno, Plata, Plomo, Sulfuro, Talio, Turbiedad y Zinc.

La modificación solicitada para Bacardí Corporation consiste en la definición de una zona de mezcla para Coliformes Fecales, Coliformes Totales y Enterococos. A raíz de la evaluación de la información sometida es necesario modificar los límites de efluente establecidos en el CCA para los siguientes parámetros: Agentes Tensoactivos como Sustancias Reactivas con Azul de Metileno, Arsénico, Cadmio, Cianuro (Libre), Cobre, Color, Mercurio, Níquel, Nitrógeno, Plata, Plomo, Sulfuro, Talio, Temperatura, Turbiedad y Zinc. Además, se elimina la contribución de las descargas internas 003 y 004 (aguas sanitarias) a la descarga 001.

El cuerpo de agua receptor, Océano Atlántico, está clasificado como SC en el RECA, según enmendado.

Luego de realizada la evaluación correspondiente de los documentos sometidos, esta Junta tiene la intención de emitir los CCA modificados, y definir y autorizar una zona de mezcla para la descarga combinada de las instalaciones antes mencionadas.

La Sección 401 de la Ley de Agua Limpia, según enmendada (33 U.S.C. 466 *et seq.*) (la Ley), requiere que antes de que la EPA pueda expedir un permiso de descarga NPDES se obtenga un CCA de la agencia estatal que tenga jurisdicción sobre el control de la contaminación de las aguas. En Puerto Rico dicha responsabilidad recae sobre la JCA.

Los CCA se expiden a los efectos de asegurarse que las descargas cumplirán con las disposiciones aplicables establecidas bajo las Secciones 208(e), 301, 302, 303, 304(e), 306 y 307 de la Ley. La Sección 208(e) establece que "Ningún Permiso bajo la Sección 402 de la Ley será emitido para cualquier fuente precisada, el cual esté en conflicto con los Planes Regionales de Manejo de Tratamiento de Desperdicios". La Sección 301 se refiere a los límites de efluente

para fuentes precisadas, incluyendo instalaciones de tratamiento públicas y privadas y las fechas en que deben ser implantadas, así como los estándares de calidad de agua que sean aplicables.

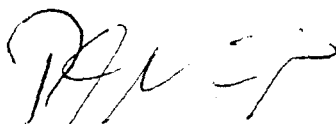
La Sección 302 se refiere a los límites de efluente relacionados con calidad de agua. La Sección 303 se refiere a los estándares de calidad de agua y a la implantación de planes. La Sección 304(e) se refiere a la incorporación de un Plan de Mejores Prácticas de Manejo (BMPP, por sus siglas en inglés) en las condiciones del permiso de descarga. La Sección 306 concierne a los límites de efluente para fuentes nuevas (*New Sources*), según se define en esa misma sección. La Sección 307 trata sobre límites de efluente para sustancias tóxicas y los requisitos de pre-tratamiento para aguas usadas que descargan en sistemas de tratamiento.

El público puede evaluar copia de las solicitudes de permiso NPDES, las solicitudes de CCA, los borradores de los CCA y otros documentos relevantes en la División de Permisos para Fuentes Precisadas del Área de Calidad de Agua, sita en el Piso 3, Ala A, Oficina 301 del Edificio de Agencias Ambientales Cruz A. Matos, Avenida Ponce de León 1375, Urbanización San José Industrial Park, San Juan, Puerto Rico. Copia de dichos documentos pueden adquirirse (\$.20 por pliego) solamente en el lugar antes mencionado entre las 8:00 a.m. y las 4:00 p.m., de lunes a viernes o escribiendo a la siguiente dirección: Junta de Calidad Ambiental, P.O. Box 11488, San Juan, Puerto Rico 00910.

Las partes interesadas o afectadas pueden someter sus comentarios por escrito al Sr. Roberto Ayala Prado, Director del Área de Calidad de Agua, no más tarde de treinta (30) días a partir de la publicación de este aviso. La fecha límite para someter comentarios puede extenderse si se estima necesario o apropiado para el interés público. Únicamente se considerarán comentarios relacionados a los cambios descritos anteriormente. No se considerarán comentarios relacionados con cualquier otro asunto o parámetro, ya que durante el anterior proceso de certificación se concedió el periodo de participación pública correspondiente para comentar y considerar dichos asuntos.

Todas las partes interesadas o afectadas podrán solicitar una vista pública. Dicha solicitud debe someterse a la Junta de Gobierno de la JCA por escrito no más tarde de treinta (30) días a partir de la fecha de publicación de este aviso y deberá señalarse la razón o las razones que en la opinión del solicitante ameritan la celebración de la vista pública.

Todas las partes interesadas o afectadas tendrán una oportunidad razonable para presentar evidencia o testimonio en una vista pública sobre si se emiten o se deniegan los Certificados de Calidad de Agua, si la Junta de Gobierno de la JCA determina que dicha vista es necesaria o apropiada.



Lcdo. Pedro J. Nieves Miranda
Presidente

Este aviso se publica conforme a lo requerido por la Ley sobre Política Pública Ambiental, Ley Núm. 416 del 22 de septiembre de 2004, según enmendada. El costo del Aviso Público es sufragado por la entidad peticionaria.



COMMONWEALTH OF PUERTO RICO
OFFICE OF THE GOVERNOR
ENVIRONMENTAL QUALITY BOARD

ENVIRONMENTAL NOTICE

INTENT TO ISSUE MODIFIED WATER QUALITY CERTIFICATES AND TO DEFINE AND AUTHORIZE A MIXING ZONE

The Environmental Quality Board (EQB) has received a request from the Puerto Rico Aqueduct and Sewer Authority (PRASA), (P.O. Box 7066, Barrio Obrero Station, San Juan, Puerto Rico 00916) and the Bacardí Corporation, (P.O. Box 363549, San Juan, Puerto Rico 00936-3549), to obtain modified Water Quality Certificates (WQC) based on a mixing zone definition and authorization, pursuant to Article 5 of the Puerto Rico Water Quality Standards Regulation (PRWQSR) as amended, for the combined discharge of wastewaters from the following facilities:

<u>Name and NPDES Number</u>	<u>Address</u>	<u>Discharge Maximum Flow</u>
Bayamón Regional Wastewater Treatment Plant (WWTP) PR0023728	State Road No. 869 Km 2.8 Cataño, P.R.	333,116.16 m ³ /day (88.0 MGD)
Puerto Nuevo Regional Wastewater Treatment Plant PR0021555	Kennedy Ave. San Juan, P.R.	545,205.96 m ³ /day (144.0 MGD)
Bacardí Corp. PR0000591	State Road No. 165 Km 2.6 Cataño, P.R.	7,570.80 m ³ /day (2.0 MGD)

PRASA and Bacardí Corporation have requested from the Environmental Protection Agency (EPA) permits under the National Pollutant Discharge Elimination System (NPDES) for the above mentioned facilities.

The wastewaters discharged from the Bayamón and Puerto Nuevo Regional Wastewater Treatment Plants receive primary treatment prior to be combined with the wastewaters from the Bacardí Corporation, which consist of the following:

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| a. boiler blowdown, wash and extraction | d. anaerobic treatment plant discharges – cooling tower |
| b. mosto (distillation, fermentation and washes) | e. flavor steam traps |
| c. clarification plant wash | f. sulfur plant rinses and condensate |

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| g. bottling plant and broken bottles wash | l. barrel wash |
| h. process washes (lock) | m. cooling tower wash |
| i. molasses unloading and seal flush | n. cooling tower blowdown and other |
| j. fermentation floor drains | o. CO ₂ plant condensate and washes |
| k. distillery floor wash | p. process water treatment steam traps |

The modification requested for the Bayamón WWTP consists of an increase of the effluent limitation of the monthly average flow from 40 MGD to 52 MGD and the daily maximum flow from 68 MGD to 88 MGD. Also, as a result of the evaluation of the information submitted it is necessary to modify the effluent limitations established in the WQC for the following parameters: Arsenic, Biochemical Oxygen Demand, Color, Copper, Cyanide (Free), Enterococcus, Fecal Coliforms, Lead, Nickel, Silver, Sulfide, Surfactants (MBAS), Nitrogen, Thallium, Turbidity, and Zinc.

The modification requested for the Puerto Nuevo WWTP consists of an increase of the effluent limitation of the monthly average flow from 72 MGD to 80 MGD. Also, as a result of the evaluation of the information submitted it is necessary to modify the effluent limitations established in the WQC for the following parameters: Arsenic, Biochemical Oxygen Demand, Copper, Cyanide (Free), Enterococci, Fecal Coliforms, Lead, Mercury, Nickel, Silver, Sulfide, Surfactants (MBAS), Nitrogen, Thallium, Turbidity, and Zinc.

The modification requested for Bacardi Corporation consists of a definition of a mixing zone for Enterococci, Fecal Coliforms, and Total Coliforms. Also, as a result of the evaluation of the information submitted it is necessary to modify the effluent limitations established in the WQC for the following parameters: Arsenic, Cadmium, Color, Copper, Cyanide (Free), Lead, Mercury, Nickel, Nitrogen, Silver, Sulfide, Surfactants (MBAS), Temperature, Thallium, Turbidity, and Zinc. In addition, the contributions from the internal discharges 003 and 004 to the discharge 001 are eliminated.

The receiving body of water, Atlantic Ocean, is classified as SC in the PRWQSR, as amended.

After duly evaluating the submitted documents, this Board has the intention to issue the WQCs, to define and authorize a mixing zone for the combined discharge of the above mentioned facilities.

Section 401 of the Federal Clean Water Act, as amended (33 U.S.C. 466 *et seq.*) (the Act), requires EPA, that prior to issuing a discharge permit under the NPDES, a WQC must be obtained from the state agency with jurisdiction over water pollution control. In Puerto Rico, such agency is the EQB.

The WQCs are issued to ascertain that the discharges are in compliance with the applicable provisions established under Sections 208(e), 301, 302, 303, 304(e), 306, and 307 of the Act. Section 208(e) establishes that "No permit under Section 402 of the Act shall be issued for any point source which is in conflict with the Areawide Waste Treatment Management Plant". Section 301 refers to the effluent limitation for point sources, including private and

publicly owned treatment works, and the dates by which these should be implemented, as well as the applicable water quality standards. Section 302 refers to water quality related effluent limitations. Section 303 refers to the water quality standards and implementation plans. Section 304(e) refers to the incorporation of a Best Management Practices Plan (BMPP) in the discharge permit conditions. Section 306 deals with the national standards of performance for New Sources, as defined by this Section. Section 307 covers effluent standards for toxic materials and pretreatment requirements for wastewaters discharged into treatment works.

Copy of the NPDES permit and WQC applications, the draft WQCs and other pertinent documents are available for inspection by the public at the Point Sources Permits Division of the Water Quality Area, in the Third Floor Wing A Office 301 of the Cruz A. Matos Environmental Agencies Building, 1375 Ponce de León Avenue, Urb. San José Industrial Park, San Juan, Puerto Rico. Copies of said documents may only be obtained (\$.20 per sheet) at the above- mentioned address between 8:00 a.m. and 4:00 p.m. from Monday through Friday or by writing to the following address: Environmental Quality Board, P.O. Box 11488, San Juan, PR 00910.

Interested or affected parties may submit their written comments to Mr. Roberto Ayala Prado, Director of the Water Quality Area, no later than **thirty (30) days** after the publication of this notice. The deadline for the submittal of comments may be extended if deemed necessary of the public interest. EQB will only consider comments related to the changes previously described. No other comments will be considered because the corresponding public participation period was given during the previous certification process to comment and consider such matters.

All interested or affected parties may request a public hearing. Such request must be submitted to the Governing Board of the EQB in writing no later than **thirty (30) days** after the publication of this notice and shall state the reason or reasons that warrant a public hearing.

All interested or affected parties will be given reasonable opportunity to present evidence or testimony at the public hearing on the question whether to grant or deny the certifications, if the Governing Board determines that such hearing is necessary or appropriate.


Pedro J. Nieves Miranda, Esq.
Chairman

This notice is published according to the Public Policy Environmental Act, Act No. 416 of September 22, 2004, as amended. The petitioner shall pay the cost of the publication of such notice.