

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION II

In the Matter of:

MUNICIPALITY OF AÑASCO

Respondent

RESPONDENT'S PREHEARING  
EXCHANGE

DOCKET NUMBER  
CWA-02-2010-3454

RESPONDENT'S OPENING PREHEARING EXCHANGE

Pursuant to the request made by Hon. Barbara A. Gunning, Administrative Law Judge, on the Order Setting Prehearing Procedures, dated December 15, 2010; Respondent hereby files its Opening Prehearing Exchange for the above captioned matter.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 23<sup>rd</sup> day of March, 2011.

**NOLLA, PALOU & CASELLAS, LLC**

Attorneys for Respondent

Municipality Of Añasco

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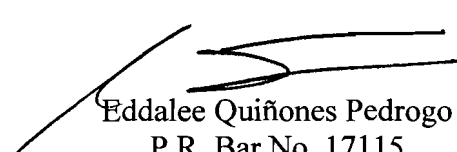
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REGIONAL HEARING  
CLERK

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U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG.II

1. Pursuant to Section 22.19(a) of the Rules, each Party shall file with the Regional hearing Clerk and shall serve on the opposing party and on the Presiding Judge:
  - a. The names of any expert or other witnesses it intends to call at the hearing, together with a brief narrative summary of their expected testimony, or a statement that no witnesses will be called:
    - i. Pedro García, witness. Engineer for Environmental Associates, Inc., company appointed by Respondent to prepare and submit to the EPA the SWMP. Mr. García will also testify about Respondent's compliance with the Compliance Order, the status of the SWMP and the cost of implementation of the SWMP.
    - ii. Nancy Rodríguez, Administrator of the Municipality of Añasco. Ms. Rodríguez will also testify about Respondent's efforts to comply with Compliance Order.

Respondent reserves the right to call or not to call any of the aforementioned potential witnesses, and to expand or otherwise modify the scope, extent and or areas of the testimony of any of the above named potential witnesses, where appropriate. In addition, Respondent reserves the right to list and to call additional potential hearing witnesses, including expert witnesses, to answer and/or to rebut evidence listed by Complainant in its prehearing exchange or on matters arising as a consequence of such evidence.

- b. Copies of all documents and exhibits it intends to introduce into evidence at the hearing:

- i. Respondent's Exhibit 1- SWMP Compliance Cost Report Draft, dated March 21, 2011.
- ii. Respondent's Exhibit 2- Electronic communication from Jorge Cajigas addressed to Nancy Rodríguez, dated October 6, 2010.

Respondent reserves the right to supplement or add, subject to notice to the Court and Complainant, documentary evidence to Respondent's prehearing exchange submission in order to respond to and/or rebut, or otherwise to address an issue arising as a consequence of, evidence Complainant submits in its prehearing exchange or otherwise to update this prehearing exchange.

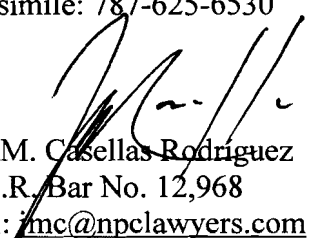
c. A statement expressing its view as to the place for the hearing and the estimated amount of time needed to present its defense:

Respondent acquiesces to the place for the hearing, as per Complainant's view in the prehearing exchange. Complainant estimates it will need one day to present its defense.

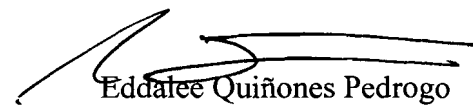
Respectfully submitted. In San Juan, Puerto Rico, March 23, 2011

**NOLLA, PALOU & CASELLAS, LLC**

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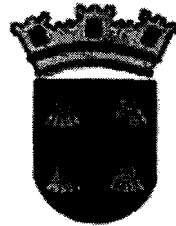
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**COMPLIANCE COST REPORT (CCR) FOR REGULATED  
SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS  
(MS4), NATIONAL POLLUTANT DISCHARGE ELIMINATION  
SYSTEM (NPDES) PHASE II**



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**U.S. ENVIRONMENTAL PROTECTION AGENCY – REGION II  
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION**

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San Juan, Puerto Rico 00907-4127

*March 21, 2011*



## 1. COMPLIANCE COST REPORT

### 1.1 COST CONSIDERATIONS

The objective of this report was to identify the costs associated with the development and implementation of the Storm Water Management Program in the Municipality of Añasco, more specifically to provide the Municipality with an estimate of the management cost for the operation of the program for budgeting and planning purposes regarding the staffing required.

The tool "Determining How Much You Need: Storm water Program Cost" from the UNC School of Government Environmental Finance Center was used as a guide in developing the Program Cost. Major management costs for which local governments are responsible include administering the MS4 storm water permit, plan review, long term storm sewer system maintenance and retrofitting. Current local costs for MS4 Permit administration average from \$7 to \$15 per capita per year on average. Per the 2000 Census, the Municipality of Añasco counts with a population of over 28,000 habitants, which would vary the program cost from approximately \$196,000 to \$420,000 per year. Based on preliminary estimates of time and costs for the tasks associated with each minimum control measure, the program was estimated at \$1,819,300, averaging an annual cost of \$363,900 which translates to an average annual cost per capita of \$13.00.

*There is limited information on historical data of implementation methods used by local island municipalities for the development of the implementation cost estimate. Note that proposals were not obtained for this estimate and it has been developed to assist the Municipality with its budgeting purposes only.*

The following list of assumptions was used in developing costs:

- Development of required ordinances, are initiated within Permit Year 1 and Permit Year 2 based on local input. It is assumed to take between one and two years to develop ordinances, involve the public/stakeholders, complete legal review, coordinate internally, complete adoption, and revise local codes.



- Maintenance activities such as street sweeping and storm system maintenance will be implemented in the program during Permit Years 3-5.
- It is assumed the storm sewer system map will take two years to complete for the MS4 urbanized area per the Census 2000 maps.
- The Illicit Discharge Detection and Elimination program will be developed within Permit Year 1 through Permit Year 2. Inspections related to this program will commence during the Permit Year 3, after completion of the storm sewer system map.
- Plan review and inspection programs will commence in the Permit Year 4 and extend throughout the permit term.
- Human resources within the Municipality have limited experience in storm water management.
- During the initial 5 Year Permit Term, the estimated effort for Construction Site Storm water Runoff (plan reviews/inspections) and Post-Construction Storm water Management in New Development and Redevelopments, will be less than required for the next 5 year permit.
- Most education programs are scheduled for development within the first two permit years.
- The Program Management and Administration 0.75 FTE/yr was spread among the six MCMs with weight based on percentage of effort for each MCM.

Refer to the attached tables for a breakdown of compliance costs for each permit year correspondent to each MCM per year. The breakdown includes overhead estimated at 20% and a contingency factor at 20%. For MCM 1 the estimated five year program cost is approximately \$225,000 and the average annual cost is \$45,000; for MCM 2 approximately \$238,000 and \$48,000 respectively; for MCM 3 approximately \$334,000 and \$67,000 respectively; for MCM 4 approximately \$280,000 and \$56,000 respectively; for MCM 5 approximately \$408,000 and



\$82,000 respectively; and for MCM 6 approximately \$334,000 and \$67,000 respectively.

The Storm Water Management Program efforts were estimated at 2.66 FTE/yr (full time equivalents per year). The effort is divided among the six minimum control measures as follows:

- MCM 1: Public Education and Outreach - 0.41 FTE/yr
- MCM 2: Public Involvement and Participation - 0.31 FTE/yr
- MCM 3: Illicit Discharge Detection and Elimination - 0.46 FTE/yr
- MCM 4: Construction Site Storm water Runoff Control - 0.33 FTE/yr
- MCM 5: Post-Construction Storm Water Management in New and Redevelopments - 0.66 FTE/yr
- MCM 6: Good Housekeeping/Pollution Prevention - 0.49 FTE/yr

Included in the estimated effort per permit year is the program management and administration effort at 0.75 FTE/yr which was be divided among each of the minimum control measures with distribution based on the weight of the level of effort per MCM.

Because the labor intensive programs of plan reviews and inspections being implemented in the later years of the permit term, it can be estimated that the required FTE/yr for this permit term will be represented by a lower FTE value. It is anticipated that the FTE requirement will increase for the following 5 year permit term.

Note that the breakdown in FTEs is only for planning purposes. It will be important for the Municipality program to adapt to conditions as they arise and to respond to how Municipal leaders want implementation to occur as the process moves forward.

Figure 1 represents the percentage of level of effort for each minimum control measure within the storm water management program. This percentage is obtained measuring the staffing required per each minimum control measure



divided among the total program staffing. MCM 2 requires the least level of effort with 12% while MCM 5 requires the most with 25%. With the current estimates of level of effort the following assumptions are made:

- The level of effort for MCM 4 and MCM 5 estimated at 13% and 25% respectively may increase for the next permit term due to the plan review and inspection program being in full function for the five years.
- The level of effort of MCM 2 may show a decrease due to the increased citizen support of the program therefore reduction in the level of effort to impulse the participation.
- MCM 1, MCM 3 and MCM 6 estimated at 15% and MCM 3 at 17% and 18% respectively, most likely will remain at such percentages of level of effort.

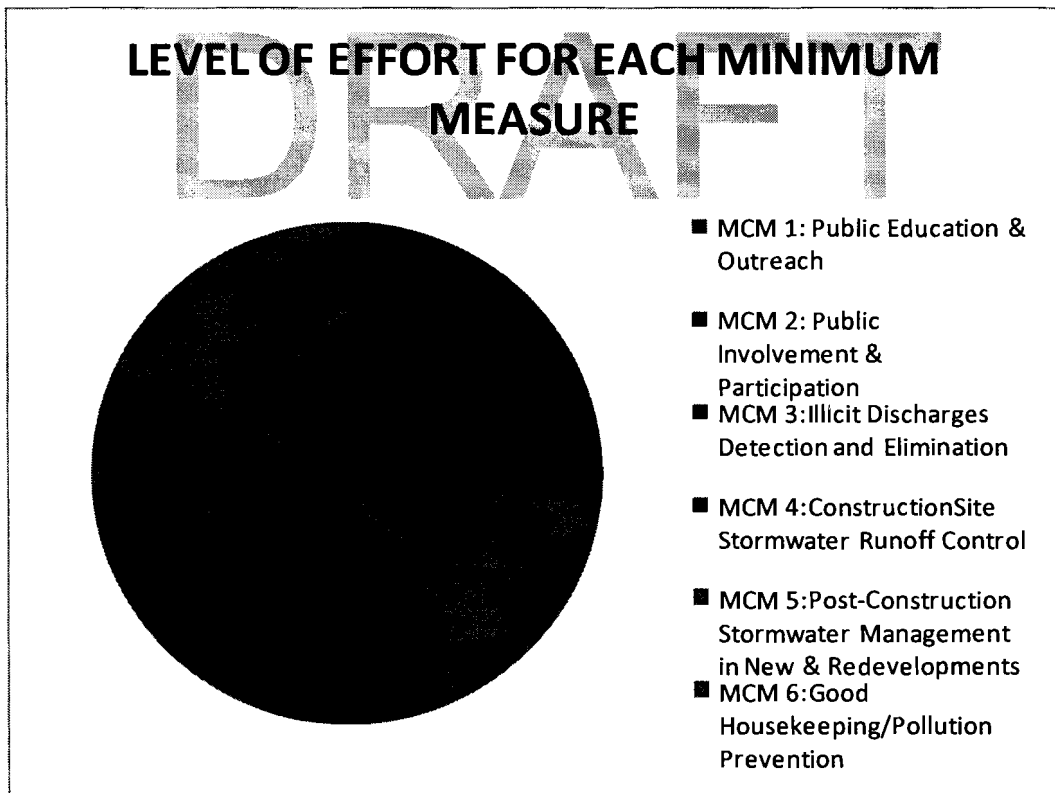


Figure 1. Level of effort for each MCM.





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## 1.2 REVENUE GENERATING MECHANISMS

Understanding the effort and costs associated with the implementation of the program, the Municipality of Añasco will proceed to seek funding and financing alternatives for the development, implementation and operation of the Storm Water Management Program.

Federal and State grants will be pursued to assist in funding the community's storm water management needs. The Municipality understands however that grants are not sufficient to fund the program in its entirety and other mechanisms of generating revenue must be evaluated.

The Municipality also counts on state and local taxes which can be used on storm water management programs since the projects would provide a common benefit for citizens.

Regulatory fees and penalties will also be evaluated since this would provide a new source of revenue for the Municipality. Fees and penalties would result from the enactment of ordinances that regulate activities that would affect storm water runoff. The Municipality will evaluate the implementation of construction, plan review fees, inspection fees, impact fees and fines resulting from violations of these ordinances. Revenue generated can assist in the short term by offsetting costs associated in the review and inspection program and in the long term by minimizing maintenance of the developed storm water facilities.

Storm water Utility Fee will also be evaluated due to the benefit of having this generated revenue completely dedicated to the storm water management program, providing stable, reliable and dedicated revenue. Unlike other revenue generating mechanisms, where some organizations and entities that benefit from storm water management are traditionally exempt, these properties that generate storm water runoff would have participation in the mechanism. Fees can be designed based on contribution to storm water runoff.

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**MCM Tables**



**MCM 1: PUBLIC EDUCATION AND OUTREACH**

Note: Sponsors will be sought to assist in expenses associated, as well as volunteers to donate their time and experience with this MCM.

STAFFING (FTE/yr): 0.38

DIRECT COSTS: Low, free educational material available at local agencies and on internet

% EFF: 15%

<b>LEYEND:</b>
H, High
M, Medium
L, Low

BMP #	BMP Description	Activity Breakdown	Total Cost (5 Year Permit)	Total Cost Year 1	Total Cost Year 2	Total Cost Year 3	Total Cost Year 4	Total Cost Year 5	Costs of Typical Effort (H,M,L) (relative to overall program cost)	Environmental Benefits (H,M,L) (relative to overall program benefits)	B/C
1	Classroom Education on Storm Water Impacts (1400 student body)	Evaluation & preparation of educational material.	\$ 6,375.00	\$ 1,275.00	\$ 1,275.00	\$ 1,275.00	\$ 1,275.00	\$ 1,275.00	L	H	H
		Printing of two-sided 8.5"x11" educational leaflets estimated at approximately \$1.05 per color ink copy or \$0.14 per b/w ink copies when reproduction is over 1000 copies. Distribution is not included in this cost since it is contemplated leaflets will be distributed at school teachers during meetings or at school presentations	\$ 7,350.00	\$ 1,470.00	\$ 1,470.00	\$ 1,470.00	\$ 1,470.00	\$ 1,470.00			
		Coordination with experts in storm water-Cost will vary depending on use of municipal personnel or subcontracting	\$ 4,000.00	\$ 800.00	\$ 800.00	\$ 800.00	\$ 800.00	\$ 800.00			
		Coordination and meetings with school directors and teachers - Cost will vary depending on use of municipal personnel or subcontracting	\$ 4,000.00	\$ 800.00	\$ 800.00	\$ 800.00	\$ 800.00	\$ 800.00			
		Preparation of Educational Tool Box	\$ 4,250.00	\$ 850.00	\$ 850.00	\$ 850.00	\$ 850.00	\$ 850.00			
		Preparation of educational modules	\$ 10,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00			
		Presentations	\$ 20,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00			
2	Storm Water Outreach of Commercial Businesses	Annual Storm Water Poster Contest- Coordination and documentation of rules; advertising mechanisms, poster evaluation, winner announcements. Cost will vary depending on use of municipal personnel or subcontracting	\$ 7,000.00	\$ 1,400.00	\$ 1,400.00	\$ 1,400.00	\$ 1,400.00	\$ 1,400.00			
		Inventory and tabulation of commercial types; identification of potential pollution generators per commercial type (see EPA for tool); development of fact sheets per business type; printing.	\$ 12,750.00	\$ 2,550.00	\$ 2,550.00	\$ 2,550.00	\$ 2,550.00	\$ 2,550.00	L	M	H
4	Municipal Webpage	Printing - cost includes letter and postage.	\$ 1,525.00	\$ 305.00	\$ 305.00	\$ 305.00	\$ 305.00	\$ 305.00			
		Establish a link in the municipal website dedicated to storm water. Coordinate with SWMP program leader to obtain requirements and content required for the website. Update website to incorporate new links, information, events, documents and others.	\$ 24,000.00	\$ 4,800.00	\$ 4,800.00	\$ 4,800.00	\$ 4,800.00	\$ 4,800.00	L	M	H
5	Flyers and Pamphlets on Storm Water and Water Quality	Identify the various target audiences; evaluate educational material available from the EPA and PREQB; determine material to be used based on individual target audiences; identify events and locations where to effectively distribute material for the specific audiences; identify quantity to be printed per material. This effort also includes distribution of educational material. Effort may be driven by municipal personnel	\$ 6,800.00	\$ 1,360.00	\$ 1,360.00	\$ 1,360.00	\$ 1,360.00	\$ 1,360.00	L	H	H
		Printing of educational materials	\$ 4,800.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00			
		Printing of educational materials	\$ 525.00	\$ 105.00	\$ 105.00	\$ 105.00	\$ 105.00	\$ 105.00			
		Printing of educational materials	\$ 700.00	\$ 140.00	\$ 140.00	\$ 140.00	\$ 140.00	\$ 140.00			
6	Annual Seminar with Municipal, EQB and EPA Expert Participation on Storm	Planning for annual seminar	\$ 15,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	L	H	H
		Printing of educational materials	\$ 1,312.50	\$ 262.50	\$ 262.50	\$ 262.50	\$ 262.50	\$ 262.50			
		Printing of educational materials	\$ 175.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00			
		Supplies, refreshments and event space.	\$ 2,500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00			
MCM 1 SUBTotals:			\$ 133,062.50	\$ 26,612.50	\$ 26,612.50	\$ 26,612.50	\$ 26,612.50	\$ 26,612.50			
RAM MGMT & ADMIN (FTE/yr) =	0.11	\$ 9,000.00									
SubTotal 5 Year Program Cost =		\$ 142,062.50									
OVERHEAD =	0.2	\$ 28,412.50									
Contingency Factor =	0.2	\$ 34,095.00									
ESTIM. 5 YEAR COST =		\$ 204,570.00									
AVG. ANNUAL COST =		\$ 40,914.00									

**MCM 2: PUBLIC INVOLVEMENT AND PARTICIPATION**

Note: Sponsors will be sought to assist in expenses associated, as well as volunteers to donate their time and experience with this MCM.

STAFFING (FTE/yr): 0.25

DIRECT COSTS: Low, meeting costs for steering committee

% EFF: 12%

LEYEND:
H, High
M, Medium
L, Low

BMP #	BMP Description	Activity Breakdown	Total (5-year permit)	Total Cost Year 1	Total Cost Year 2	Total Cost Year 3	Total Cost Year 4	Total Cost Year 5	Costs of Typical Effort (H,M,L) (relative to overall program cost)	Environmental Benefits (H,M,L) (relative to overall program benefits)	B/C
1	Establish an NPDES Storm Water Advisory Committee	Outreach to general public, special interest groups, municipal personnel, local community groups and other stakeholders to form the steering committee. Includes developing inventory of possible stakeholders; outreach mechanisms	\$ 3,000.00	\$ 3,000.00	\$ -	\$ -	\$ -	\$ -	L	M	H
		Printing and distribution of advertisement material. A one time cost for the program. Cost will vary depending on mechanism used: PSA, fliers, website, facebook, etc.	\$ 100.00	\$ 100.00	\$ -	\$ -	\$ -	\$ -			
		Define and document rules; Voting of board members - time donated from stakeholders	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			
		Planning for meeting; documentation of minutes - time donated from stakeholders	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			
2	Storm Drain Stenciling Program	Planning of program including designation of leader, recruiting of volunteers to assist in implementation of program and press release prior to event	\$ 20,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	L	H	H
		Mylar stencils at approx. \$230 per 10 mylar stencils used for a minimum of 25 times. Assuming 100 inlets per year	\$ 1,150.00	\$ 230.00	\$ 230.00	\$ 230.00	\$ 230.00	\$ 230.00			
		Paint and associated supplies	\$ 625.00	\$ 125.00	\$ 125.00	\$ 125.00	\$ 125.00	\$ 125.00			
		Refreshments and volunteer recognition	\$ 1,250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00			
3	Community Hotlines	Planning of hotline system including a process flow for direction and documentation of incoming calls.	\$ 2,000.00	\$ 2,000.00	\$ -	\$ -	\$ -	\$ -	L	H	H
		Direct telephone line (email address on website is included in MCM 1; BMP 4)	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0			
4	Public Meeting to Receive Input on the Proposed Program	Planning of bi-annual public meeting; advertisement of event to citizens, development of presentation to educate on the storm water management program, its progress and next plans. Documentation of minutes.	\$ 12,750.00	\$ 2,550.00	\$ 2,550.00	\$ 2,550.00	\$ 2,550.00	\$ 2,550.00	L	M	H
5	Attitude Surveys	Development of annual attitude survey; planning distribution and collection method; tabulation of results; identify opportunities. Cost is based on administration personnel and municipal technical personnel.	\$ 14,000.00	\$ 2,800.00	\$ 2,800.00	\$ 2,800.00	\$ 2,800.00	\$ 2,800.00	L	L	L
		Printing of surveys	\$ 980.00	\$ 196.00	\$ 196.00	\$ 196.00	\$ 196.00	\$ 196.00			
6	Reforestation Program	Partner with DRNA and coordinate with other stakeholders for development of program, identification of funding, recruiting of volunteers to assist in implementation of program, identification of sites and press release prior to event	\$ 2,000.00	\$ 2,000.00	\$ -	\$ -	\$ -	\$ -	H	H	M
		Trees and planting	\$ 50,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00			
MCM 2 SUBTotals:			\$ 107,855.00	\$ 27,251.00	\$ 20,151.00	\$ 20,151.00	\$ 20,151.00	\$ 20,151.00			
PROGRAM MGMT & ADMIN (FTE/yr) =			0.09	\$ 7,200.00							
SubTotal 5 Year Program Cost				\$ 179,960.00							
OVERHEAD =			0.1	\$ 17,996.00							
Conteigency Factor			0.2	\$ 39,591.20							
ESTIM. 5 YEAR COST =				\$ 237,547.20							
AVG. ANNUAL COST =				\$ 47,509.44							

**MCM 3: ILLICIT DISCHARGE, DETECTION AND ELIMINATION PROGRAM**

STAFFING (FTE/yr): 0.46

DIRECT COSTS: Medium, equipment, intense labor, technical experienced personnel

% EFF: 17%

<b>LEYEND:</b>
H, High
M, Medium
L, Low

BMP #	BMP Description	Activity Breakdown	Total (5-year permit)	Total Cost Year 1	Total Cost Year 2	Total Cost Year 3	Total Cost Year 4	Total Cost Year 5	Costs of Typical Effort (H,M,L) (relative to overall program cost)	Environmental Benefits (H,M,L) (relative to overall program benefits)	B/C
1	Storm Sewer System Map	Data collection, field survey, mapping	\$ 40,000.00	\$ 20,000.00	\$ 20,000.00	\$ -	\$ -	\$ -	H	L	L
		Map Updates	\$ 24,000.00	\$ -	\$ -	\$ 8,000.00	\$ 8,000.00	\$ 8,000.00			
2	Dry Weather Screening of Illicit Connections	Planning of screening program including inventory, prioritization of high risk areas, preparation of educational material	\$ 8,000.00	\$ 8,000.00	\$ -	\$ -	\$ -	\$ -	L	H	H
		Educational material	\$ 700.00	\$ 140.00	\$ 140.00	\$ 140.00	\$ 140.00	\$ 140.00			
		Two resources to perform dry screening inspection of outfalls, assuming 10 outfalls studied a year, 1/3 of outfalls require wet sampling, including travel time, testing, transportation of samples to lab and documentation. Assuming there are 50 outfalls.	\$ 9,600.00	\$ -	\$ -	\$ 3,200.00	\$ 3,200.00	\$ 3,200.00			
3	Ordinance to Enforce Non-Storm Water Discharges and Illegal Dumping	Coordination, drafting and enactment of ordinance	\$ 16,000.00	\$ 8,000.00	\$ 8,000.00	\$ -	\$ -	\$ -	L	H	H
4	Detection Program of Illicit Discharges and Illegal Dumping	Develop program including identification of area to be investigated; development of a facility inventory; inspection forms, reports	\$ 19,200.00	\$ -	\$ -	\$ 19,200.00	\$ -	\$ -	H	H	H
		Conducting site visits to cover 20% of outfalls and inspections (assuming 50 outfalls, 10 inspections can be completed in approx. 4 hours with 2 resources) and assuming 24 inspections from incoming reports from citizens	\$ 43,520.00	\$ -	\$ -	\$ -	\$ 21,760.00	\$ 21,760.00			
		Educational costs (material and trainings)	\$ 10,200.00	\$ -	\$ -	\$ 3,400.00	\$ 3,400.00	\$ 3,400.00			
5	Program to Manage Recreational Sewage Discharges	Develop/review current policies regarding recreational sewage dumping and develop process for management of program; inventory of recreational facilities; identification of high risk areas; forms	\$ 4,000.00	\$ 4,000.00	\$ -	\$ -	\$ -	\$ -	L	M	M
		assuming 6 field inspections of identified areas	\$ 3,600.00	\$ -	\$ -	\$ -	\$ 1,800.00	\$ 1,800.00			
6	Program to Report Sanitary Sewer Overflows	Development of process for identifying, reporting, notification followup; forms.	\$ 4,000.00	\$ -	\$ 4,000.00	\$ -	\$ -	\$ -	L	L	L
		Field inspections for identification of SSOs to occur after heavy rainfalls. Assuming 10 field inspections a year.	\$ 800.00	\$ -	\$ -	\$ -	\$ 400.00	\$ 400.00			
		Documentation and reporting of SSOs to PRASA. Assumed to be 1 SSOs per month, documentation inspection and reporting should be approx. 4 hours per incident.	\$ 6,800.00	\$ -	\$ 1,700.00	\$ 1,700.00	\$ 1,700.00	\$ 1,700.00			
7	Program To Detect and Eliminate Failing Septic Systems	Planning and development of program for the detection and elimination of failing septic tanks. (including septic tank registration requirement, process, documentation, development of forms, inspections, enforcement)	\$ 8,000.00	\$ 4,000.00	\$ 4,000.00	\$ -	\$ -	\$ -	L	M	M
		Site visits and inspections (Assuming 100 septic tanks, 20% will be inspected)	\$ 12,000.00	\$ -	\$ -	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00			
		Educational material	\$ 1,400.00	\$ 280.00	\$ 280.00	\$ 280.00	\$ 280.00	\$ 280.00			
		Reminder letters (cost includes envelope and postage)	\$ 222.00	\$ -	\$ -	\$ 74.00	\$ 74.00	\$ 74.00			
8	Illicit Discharge and Illegal Dumping Hotline	Planning of hotline system (cost assumed by MCM 2, BMP 3)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	L	H	H
		Direct telephone line and email address (Costs assumed by MCM 2, BMP 3 and MCM 1, BMP 4 respectively)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			
		Maintenance of hotline - cost assumed in MCM 2, BMP 3	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			
MCM 3 SUBTotals:			\$ 212,042.00	\$ 44,420.00	\$ 38,120.00	\$ 39,994.00	\$ 44,754.00	\$ 44,754.00			
DGRAM MGMT & ADMIN (FTE/yr) =				0.13							
SubTotal 5 Year Program Cost											\$ 231,718.00
OVERHEAD =				0.2							\$ 46,343.60
Conteigency Factor				0.2							\$ 55,612.32
ESTIM. 5 YEAR COST =											\$ 333,673.92
AVG. ANNUAL COST =											\$ 66,734.78

MCM 4: CONSTRUCTION SITE STORM WATER RUNOFF CONTROL

STAFFING (FTE/yr): 0.34  
 DIRECT COSTS: Medium, equipment, intense labor, technical experienced personnel  
 % EFF: 13%

<b>LEYEND:</b>
H, High
M, Medium
L, Low

BMP #	BMP Description	Activity Breakdown	Total (5-year permit)	Total Cost Year 1	Total Cost Year 2	Total Cost Year 3	Total Cost Year 4	Total Cost Year 5	Costs of Typical Effort (H,M,L) (relative to overall program cost)	Environmental Benefits (H,M,L) (relative to overall program benefits)	B/C
1	Enactment of an Ordinance for Regulating Construction Site Storm Water Runoff	Coordination, drafting and enactment of ordinance	\$ 16,000.00	\$ 8,000.00	\$ 8,000.00	\$ -	\$ -	\$ -	L	H	H
2	Construction Site Plan Review Program	Ordinance- Accounted for in BMP 1	\$ 6,800.00	\$ -	\$ -	\$ 6,800.00	\$ -	\$ -	M	H	H
		Planning, developemnt and implementation of program	\$ 8,000.00				\$ 8,000.00	\$ -			
		site plan reviews	\$ 12,000.00				\$ 6,000.00	\$ 6,000.00			
3	Municipal Construction Site Inspection Program	Ordinance- Accounted for in BMP 1	\$ -				\$ -		M	H	H
		Planning, developemnt and implementation of program	\$ 8,000.00	\$ -	\$ -	\$ -	\$ 8,000.00	\$ -			
		Inspections - Assuming 10 active constructions per year with 1 inspection per month per project	\$ 72,000.00	\$ -	\$ -	\$ -	\$ 36,000.00	\$ 36,000.00			
		equipment - vehicle	\$ 24,000.00	\$ -	\$ -	\$ -	\$ 12,000.00	\$ 12,000.00			
			\$ -								
4	Information Submitted by General Public	Development of process for receiving, documenting, addressing complaints	\$ 4,000.00	\$ -	\$ 4,000.00	\$ -	\$ -	\$ -	L	H	H
		Educational material	\$ 2,100.00	\$ -	\$ 525.00	\$ 525.00	\$ 525.00	\$ 525.00			
<b>MCM 4 SUBTotals:</b>			<b>\$ 152,900.00</b>	<b>\$ 8,000.00</b>	<b>\$ 12,525.00</b>	<b>\$ 7,325.00</b>	<b>\$ 70,525.00</b>	<b>\$ 54,525.00</b>			
PROGRAM MGMT & ADMIN (FTE/yr) =			0.10								
SubTotal 5 Year Program Cost			\$ 7,800.00								
OVERHEAD =			\$ 38,855.40								
Conteigency Factor			0.2								
ESTIM. 5 YEAR COST =			\$ 46,626.48								
AVG. ANNUAL COST =			\$ 279,758.88								
			\$ 55,951.78								

MCM 5: Post-Construction in New Developments and Redevelopments

STAFFING (FTE/yr): 0.58  
 DIRECT COSTS: Medium,  
 % EFF: 0.25

LEAYND:
H, High
M, Medium
L, Low

BMP #	BMP Description	Activity Breakdown	Total (5-year permit)	Total Cost Year 1	Total Cost Year 2	Total Cost Year 3	Total Cost Year 4	Total Cost Year 5	Costs of Typical Effort (H,M,L) (relative to overall program cost)	Environmental Benefits (H,M,L) (relative to overall program benefits)	B/C
1	Enactment of Ordinance for New	Coordination, drafting and enactment of ordinance	\$ 16,000.00	\$ -	\$ -	\$ 16,000.00	\$ -	\$ -	L	M	M
		Education Material	\$ 3,000.00	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00			
2	Reduction of Directly Connected Impervious Surfaces	Reviews	\$ 18,000.00	\$ -	\$ -	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	L	M	M
3	Plan Review, Inspection and Maintenance Program	Planning, developemnt and implementation of program	\$ 16,000.00	\$ -	\$ -	\$ 16,000.00	\$ -	\$ -	H	H	H
		site plan reviews	\$ 8,000.00	\$ -	\$ -	\$ -	\$ 4,000.00	\$ 4,000.00			
		Inspections - Assuming 25 projects per year where 4 inspections will be made per project (one for each phase of construction)	\$ 60,000.00	\$ -	\$ -	\$ -	\$ 30,000.00	\$ 30,000.00			
		Maintenance of BMPs	\$ 83,200.00	\$ -	\$ -	\$ -	\$ 41,600.00	\$ 41,600.00			
		equipment - vehicle. Cost is incurred in MCM4	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			
		equipment - (camara, GPS + and IT equipment) Costs shared with MCM3 and MCM4	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			
		Educational material	\$ 4,200.00	\$ -	\$ 1,050.00	\$ 1,050.00	\$ 1,050.00	\$ 1,050.00			
		Presubmittal meetings and consultations - Assuming 10 meetings/consulting per month of 2 hours	\$ 36,000.00	\$ -	\$ -	\$ 12,000.00	\$ 12,000.00	\$ 12,000.00			
		<b>MCM 5 SUBTotals:</b>	<b>\$ 244,400.00</b>	<b>\$ -</b>	<b>\$ 1,050.00</b>	<b>\$ 52,050.00</b>	<b>\$ 95,650.00</b>	<b>\$ 95,650.00</b>			

ROGRAM MGMT & ADMIN (FTE/yr)	0.19	\$ 15,000.00
SubTotal 5 Year Program Cost		\$ 259,400.00
OVERHEAD =	0.2	\$ 51,880.00
Conteigency Factor	0.2	\$ 62,256.00
<b>ESTIM. 5 YEAR COST =</b>		<b>\$ 373,536.00</b>
<b>AVG. ANNUAL COST =</b>		<b>\$ 74,707.20</b>

MCM 6 - POLLUTION PREVENTION/GOOD HOUSEKEEPING

STAFFING (FTE/yr): 0.45  
 DIRECT COSTS: Medium, low cost training material, vehicle  
 % EFF: 0.18

LEYEND:
H, High
M, Medium
L, Low

BMP #	BMP Description	Activity Breakdown	SUBTotal (5-year)	SUBTotal Cost Year 1	SUBTotal Cost Year 2	SUBTotal Cost Year 3	SUBTotal Cost Year 4	SUBTotal Cost Year 5	Costs of Typical Effort (H,M,L) (relative to overall program cost)	Environmental Benefits (H,M,L) (relative to overall program benefits)	B/C
1	Municipal Maintenance and Field Personnel Training Program	Development of training program	\$ 8,000.00	\$ 8,000.00	\$ -	\$ -	\$ -	\$ -	L	H	H
		Assesment of procedures and development of SOPs	\$ 50,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00			
		Preparation of training modules, presentation	\$ 8,000.00	\$ -	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00			
2	Municipal Employee Training Program	Development of training program	\$ 8,000.00	\$ 8,000.00	\$ -	\$ -	\$ -	\$ -	L	M	M
		Signs, educational material	\$ 2,500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00			
		Preparation of training modules, presentation	\$ 10,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00			
3	Reduction of Pollutants Generated by Vehicle Maintenance and Washing	Development of program	\$ 6,000.00	\$ -	\$ -	\$ 6,000.00	\$ -	\$ -	L	H	H
4	Storm Sewer System Cleaning Program	Development of program	\$ 4,000.00	\$ -	\$ 4,000.00	\$ -	\$ -	\$ -	H	M	M
		storm drain cleaning - assuming 50 drains and that all will need cleaning at least once in the year	\$ 14,250.00	\$ -	\$ -	\$ 4,750.00	\$ 4,750.00	\$ 4,750.00			
5	Reduction of Pollutants from Paved Areas	Development of program	\$ 4,000.00	\$ 4,000.00	\$ -	\$ -	\$ -	\$ -	H	M	M
		operator	\$ 28,828.80	\$ -	\$ 7,207.20	\$ 7,207.20	\$ 7,207.20	\$ 7,207.20			
MCM 6 SUBTotals:			\$ 143,578.80	\$ 32,500.00	\$ 25,707.20	\$ 32,457.20	\$ 26,457.20	\$ 26,457.20			
Mgmt & Adm. (FTE/yr) =			0.14	\$ 10,800.00							
SubTotal 5 Year Cost =				\$ 154,378.80							
OVERHEAD =			0.2	\$ 30,875.76							
Contingency Factor			0.2	\$ 37,050.91							
ESTIM. 5 YEAR COST =				\$ 222,305.47							
AVG. ANNUAL COST =				\$ 44,461.09							



**Nancy Rodriguez**

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**From:** Jorge Cajigas <jlcajigas@gmail.com>  
**Sent:** Wednesday, October 06, 2010 4:10 PM  
**To:** Nancy Rodriguez  
**Subject:** NPDS-MS4 Afiasco

Saludos!

El documento radicado en EPA se encuentra en la direccion adjunta. Cualquier duda favor comunicarse a nuestra oficina.

Gracias.

<http://www.megaupload.com/?d=U2YWYJLK>

--  
J.Cajigas & Associates, P.S.C.  
Ingenieros Consultores

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION II

**In the Matter of:**

**MUNICIPALITY OF AÑASCO**

**Respondent**

**RESPONDENT'S PREHEARING  
EXCHANGE**

**DOCKET NUMBER  
CWA-02-2010-3454**

CERTIFICATE OF SERVICE

I certify that I have this day caused to be sent the foregoing Prehearing Exchange, dated March 23, 2011, and bearing the above referenced docket number, in the following manner to the respective address below:

Original and copy by facsimile, USPS to:

Karen Maples  
Regional Clerk  
Region II  
U.S. Environmental Protection Agency  
290 Broadway, 16<sup>th</sup> Floor  
New York, NY 10007-1866  
Fax (212)637-3202

Copy by facsimile, USPS to:

Héctor L. Vélez Cruz  
Assistant Regional Counsel  
U.S. Environmental Protection Agency, Region II  
Office of Regional Counsel-Caribbean Team  
Centro Europa Building, Suite 417  
1492 Ponce de Leon Ave.  
San Juan, P.R. 00907-4127  
Phone: (787)977-5850  
Facsimile: (787) 729-7748  
e-mail: velez.hector@epa.gov

Copy by facsimile, USPS to:

Administrative Law Judge  
Honorable Bárbara A. Gunning  
Office of Administrative Law Judges  
U.S. Environmental Protection Agency  
1099 14<sup>th</sup> Street, N.W., Suite 350  
Washington, D.C. 20005  
Fax (202) 565-0044

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. II  
2011 APR - 1 P 12:02  
REGIONAL HEARING  
CLERK

Respectfully submitted. In San Juan, Puerto Rico, March 23, 2011.

**NOLLA, PALOU & CASELLAS, LLC**

Attorneys for Respondent

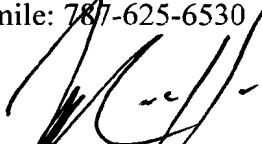
Municipality Of Añasco

PO Box 195287

San Juan, Puerto Rico 00919-5287

Telephone: 787-625-6535

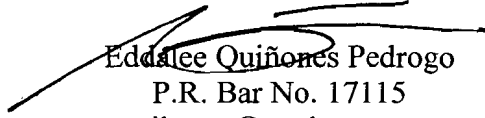
Facsimile: 787-625-6530



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Eddalee Quiñones Pedrogo

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