



Commonwealth of Puerto Rico
Municipality of Toa Baja
Office of the Mayor



Hon. Bernardo "Betito" Márquez García
Mayor

March 15, 2019

Eng. Sergio Bosques
Regional Storm Water Coordinator
Environmental Protection Agency
City View Plaza 11, Suite 7000
Guaynabo, P.R. 00968-8069

NOTICE OF INTENT-MUNICIPALITY OF TOA BAJA, FOR STORM WATER DISCHARGES FROM SMALL MS4s IN URBANIZED AREAS

We are submitting our Notice of Intent for the NPDES Permit no. PRR-040038. We submit this document, in order to comply with the Clean Water Act, Section 402 (p).

Our Municipality of Toa Baja has the intention of comply with the EPA Permit's provisions. For additional information or details, feel free to contact Planner Gabriel G. Quiñones Zambrana, Director of the Department of Planning and Economic Development, at (787) 316-1683 or (787) 261-0202, extension 2213, or via e-mail: gquiñones@toabaja.com.

Thank you for your attention and consideration to our request.

Best regards,


Bernardo "Betito" Márquez García
Mayor

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**TOA BAJA NOTICE OF INTENT (NOI) FOR COVERAGE UNDER THE SMALL
MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)**



Submitted by:

Bernardo “Betito” Márquez García, Mayor

Submitted to:

Eng. Sergio Bosques, Regional Storm Water Coordinator
Environmental Protection Agency (EPA)

March 15, 2019

Contents

Part A. General Information	3
Introduction.....	4
Part B. Primary MS4 Program Manager Contact Information	4
Part C. Eligibility Determination	5
Part D. Map/Boundaries.....	5
Part E. MS4 Infrastructure.....	5
Part F. Bylaw/Ordinance Development.....	7
Part G. Receiving Waters.....	7
Description of the Municipal Storm Water Sewer System	8
Estimated Square Mileage Served by the MS4 System.....	9
Proposed Storm Water Management Plan	9
Responsibilities and Coordination.....	10
Part H. Summary of Stormwater Management Program (SWMP) under the 2006 Small MS4 General Permit	11
Part I. 2016 Stormwater Management Program (SWMP) Summary	12
Part J. Application Certification and Signature.....	17

Part A. General Information

1. Name of Municipality or Organization: Municipality of Toa Baja
2. Type: Federal State **Municipality** Other: _____
3. Existing Permittee: **Yes** No If yes, provide EPA NPDES Permit Number: P R R 040038
4. Location Address:
 - a. Street: Rafael Arrieta Street #16

 - b. City: Toa Baja State: PR Zip Code: 00949
5. Mailing Address:
 - a. Street: PO Box 2359

 - b. City: Toa Baja State: PR Zip Code: 00951
6. Telephone Number: (787) 261-0202, ext. 2213 Fax: _____
7. E-mail: gquinones@toabaja.com
8. Standard Industrial Classification (SIC) Code (see instructions for common codes): 9199
9. Latitude: (use the format provided.) Longitude: (use the format provided.)
Approximate center of the regulated portion of the MS4.
18.2638 N (degrees, minutes, seconds) **-66.1535 W** (degrees, minutes, seconds)

Introduction

In 1972, Congress amended the Federal Water Pollution Control Act, commonly referred as the Clean water Act (CWA) to prohibit the discharge of any pollutant to waters of the United States from point sources unless the discharge is authorized by a National Pollutant Discharge Elimination System (NPDES) permit. Initial efforts under the NPDES program focused on reducing pollutants in discharges of industrial process wastewater and municipal sewage. As pollution control measures have been implemented, it has become evident that diffuse sources or non-point sources are also contributors of water quality degradation. In 1990, the US Environmental Protection Agency (USEPA) promulgated rules establishing Phase I of the NPDES storm water program. The Phase I program for MS4 requires operators of "medium" and "large" MS4, that is, those that generally serve population of 100,000 or greater, to implement a storm water management program as a means to control polluted discharges from these MS4, USEPA published the Storm Water Phase II Rule on December 9, 1999. As outlined in these regulations the Municipality of Toa Baja is required to submit an application for permit coverage.

The urbanized and rural areas of Municipality of Toa Baja, as well as the City itself, are required to apply for NPDES municipal storm water discharge permits. In order to assure that the quality of storm water discharges from our municipal storm sewer system is managed to the maximum extent practicable, the Municipality of Toa Baja has developed and is in the process of implementing a Storm Water Management Program that includes best management practices, public education and storm water monitoring.

Part B. Primary MS4 Program Manager Contact Information

1. Name: Gabriel G. Quiñones Zambrana
2. Position Title: Director of the Department of Planning and Economic Development
3. Stormwater Management Program (SWMP) Location (web address or physical location): Town Hall
4. Mailing Address:
 - a. Street: PO Box 2359
 - b. City: Toa Baja State: PR Zip Code: 00951
5. Telephone Number: 787-261-0202, ext. 2213
6. E-mail: gquinones@toabaja.com

Part C. Eligibility Determination

1. Endangered Species Act (ESA) determination complete? X Yes No
 - a. Eligibility Criteria (check all that apply): A B C D x E
2. National Historic Preservation Act (NHPA) determination complete? X Yes No
 - a. Eligibility Criteria (check all that apply): x A B C D

Part D. Map/Boundaries

1. MS4/Organization Description of regulated boundaries (narrative):

Toa Baja is a municipality located on the northern coast of Puerto Rico. It is bordered at the North by the Atlantic Ocean, at the South by the municipality of Bayamón, at the East by the municipality of Cataño, and at the West by the municipality of Dorado.

Toa Baja has a geographic extension of 41.8 square miles, of which 23.2 square miles are of land area¹. The municipality is part of the San Juan-Carolina-Caguas Metropolitan Statistical Area.

Toa Baja is comprised of five wards (barrios): Candelaria, Media Luna, Palo Seco, Sabana Seca y Toa Baja Pueblo. The municipality had a population of 81,905 in 2017².
2. Location Map/Boundaries. A location map must be attached showing the pertinent city, town, wards, or boundaries, the boundaries of the Small MS4, including surface water body(s), and the "urbanized area" (UA) when applicable.

Is map attached? X Yes No

Part E. MS4 Infrastructure

1. Estimated Percent of Outfall Map Complete? (*Part 4.2.3 of 2006 general permit*): 40%
 - a. If 100% of 2006 requirements are not met, enter an estimated date of completion: September 30, 2019
(MM/DD/YYYY)
 - b. Web address where MS4 map is published: N/A

If outfall map is unavailable on the internet an electronic or paper copy of the outfall map must be included with NOI submission.

¹ 2010 Census, Summary File 1.

² 2013-2017 American Community Survey 5-year Estimates.

Tubos de Descargas, Sumideros y Puentes, Municipio de Toa Baja



Part F. Bylaw/Ordinance Development

1. Illicit Discharge Detection and Elimination (IDDE) authority adopted? Yes **X** No
 - a. Effective Date or Estimated Date of Adoption: 09/30/2019
(MM/DD/YYYY)

2. Construction/Erosion and Sediment Control authority adopted? Yes **X** No
 - a. Effective Date or Estimated Date of Adoption: 09/30/2019
(MM/DD/YYYY)

3. Post-Construction Stormwater Management adopted? Yes **X** No
 - a. Effective Date or Estimated Date of Adoption: 09/30/2019
(MM/DD/YYYY)

Part G. Receiving Waters

List the names of all surface waterbody segments to which your MS4 discharges. For each waterbody segment, please report the number of outfalls discharging into it and, if applicable, any impairments. You may attach additional information.

Waterbody Segment that receives flow from the MS4	Number of Outfalls into receiving waterbody segment	Have any monitoring been performed to outfalls? (Yes/No)	List of Pollutant(s) causing impairment (if applicable)	List of TMDL Pollutant (s) (if any)
Río La Plata	2	No	Unknown	Unknown
Río Cocal/Levittown Lake	1	No	Unknown	Unknown
Río Hondo/Río Bayamón	2	No	Unknown	Unknown
Atlantic Ocean	5	No	Unknown	Unknown

In the Municipality of Toa Baja there are three rivers of greater importance, these are: Rio La Plata, Rio Cocal and Rio Hondo.

- The Rio La Plata is the second river of Puerto Rico in importance order by its great size. The river is born in the mountain range of the Municipality of Cayey on 2,960 feet above sea level and ends at the Municipality of Dorado by Punta Boca Juana. The river basin of the Rio La Plata drains an area of 241 miles square to the Atlantic Ocean, 11 miles to the west of the Municipality of San Juan and has 63 miles in length.

- The Rio Cocal delimits to the Municipality of Toa Baja to Dorado. This river is not tributary of the Rio La Plata under normal conditions, in spite of the closeness its two river basins. These are separated by a land strip of relatively high topography throughout Highway PR-165.
- The Rio Hondo is born in the Pájaros sector of the Municipality of Toa Baja, and passes by areas of the Municipality of Bayamón and areas between Palo Seco and Sabana Seca. This river was channelized, thus in great rains the water levels do not allow to a suitable drainage of the sectors of Villa Kennedy and Villa Marisol of the Municipality of Toa Baja.

Description of the Municipal Storm Water Sewer System

The Municipality of Toa Baja Storm Water Sewer System (MS4) in the urban areas in general consist of a series of catch basins, typically located within the right-of-way of municipal and state roads, interconnected by underground concrete of PVC pipes which normally discharge to the Atlantic Ocean. In the rural areas, the Municipal MS4 system typically consists of a series of interconnected open channel culverts, which run parallel to municipal and state roads, and usually discharge to a surface water body. It is important to note that the municipal separate storm water sewer system is interconnected with the storm water sewer system operated and maintained by the Puerto Rico Department of Transportation and Public Works and that of the Highway and Transportation Authority. Also, interconnected to the Municipal MS4 system are the discharges from NPDES (storm water) permitted facilities and PRASA Pre-treatment permitted industrial and commercial facilities.

The Municipal Public Works is responsible for the operation and maintenance of the storm water sewer system and associated facilities within the Municipality of Toa Baja. The principal responsibility of the PWEC is to perform a preventive maintenance and upgrade program. The PWEC offers services such as open channel cleaning and catch basin clean up. Open trash dumping sites elimination, street sweeping, road side vegetation maintenance, septic tank maintenance and cleaning and other related services are also rendered by the Environmental Protection Department (EPD). The Municipality also manages the Animal Protection Control Division that is responsible for eliminating dead and stray animals from the streets, which reduces pet waste and pollutants is the storm water runoff.

As the Municipality of Toa Baja implements the proposed Storm Water Management Plan a more accurate description (capacity, operation, etc.) of the Municipal MS4 system can be provided.

Estimated Square Mileage Served by the MS4 System

The estimated square mileage served by the MS4 System is 47.7 mi². However, it must be noted that a more accurate estimate can be provided as the Municipality implements the proposed Storm Water Management Plan.

Proposed Storm Water Management Plan

The Municipality of Toa Baja has many regulatory and public responsibilities. One of these is the development of a Storm Water Management Plan (SWMP). The SWMP will be developed to meet the regulatory requirements of the National Pollutant Discharge Elimination System (NPDES) Phase II Rule and to assist the Municipality in maintaining and improving the Municipality drainage facilities which include pipelines, structures, basins, ditches, swales, ponds, under drains and drainage wells, to ensure that they perform to design capacity and that all receiving bodies meet state and federal standards for water quality. It will also be an important tool for use in the day-to-day operations and as a public reference document. Along with regulatory issues, this plan will address the protection of property from flooding and erosion, identifies health and safety issues related to water resources, and will make recommendations for the preservation of environmental and aesthetic benefits community.

Through the use of field observations, results of past and future studies, hydrologic/hydraulic computer modeling, and input from Municipality staff and a proposed Citizens Advisory Committee, the SWMP will identify existing problems and potential future problems within the Municipality. A combination of regulatory requirements, public education, increased maintenance activities, and capital improvements will be recommended to solve identified problems. The major plan elements include the following:

- Development of a proposed storm water ordinance that, among other things, establishes minimum requirements for new development and redevelopment prohibits illicit discharges maintenance of privately owned storm water facilities.
- Development of public education opportunities to inform the community or water quality issues, and, specifically, the new ordinance and its requirements.
- Develop a Storm Water Assistance Program, to assist businesses and persons in their efforts to comply with NPDES storm water regulations and will educate citizens about storm water runoff an associated concerns.
- Hydrologic and hydraulic computer modeling analysis of the major drainage basins in the Municipality to simulate existing flows, project future flows, and evaluate system requirements.
- Analysis of localized flooding and water quality problems and solutions, and development of a prioritized list of recommended drainage system improvements.
- Development of a Maintenance and Operations Program
- Development of a Public Education Program
- Development of a Compliance Management Program to among other things, monitor illicit discharges into surface waters, storm water discharges associated with industrial activity and construction sites.

- Description of the overall program costs.
- Analysis of funding options and the creation of a storm water utility.

The proposed SWMP will focus initially on a system inventory and analysis of drainage and water quality issues followed by a 5-year capital improvement program, a facilities maintenance program, and a comprehensive storm and surface water code and policy. As envisioned, the SWMP will address the drainage network base map, hydrologic and hydraulic analysis and modeling, if required, for the principal surface water bodies (creek and rivers), environmental and water quality issues, storm water facilities maintenance program and a comprehensive Storm Water Management Code and Policy.

The permit allows the communities to discharge stormwater from the municipal systems into waters of the country such as rivers, lakes and streams, as long as programs are implemented to reduce pollutants in stormwater by conducting activities and implementing programs in the following areas:

- Public education and outreach
- Public involvement and participation
- Illicit discharge detection and elimination
- Construction runoff controls
- Post construction runoff controls
- Pollution prevention runoff controls
- Monitoring

Responsibilities and Coordination

- Planning Department: responsible for the Storm Water Program implementation, foresees program changes due to new developments.
- Public Works Department: storm sewer maintenance, infrastructure design and construction.
- Ornament Department: responsible for the water bodies cleaning, landfill management, non-hazardous waste collection, municipality general housekeeping, and landscaping.
- Emergency Management Department: responsible for emergency response, investigation and agencies reporting.
- Press Department: manage municipality public relations, public outreach through internet website and municipality newspaper.

- Recycling Department: training the employees, the Police Department, community leaders and all residents of Toa Baja about the Stormwater Management Program.

Part H. Summary of Stormwater Management Program (SWMP) under the 2006 Small MS4 General Permit

For every measurable goal and associated Best Management Practice (BMP) listed in the adopted program, provide the following information (You may include additional pages):

BMP Description or BMP ID (e.g. MCM-1)	Goal Achieved? (Yes/No)	Continued in next permit cycle? (Yes/No)	Who was the targeted audience? Explain reason for not achieving goal.	Modification(s) to goals or BMP for next permit cycle
Develop a brochure with information of storm water runoff which include information of proper disposal of household hazardous and wastes water conservation practices for homeowners.	Yes	Yes	Residents (specially students), business owners and developers	Update of information
Develop an agenda in coordination of Ornament Department to establish the routes and schedule to implement the Stream Cleanup Program.	Yes	Yes	Residents (specially students), business owners and developers	Focus on efficiency and documentation
Get digital information from developers about their residential, commercial and industrial 'projects. Draw up the storm water sewer from the older residential context whose information is not available using GPS and GIS mapping tools	Yes	Yes	Residents, business owners and developers	Continue with the mapping process
Required an NPDES permit for all construction sites over one (1) acre in the municipality. To emphasize in the Public Works Office inspect the proper fulfillment of the permits of every new residential, commercial and industrial project.	No	Yes	Residents, business owners and developers. The reason for not achieving the goal was the lack of coordination.	Create process
Municipal Public Works Department will develop an agenda that includes, routs and schedule to give maintenance for the storm water sewer.	Yes	Yes	Residents (specially students), business owners and developers	Update revision process

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 Notice of Intent (NOI) for coverage under the Small Municipal Separate
 Storm Sewer System (MS4) General Permit (PRR040038) for Puerto Rico

Municipal Employee training and education.	No	Yes	Municipal employees The reason for not achieving the goal was the lack of coordination.	Create a group of resources to create and develop the new trainings
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Part I. 2016 Stormwater Management Program (SWMP) Summary

Public Education and Outreach (See Part 2.4.2 for detailed information of required BMPs):

BMP Description or BMP ID (e.g. MCM-1)	Education Topic (Identify the issue your BMP is educating the public about.)	Outreach Method (Describe the method used to convey this topic, e.g. mailing, events, school, etc.)	Measurable Goal (What is the end result of this program? What indicator will determine the goal has been met? (e.g., number mailing sent, people at event, class participation, etc.)
Environmental education program	Discharges, Septic System Maintenance, Vehicle Maintenance, Storm Sewer Maintenance, Waste Management	Maintain a 3Dimensional plastic model of a local miniature community to offer hands-on approach to demonstrate water pollution of watershed caused by various urban runoff sources. Presentations at school conferences, public and private fairs, and community orientations. Support a local organization that incorporates the ideas and resources of local governments, citizens, nonprofit environmental groups, and local colleges, universities and schools to promote the importance of the resources and its benefits to the community.	Conferences per year, public fairs per year, community orientations per year
Briefings program	Best management practices for maintenance activities to commercial establishments	Hold one public stakeholder meeting each year and develop the guidelines to determinate who the stakeholders are, where the meetings will be held, how the stakeholders will be informed of the meetings, and how results will be used and distributed. Meetings, focus groups and briefings	Informal briefings per year
Maintain links in social media, telephone and website to the NPDES MS4 page	Sediment control, Septic System Maintenance, Storm Sewer Maintenance, Waste Management	Develop, produce and make presentation in the web site of the Municipality of Toa Baja (www.toabaja.com) about the storm water runoff to increase the public awareness of the storm water pollution issues within the area. Phone number line to answer specific storm water questions and identify problems or incidents related to storm water management practices.	Number of persons who access the webpage and related links
Environmental Pollution Prevention Award	Stormwater issues	Award to be given at the regional environmental fair	Number of projects submitted

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National Pollutant Discharge Elimination System
 Notice of Intent (NOI) for coverage under the Small Municipal Separate
 Storm Sewer System (MS4) General Permit (PRR040038) for Puerto Rico

Part I. 2016 Stormwater Management Program (SWMP) Summary (continued)

Public Involvement and Participation (See Part 2.4.3 for detailed information of required BMPs):

BMP Description or BMP ID (e.g. MCM-1)	Program Description (Describe the program and how it will inspire public participation, e.g. special events, volunteer sampling and monitoring efforts, household hazardous waste recycling, etc.)	Measurable Goal (What is the end result of this program? What indicator will determine the goal has been met? (e.g., participation, amount of sampling performed, waste collected, etc.)
Reforestation program	Develop a volunteer Adopt-A-Park program as a public outreach tool and shall allow participation by any group or organization within the community. Undertake activities on the benefits of vegetation and forestation.	Participation in forestation activities per year.
Provide an instrument to evaluate community complaints regarding environmental issues	Program to evaluate community complaints. Volunteer monitoring program during the storm water permit term that will allow tracking water quality changes over time.	Investigate complaints per year.
Multihazard Mitigation Plan and the municipal Land Use Plan Revision	A process with good Public Participation Program.	Complete the Mitigation Plan and submit it for public hearings. Complete the Land Use Plan Revision.
Analysis of the Public Order Ordinance	Through ordinances and resolutions, prohibit illegal disposal of waste in an unpermitted area or into a storm drain system and develop and implement the actions required to enforce these regulations.	Revise the Public Order Ordinance

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National Pollutant Discharge Elimination System**
Notice of Intent (NOI) for coverage under the Small Municipal Separate
Storm Sewer System (MS4) General Permit (PRR040038) for Puerto Rico

Part I. 2016 Stormwater Management Program (SWMP) Summary (continued)

Illicit Discharge Detection and Elimination (See Part 2.4.4 for detailed information of required BMPs):

BMP Description or BMP ID (e.g. MCM-1)	Program Description (Describe the program and how it will identify and remove illicit connections from the MS4, e.g. new regulations, investigation practices, removal of illicit connections, etc.)	Measurable Goal (What is the end result of this program? What indicator will determine the goal has been met? (e.g., adoption of bylaws/ordinances, amount of investigation performed, identified and removed illicit connections, etc.)
Implement public ordinance for the protection of surface water	Develop a program to detect and identify illicit discharges of non-storm water flows and when flows and when detected s significant contributors.	Number of areas where the ordinances have been enforced.
Maintain the illicit discharges and environmental issues or violations program	Maintain a program of inspections for illicit discharges	Designation of investigators to the program.
Perform periodic inspections in commercial to guarantee no illicit discharges	Periodic inspections to prevent illicit discharges	Businesses evaluated
Implement a pollution prevention program geared machine shops, car painting and repair shops, and others	Develop Procedures to make recycling motor oil and oil and filters more convenient Develop and implement a pollution prevention measure for an outreach and training program directed at businesses and municipal fleets involved in vehicle maintenance.	Adoption of the prevention plan

Construction Site Stormwater Runoff Control (See Part 2.4.5 for detailed information of required BMPs):

BMP Description or BMP ID (e.g. MCM-1)	Program Description (Describe the program and how it will help control stormwater runoff at construction sites, e.g. new regulations, construction practices, inspection protocols, etc.)	Measurable Goal (What is the end result of this program? What indicator will determine the goal has been met? (e.g., adoption of bylaws/ordinances, amount of inspections performed and sites actively regulated, etc.)
Analyze regulatory documents for projects developed in Toa Baja	Request regulatory documents for projects developed in Toa Baja	Number of construction site visits
Establish a system to notify regulatory agencies in case of violations found	System to notify regulatory agencies in case of any found violations.	Number of notifications per year.

Part I. 2016 Stormwater Management Program (SWMP) Summary (continued)

Post-Construction Stormwater Management in New Development and Redevelopment (See Part 2.4.6 for detailed information of required BMPs):

BMP Description or BMP ID (e.g. MCM-1)	Program Description (Describe the program and how it will control stormwater runoff from properties after they are developed, e.g. new regulations, practices, or resources for contractors to use Low Impact Development (LID), etc.)	Measurable Goal (What is the end result of this program? What indicator will determine the goal has been met? (e.g., adoption of bylaws/ordinances, amount of implemented practices, development of capacity building resources, etc.)
Request from developers storm water drainage patterns before and after construction	Reduce imperviousness on new developments using practices to treat, store and infiltrate runoff onsite before it can affect water bodies downstream. Especially in areas of proximity to water bodies, request storm water drainage patterns before and after construction of project.	Number of permits evaluated.
Request Operation and Management (O&M) plans	Request plans for post-construction structural storm water management in new developments.	Number of O&M plans requested

United States Environmental Protection Agency
National Pollutant Discharge Elimination System
Notice of Intent (NOI) for coverage under the Small Municipal Separate
Storm Sewer System (MS4) General Permit (PRR040038) for Puerto Rico

Part I. 2016 Stormwater Management Program (SWMP) Summary (continued)

Good Housekeeping and Pollution Prevention in Municipal Operations (See Part 2.4.7 for detailed information of required BMPs):

BMP Description or BMP ID (e.g. MCM-1)	Program Description (Describe the program and how it will mitigate stormwater runoff at municipal properties or through municipal activities.)	Measurable Goal (What is the end result of this program? What indicator will determine the goal has been met? (e.g., structural BMPs installed, SOPs developed and implemented, etc.)
Periodic cleaning of segments of the Toa Baja storm sewer system	<p>Develop procedures for the regular inspection and cleaning of storm drain system to reduce the amount of pollutants, trash, and debris. This program shall be applied to material and waste handling areas, paved and vegetate areas, waterways, and new development projects. Based on inspection results, repair or replacement measures shall be determined for proper operation. A summary of all inspections and repairs shall be maintained and submitted in the annual report.</p> <p>Promote an annual spring cleanup that will directly involve citizens in water pollution prevention and create awareness that most storm drains discharge untreated waters directly into that river and ocean. The Municipal Separate Storm Sewer Systems shall implement a community program to label storm drains.</p>	Number of segments cleaned per year
Establish a debris collection system	System of periodic collection of debris in different sectors	Route and public schedule for debris collection
Evaluation of current contract for collection of domestic waste	Evaluate current collection of domestic waste to assure contractor complies with regulatory requirements	Results of the evaluation performed
Train municipal personnel in NPDES requirements	Training of municipal personnel in NPDES requirements to assure compliance of Toa Baja municipal operations	Preparation of guides or procedures for best management practices
Maintain the recycling program for commercial and industrial sectors	Recycling program for paper, newspaper, cardboard and glass, geared to commercial and industrial sectors.	Number of weekly visits to recycling center. Number of commercial establishments participating in the program.

United States Environmental Protection Agency
National Pollutant Discharge Elimination System
 Notice of Intent (NOI) for coverage under the Small Municipal Separate
 Storm Sewer System (MS4) General Permit (PRR040038) for Puerto Rico

Maintain compliance with regulations regarding the Municipal Landfill's	Utilization of the landfill's subsurface monitoring system in order to assure compliance with applicable regulations.	Compliance achievement
Comply with best practices for municipal non-hazardous waste management	Comply with best practices and regulatory requirements of storm water pollution prevention, including at the municipal garage.	Number of good housekeeping practices
Pollution prevention procedure for municipal operations	Develop and implement a pollution prevention procedure for municipal gardening and maintenance activities	Number of municipal workers trained

Part J. Application Certification and Signature

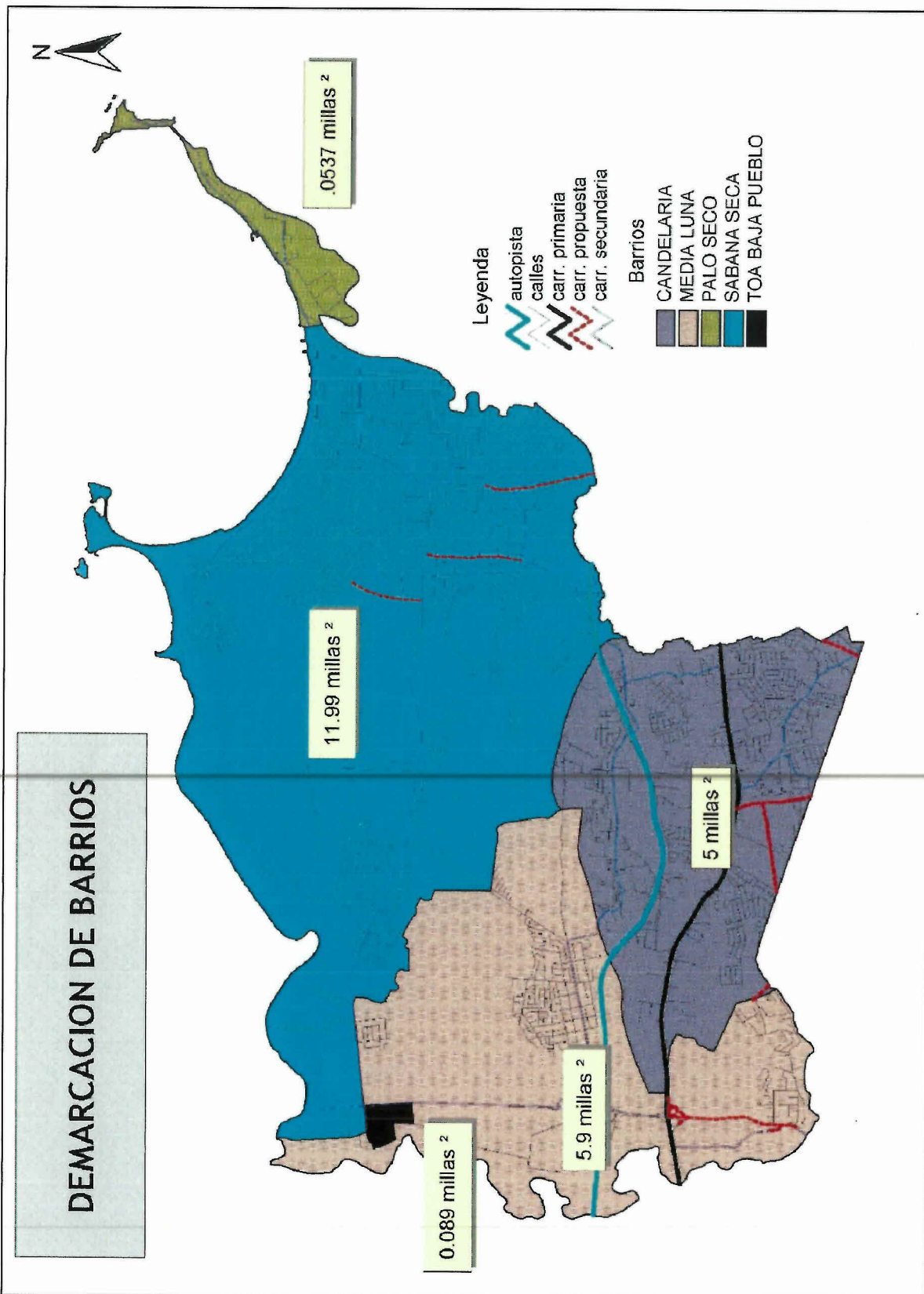
I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage 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.

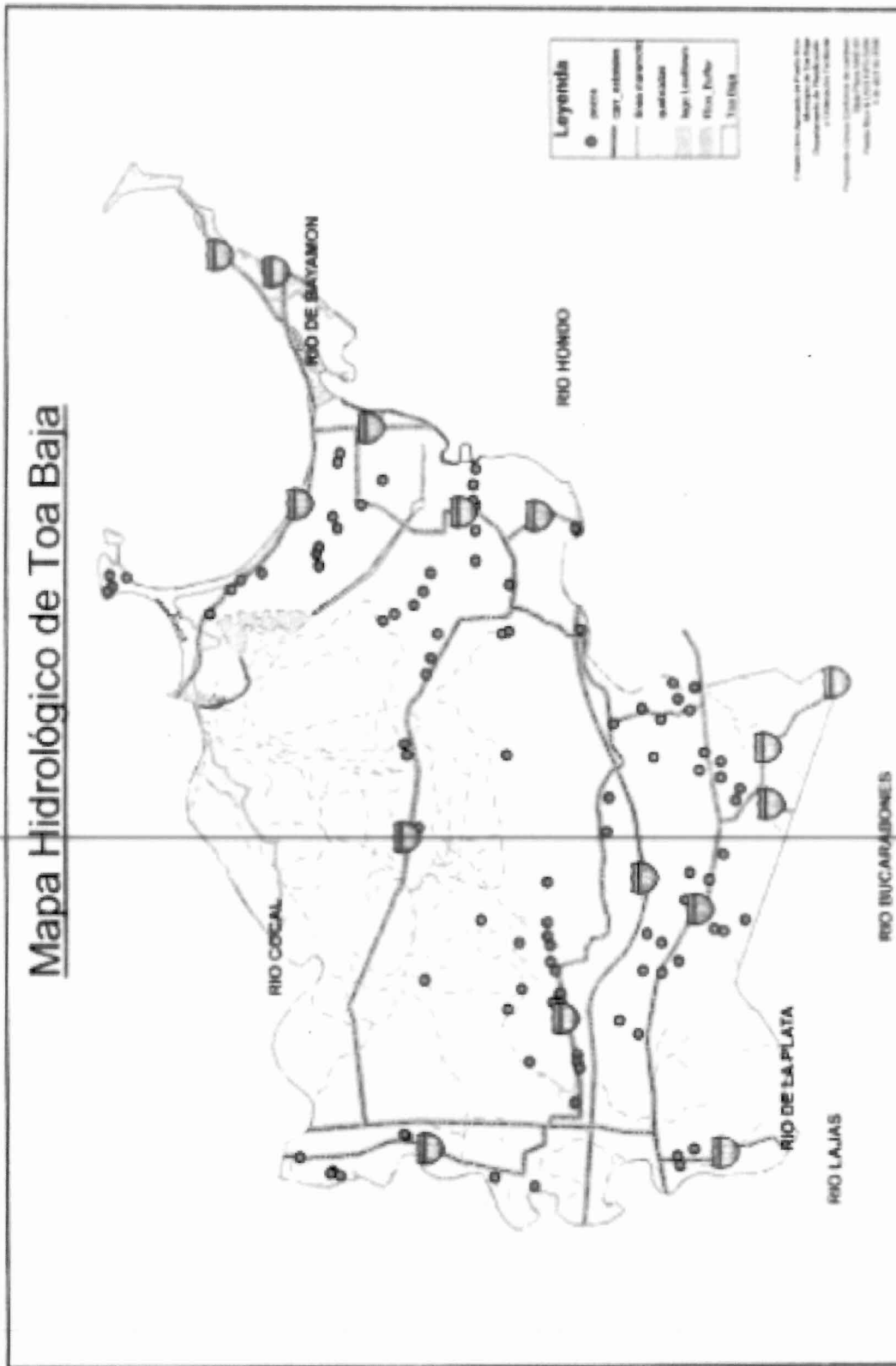
Signature of Mayor/Elected Official:  _____

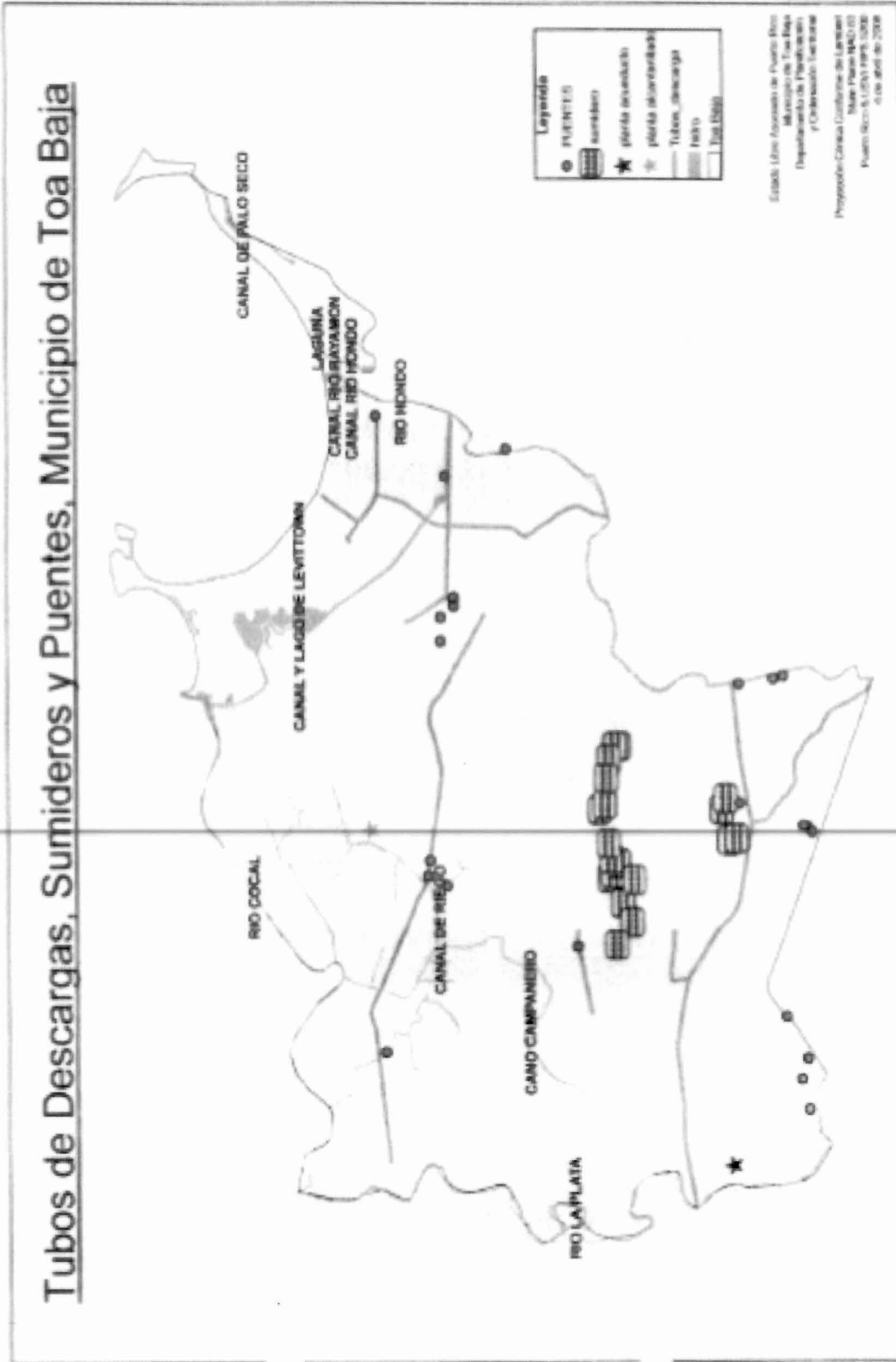
Print Name of Mayor/Elected Official: Bernardo Márquez García

Title: Mayor

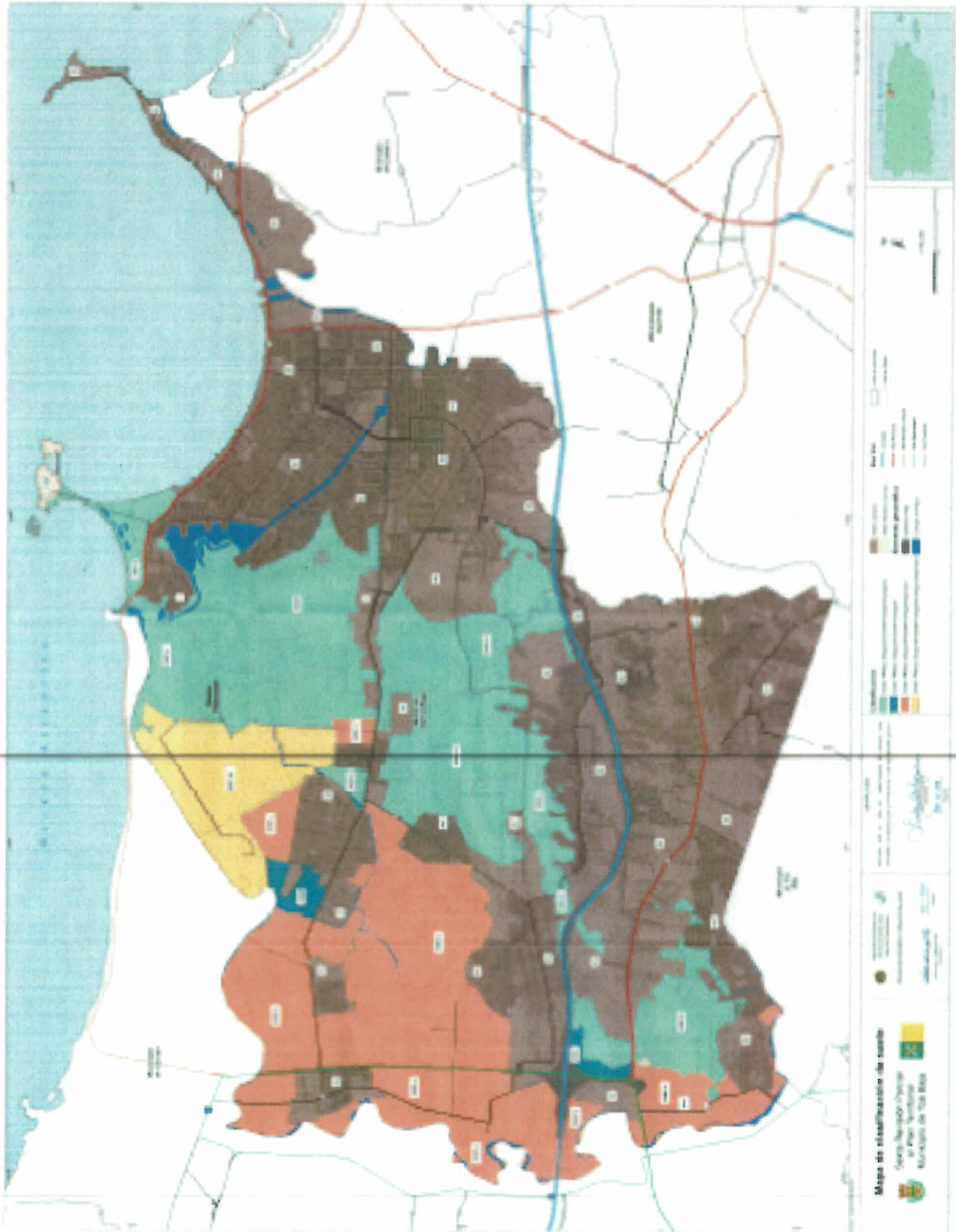
Date: March 15, 2019



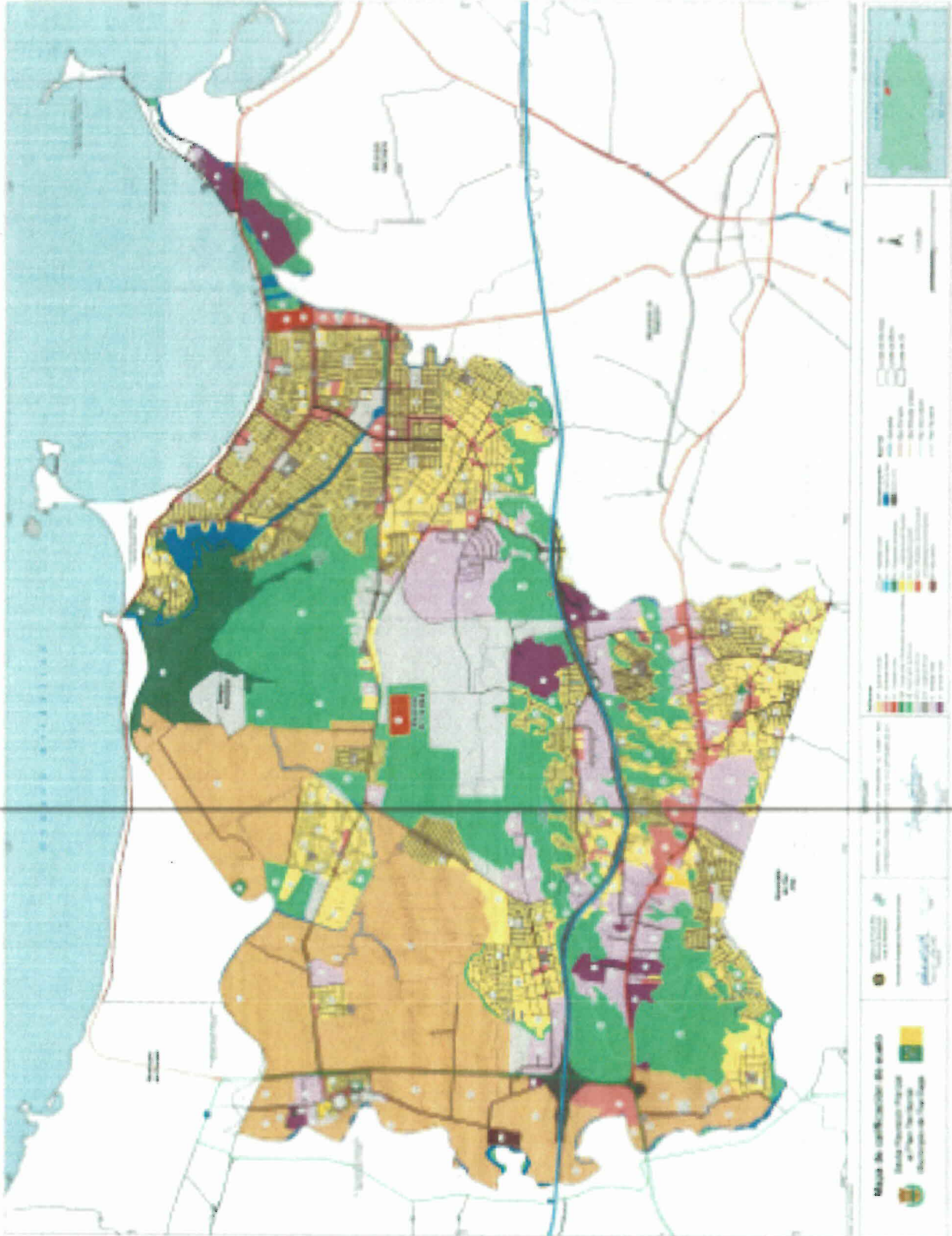




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National Pollutant Discharge Elimination System
Notice of Intent (NOI) for coverage under the Small Municipal Separate
Storm Sewer System (MS4) General Permit (PRR040038) for Puerto Rico



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National Pollutant Discharge Elimination System
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Storm Sewer System (MS4) General Permit (PRR040038) for Puerto Rico



Topografía

