



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION
CITY VIEW PLAZA II BUILDING, 7TH FLOOR
ROUTE 165 GUAYNABO, PUERTO RICO 00968

March 6, 2023

**VIA EMAIL &
CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Ms. Robin Russell Orama
Executive Director
Castañer General Hospital, Inc.
P. O. Box 1003
Castañer, Puerto Rico 00631
Email: hospital@hospitalcastaner.com

**Re: Request for Information Pursuant to Section 308 of the Clean Water Act
Submittal of Updated Information concerning National Pollutant Discharge Elimination
System Permit Application
NPDES Permit Number PR0025283
RFI ID: CEPD-CWA-02-IF-2023-004**

Dear Ms. Russell Orama:

The purpose of this letter is to request the Castañer General Hospital, Inc. to submit updated information regarding the National Pollutant Discharge Elimination System (NPDES) permit application for wastewater discharges to a water of the United States.

Statutory and Regulatory Background

Section 402(a) of the Clean Water Act (CWA), 33 U.S.C. § 1342(a), requires that for the discharge of any pollutant, or combination of pollutants into navigable waters of the United States from point source must be authorized by a National Pollutant Discharge Elimination System (NPDES) permit. The NPDES Program is codified at Title 40 of the Code of Federal Regulations (C.F.R.) Part 122. Pursuant to 40 C.F.R. § 122.21(a), a regulated person must seek coverage under an NPDES permit who discharges or proposes to discharge pollutants.

NPDES Permit for Castañer General Hospital, Inc.'s Discharges

On October 1, 2005, the US Environmental Protection Agency (EPA) issued an NPDES Permit, PRR0025283, (Permit) to Castañer General Hospital, Inc. for treated wastewater discharges from its wastewater treatment plant located in Lares, Puerto Rico. The Permit expired on September 30, 2010. An NPDES renewal permit application was submitted to EPA on February 5, 2010. The application package consisted of a General Form 1 and NPDES Form 2C.

On December 30, 2010, EPA notified Castañer General Hospital, Inc. that the NPDES renewal permit application was complete in accordance with 40 C.F.R. § 124.3 (45 Federal Register 33486, May 19, 1980). The EPA administratively continued the Permit in accordance with C.F.R. § 122.6(a), and the Permit has remained in force and effect until re-issuance of a new permit.

The EPA may request additional information from Castañer General Hospital, Inc., if necessary, to clarify, modify or supplement previously submitted material in processing your permit application. In addition, EPA requested the Puerto Rico Environmental Quality Board (EQB), today known as the Department of Natural and Environmental Resources (DNER), for a Water Quality Certificate under Section 401 of the CWA, 33 U.S.C. § 1341.

On January 18, 2019, DNER published an Intent to Issue a Water Quality Certificate (IWQC). As of the date of this letter, DNER has not issued its final certification under Section 401 of the CWA

NPDES Renewal Permit Application Not Up to Date

On June 23, 2020, representatives from EPA and Castañer General Hospital, Inc. held a conference meeting on the status of the Water Quality Certificate and NPDES permit renewal concerning the wastewater treatment plant. The representatives from Castañer General Hospital, Inc. indicated their intentions to improve the operation and maintenance of the wastewater treatment plant and their plans to build a new wastewater treatment plant. EPA's representatives indicated these actions require Castañer General Hospital, Inc. to update the information provided in the NPDES renewal permit application. The Castañer General Hospital, Inc.'s representatives agreed to submit a revised NPDES permit application in accordance with 40 C.F.R. § 122.41(h).

In a telephone conversation on September 30, 2021, representatives from EPA and Castañer General Hospital, Inc. confirmed which forms in the NPDES renewal permit application (i.e., General Form 1 and NPDES Form 2C) needed to be updated. In addition, on December 7, 2021, an EPA official sent a reminder email to Castañer General Hospital, Inc.'s consultant, Engineer José A. Martí, of the necessary NPDES permit application forms and the EPA weblink to download these forms.

As of the date of this letter, Castañer General Hospital, Inc. has not submitted to EPA an updated NPDES renewal permit application.

Request for Information

Pursuant to the authority of Section 308(a) of the CWA, 33 U.S.C. § 1318(a), EPA is requesting Castañer General Hospital, Inc. to submit an updated General Form 1 and NPDES Form 2C (Application Forms) that contains the information identified in EPA's NPDES Applications and Forms website: <https://www.epa.gov/npdes/npdes-applications-and-forms-epa-applications>.

The Application Forms shall be mailed to or received at EPA within sixty (60) calendar days of your receipt of this letter by electronic mail. Please submit the Application Forms to the following address:

Sergio Bosques
Senior Environmental Engineer
Clean Water Act Team
Multimedia Permits and Compliance Branch
Caribbean Environmental Protection Division
U.S. Environmental Protection Agency, Region 2
City View Plaza II, Suite 7000
#48 165 RD. KM 1.2
Guaynabo, Puerto Rico 00968-8069.

Any documents to be submitted by Castañer General Hospital, Inc. as part of this Request for Information shall be sent by certified mail or its equivalent and shall be signed by an authorized representative of the respective entity (see 40 C.F.R. § 122.22), and shall include the following certification:

"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."

Please be advised that you are under a continuing obligation to supplement the response if information not known or not available to you as of the date of submission of your response should later become known or available to you. If at any time in the future you obtain or become aware of additional information or find that any portion of the submitted information is false, misleading or misrepresents the truth, you must promptly notify EPA. If any part of the response is found to be untrue, you may be subject to criminal prosecution.

This Request for Information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. §§ 3501-3520. You may, if you so desire, assert a business confidentiality claim covering all or part of the information requested by this letter. A business confidentiality claim may be asserted by placing on (or attaching to) the information, at the time it is submitted, a cover sheet, stamped or typed-legend, or other suitable form of notice employing language such as "trade secret" or "proprietary" or "company confidential." Information covered by such a claim will be disclosed by EPA only in accordance with and by means of procedures set forth in 40 C.F.R. Part 2.

If no business confidentiality claim accompanies the information contained in the response to this Request for Information when EPA receives it, it may be made available to the public by EPA without further notice to you. You should read the above-cited statutory and regulatory provisions carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by you. If you desire confidential treatment of information only until a

certain date or until the occurrence of a certain event, your response should state so. Failure to comply in all respects with this Request for Information may result in the initiation of an enforcement action under Section 309 of the CWA, 33 U.S.C. §1319, under which injunctive relief and penalties may be sought. Such an enforcement action may include the assessment of penalties of up to \$64,618 per day for each day of continued non-compliance.

EPA encourages you and your staff to become familiar with the Small Business Resource Information Sheet which is available at <https://www.epa.gov/compliance/small-business-resources-information-sheet>. This Information Sheet provides an array of resources, including workshops, training sessions, hotlines, websites, and guides, to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

If you have any questions concerning this Request for Information letter and/or the Application Forms, please contact Mr. Sergio Bosques, Senior Environmental Engineer, Clean Water Act Team, at (787) 977-5838, or via electronic mail at bosques.sergio@epa.gov.

Sincerely,

CARMEN

GUERRERO PEREZ

Carmen R. Guerrero Pérez

Director

Caribbean Environmental Protection Division

Digitally signed by CARMEN
GUERRERO PEREZ

Date: 2023.03.06 15:19:19
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cc: Annette Feliberty, DNER/WQA (via email: annettefeliberty@drna.pr.gov)
José A. Martí, Consultant (via email: jmarti@technical-consulting.com)