

Contents

CERTIFICATION STATEMENT.....	3
BACKGROUND	4
POLLUTANTS OF CONCERN	4
MINIMUM CONTROL MEASURES.....	5
Program Management.....	5
Public Education and Outreach on Storm Water Impacts.....	6
Rationale.....	6
General Storm Water Awareness.....	6
Targeting Source of Pollutants of Concern.....	7
Employee Outreach and Education.....	7
Measurable Goals.....	7
Schedule & Milestones.....	8
Public Involvement/Participation	9
Rationale.....	9
Measurable Goals.....	9
Schedule & Milestones.....	10
Illicit Discharge Detection and Elimination	11
Rationale.....	11
Illicit Discharge Detection and Elimination Plan.....	11
Storm Sewer Map.....	12
Legal Authority and Enforcement.....	12
Illicit Discharge Education and Training.....	12
Allowable Non-Storm Water Discharges as Significant Pollutant Contributors.....	13
Measurable Goals.....	13
Schedule & Milestones.....	13
Construction Site Storm Water Runoff	15
Rationale.....	15
Measurable Goals.....	16
Schedule & Milestones.....	17
Post-Construction Storm Water Management in New Development and Redevelopment	18

Rationale..... 18

Measurable Goals..... 20

Schedule & Milestones..... 20

Pollution Prevention/Good Housekeeping for Municipal Operations..... 21

 Rationale..... 21

 Facility Storm Water Management 21

 Municipal Activities 22

 Storm Water System Maintenance 22

 Employee Training 22

 Measurable Goals..... 22

 Schedule & Milestones..... 23

CERTIFICATION STATEMENT

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 gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Hon. Carlos López Bonilla, Mayor

Date

BACKGROUND

The Municipality of Rincón (Municipality) has developed a Storm Water Management Program (SWMP or Program) (described in this planning document, or Plan) to reduce the discharge of pollutants from the Municipal Separate Storm Sewer System (MS4) to the maximum extent practicable (MEP) to protect water quality and to satisfy the appropriate water quality requirements of the Clean Water Act and the requirements of the Puerto Rico General National Pollutant Discharge Elimination System (NPDES) Permit for Discharge from MS4 – Permit No. PRR040000 (Permit). The components of this Program include best management practices (BMPs) which address the six minimum control measures described in the Phase II Rule that will reduce pollutant discharges to the water bodies.



Rincón is located in the Western Coastal Valley, west of Añasco and Aguada. Rincón is spread over 9 wards and Rincón Pueblo (The downtown area and the administrative center of the city). It is part of the Aguadilla-Isabela-San Sebastián Metropolitan Statistical Area.

The Municipality of Rincón contains five main water bodies, Quebrada Ensenada, Quebrada Grande de Calvache, Quebrada Los Ramos, Quebrada Piletas and Caño Garcia, as well as small tributaries of the Río Grande de Aguada. Quebrada Grande de Calvache (PRWE88A), Quebrada Los Ramos (PRWQ89A), and are in the 303(d) List of Impaired Water Bodies of the U.S. Environmental Protection Agency (USEPA). Although these water bodies are listed as impaired, they are not within the Municipality’s MS4 boundaries.

The only total maximum daily loads (TMDLs) approved for Puerto Rico water bodies are Río Cibuco (September 2002), Río de la Plata (September 2003), and Río Grande de Loiza (September 2007). After reviewing the 303(d) List of lagoons, lakes and rivers of Puerto Rico, the Puerto Rico Environmental Quality Board (PREQB) Strategic Planning and Evaluation Department confirmed that the Municipality does not have any TMDL requirements.

POLLUTANTS OF CONCERN

No TMDLs are planned or have been developed for Rincon’s receiving water bodies. However, the Municipality has identified four primary sources of potential storm water impacts –post-construction runoff, active construction, and car maintenance. The primary pollutants which are likely discharged from these activities are heavy metals, oil and grease, nutrients, pesticides, and bacteria. These activities have been targeted with specific BMPs in the SWMP.

MINIMUM CONTROL MEASURES

According to the U.S. Environmental Protection Agency (USEPA), operators of regulated small MS4s are required to design their SWMPs to:

- Reduce the discharge of pollutants to the “maximum extent practicable” (MEP);
- Protect water quality; and
- Satisfy the appropriate water quality requirements of the Clean Water Act.

According to the Permit, implementation of the MEP standard requires the development and implementation of BMPs and the achievement of measurable goals to satisfy each of six Minimum Control Measures – Public Education, Public Involvement, Illicit Discharge Detection and Elimination, Construction, Post-Construction, and Pollution Prevention/Good Housekeeping for Municipal Operations. The SWMP described herein, includes BMPs for all six Minimum Control Measures, and when implemented in concert, are expected to result in significant reductions of pollutants discharged into receiving waterbodies.

Program Management

The Public Management Secretary will be responsible for coordinating the Program. The SWMP Implementation Team Leader will be from the Engineering Department. A SWMP Implementation Team (SWMP Team) will be formed to include the managers responsible for implementing the various BMPs included in the SWMP. A meeting with the SWM Team will be held after the submittal of the Notice of Intent (NOI) and SWMP Plan to educate the managers regarding the contents of the Plan as well as their specific responsibilities. Every quarter thereafter, the SWMP Coordinator (the Municipality Administrator) and the SWMP Implementation Team Leader (Engineering Department Director) will hold a meeting with the SWMP Team to discuss progress, reporting requirements, and address any issues or concerns.

Public Education and Outreach on Storm Water Impacts

The Municipality must implement a public education program to educate community members on the pollution potential of daily activities such as gardening, car washing, and house maintenance. The education program must distribute educational materials to the community or conduct equivalent outreach activities about the impacts of storm water discharges on water bodies and the steps that the public can take to reduce pollutants in storm water runoff.

The Human Resources, Recycling and Emergency Response Departments will be responsible for the implementation of the Public Education and Outreach Minimum Control Measure.

Rationale

The storm water education and outreach control measure implementation will drive the success of the Municipality's entire SWMP. An educated and informed community, including residents, industry, and Municipality employees, will assure support and compliance with the storm water regulations. The Municipality's existing environmental education programs serves an extensive part of the community and will be a cost-effective framework of this minimum control measure.

General Storm Water Awareness

A general storm water awareness messages such as "BE THE SOLUTION...TO WATER POLLUTION", and "NO DUMPING ... DRAINS TO OCEAN" will be included as the main message of the storm water educational literature. The Recycling Department and the Emergency Response Department will distribute the storm water educational brochures during recycling and general environmental educational programs and other media such as the new Municipality storm water Webpage, the local magazine, El Coqui of Rincón, the Rincón Recicla magazine, and a 10 minute radio program. The existing programs target all age groups of residents such as private and public schools, community members, university students, and senior citizens homes. The following existing environmental programs are examples of those that will be used to introduce and promote the storm water awareness:

- Lawn care education for residents offered by the Agriculture Extension Department.
- Earth Day events and Municipality festivals
- Rincón Reforestation Program
- Municipality's road cleaning volunteer activities
- Recycling and Environmental Orientation School Programs
- Community Conservation Projects
- Surfrider Foundation Environmental Coastal Conservation and Education Activities.

In addition to existing Rincón programs, the Emergency Response Manager will research and utilize materials and programs implemented by other agencies to educate the public about general storm water issues. Specifically, the Municipality will review USEPA educational materials as well as materials

developed by the Puerto Rico Agricultural Extension Department, and Sea Grant Program – Water Quality Division.

Targeting Source of Pollutants of Concern

The Municipality considers active construction activities, post-construction runoff and automotive maintenance facilities the primary pollutant sources concern for storm water impacts. These sources will be targeted by the Program for education and outreach. During the first permit term, construction contractors will be targeted for storm water education. See the Construction Site Runoff section for more information.

In addition, the General Permit requires that the impacts of private septic systems be addressed in the SWMP. Rincón will develop an educational campaign (using existing materials) for owners of septic systems to promote effective operation and maintenance. See the Illicit Discharge Detection and Elimination Minimum Control Measure for more information.

Employee Outreach and Education

The Engineering Department manager will hold a start-up meeting with the Storm Water Management Team (SWM Team). One of the purposes of this meeting is to provide training to SWM Team members about their SWMP plan coordination and implementation responsibilities. The directors will then provide the information to their employees.

In addition, the Human Resources Department will coordinate a Municipality annual meeting where all employees will be trained on storm water issues. The Municipality will also post storm water educational materials in Municipality offices and make materials available on the Municipality storm water website.

The Municipality will also provide training for field staff regarding facility and activity-specific BMPs, illicit discharge detection and spill response. See the Pollution Prevention/Good Housekeeping section for more information.

Measurable Goals

- Number of events conducted where storm water materials were distributed and/or a storm water message was delivered
- Number of storm water related articles published in the Rincón Recicla and El Coqui of Rincón magazines
- Number of visits to the storm water Website
- Number of Municipality employees provided general storm water awareness training
- Number of directors trained
- Number of Municipality employees trained regarding BMPs

Schedule & Milestones

Milestone	Completion Deadline	Frequency	Permit Year(s)
Develop General Awareness Message	Year 1	--	1
Incorporate Message into Existing Environmental Programs	Year 1	--	1-5
Review and Utilize New Existing Materials	Year 1	--	1-5
Municipality Employees Training & Materials	--	1/year	1-5
Directors Training	--	1/year	1-5
General Storm Water Information on Website	Year 2	--	1-5
Develop and Distribute Contractors' Brochure	Year 3	--	3-5
Construction Information on Website	Year 3	--	3-5
Septic System Educational Program	Year 2	--	2-5
Volunteer Events (i.e. stream cleanups, roadway litter events)	--	1/year	1-5
School presentations	--	1/school/year	1-5
Community Group Presentations	--	4/year	1-5

Note 1: Either Frequency or Deadline is provided based upon the type of milestone proposed.

Note 2: Completion Deadline indicates the Permit term year at the end of which the milestone will be completed.

Note 3: Permit Years indicate the years in which the associated BMP will be implemented.

Public Involvement/Participation

The Permit requires that the Municipality comply with State and local public notice requirements when implementing a public involvement/participation program and will document the decision process for the development of a storm water public involvement/participation program.

The Community in Communication with the Mayor Office and the Volunteer Group Development Program will be responsible for implementing the Public Involvement Minimum Control Measure.

Rationale

Involving the public in the SWMP development and implementation will enhance storm water management efforts. Involving the public will increase cooperation and instill a sense of shared responsibility for storm water management efforts between the community and Rincón Municipality.

The SWMP will be introduced to the public through existing activities as well as appropriate new methods. The Municipality of Rincón will utilize a scheduled municipal legislature meeting to educate the public about the SWMP as well as invite comments from stakeholders. After the submittal of the NOI, a meeting will be used to introduce the general concepts of storm water management and the commitments included in the Municipalities SWMP. Participants in public involvement activities will be educated about the SWMP and invited to comment on the Program as well as volunteer their efforts to improve storm water quality. For each year after, the Municipality will use a municipality legislature meeting to announce the submittal of the SWMP annual report and its availability online.

Currently the Municipality conducts volunteer streams cleanups, roadside litter pickups, and public meetings regarding Municipality programs and policies. These existing events and programs will be used to solicit input from residents regarding the SWMP.

The Municipality will post the SWMP, and all subsequent annual reports, on a website which provides contact information for receipt of comments or questions. In addition, information regarding the program and how to participate or comment will be included, at least annually, in the Rincón Newspaper “El Coqui” and through the Rincón Recicla Magazine.

Finally, the Municipality will use the Community in Communication with the Mayor issue reporting procedure to receive information from the public regarding storm water issues. See the Illicit Discharge Detection and Elimination section for more information.

Measurable Goals

- Number of public meetings conducted soliciting input on the SWMP
- Number of volunteers participating in the community river and creeks cleanups
- Number of storm water related incident reports received by the Community in Communication with the Mayor Program
- Timely availability of SWMP documents and annual reports to the public

Schedule & Milestones

Milestone	Completion Deadline	Frequency	Permit Year(s)
Solicit Public Input at Public Meetings	---	1/year	1-5
Volunteer Events (i.e. stream cleanups, roadway litter events)	---	1/year	1-5
SWMP Information on Website	Year 1	--	1-5
Incorporation of Storm Water Issues into Community in Communication with the Mayor	Year 1	--	1-5

Note 1: Either Frequency or Deadline is provided based upon the type of milestone proposed.

Note 2: Completion Deadline indicates the Permit term year at the end of which the milestone will be completed.

Note 3: Permit Years indicate the years in which the associated BMP will be implemented.

Illicit Discharge Detection and Elimination

The Permit requires that the Municipality develop, implement and enforce a program to detect and eliminate illicit discharges; develop, if not already completed, a storm sewer system map, showing the location of all outfalls and the names and location of all waters of the United States that receive discharges from those outfalls; effectively prohibit, through ordinance, or other regulatory mechanism, non-storm water discharges into the permittee storm sewer system, and implement appropriate enforcement procedures and actions; inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste; and address the categories of non-storm water discharges or flows described in Section 4.2.3.1.6 of the Permit if the permittee identifies them as significant contributors of pollutants to the small MS4.

The Recycling Department will implement and coordinate the BMPs for the Illicit Discharge Detection and Elimination (IDDE) Minimum Control Measure.

Rationale

Implementing an effective IDDE program requires that Municipality's find the sources of illicit discharges and stopping the discharges from continuing or occurring again. Both Municipality staff and the general public should be used to detect illicit discharges. This will be accomplished by providing training to Municipality employees and education to the general public to encourage the reporting of discharges. The Municipality will also inspect priority outfalls to ascertain which might have cross-connections or other illicit discharges occurring. Once illicit discharges are discovered through either method, the success in eliminating the source is a factor of the legal authority in place and the enforcement actions used against the discharger. The Municipality will implement the necessary ordinances and will develop the necessary enforcement mechanisms to eliminate illicit discharges. Rincón will utilize the combination of BMPs described in the following section to prohibit non-storm water discharges to the MS4 to the maximum extent practicable.

Illicit Discharge Detection and Elimination Plan

The Municipality will develop an Illicit Discharge Detection, and Elimination Plan (IDDE Plan) to utilize Municipality resources to detect and eliminate illicit discharges. The IDDE Plan will be a document which includes a procedures for selecting areas of the storm sewer system that should be inspected during dry weather, a dry weather field screening protocol, an standard operating procedure (SOP) for investigating any suspected illicit discharges, and a method for tracking investigation activities.

The Municipality will perform a desk top analysis to determine which sections of the MS4 are of the highest illicit discharge priority based upon factors such as the age of the infrastructure, the land use(s) draining to the MS4, amount of recreational sewage dumping, number of aging septic systems, and the history of dumping or other illicit discharges. These high priority sections will be inspected during the first permit term. The remaining sections will be inspected during subsequent permit terms. The dry weather field inspections will be conducted using an approach similar to the Outfall Reconnaissance

Inventory (ORI) developed by the Center for Watershed Protection.¹ During the field inspections, the Municipality will mark and photograph all outfalls, record outfall characteristics, perform simple monitoring at flowing outfalls, and take a flow sample at outfalls with likely problems.

The Municipality will develop an illicit discharge investigation standard operating procedure (SOP) to ensure that major problems discovered during dry weather inspections (during regular Municipal activities or as a result of a citizen complaint) are dealt with immediately. The illicit discharge investigation SOP will include a procedures for tracking illicit discharge “cases” to ensure all suspected illicit discharges (either detected through dry weather inspections or reported) are investigated thoroughly and eliminated when at all possible. When sources of illicit discharges are discovered, the Municipality will utilize the appropriate enforcement actions per the enforcement response plan (ERP) (see the Legal Authority and Enforcement section below).

Storm Sewer Map

The Municipality currently does not have a storm sewer infrastructure map. A map of the system will be completed and submitted by the end of the second year of the Permit term. The map will be created using global positioning system (GPS) technology.

Legal Authority and Enforcement

The Municipality currently has regulations which require recycling, prohibits illegal dumping, protect environmental quality, and regulates septic systems. These regulations will be reviewed and amended as necessary to prohibit all non-storm water discharges into the storm sewer system and implement appropriate enforcement procedures and actions. It may be necessary to create a new ordinance to fulfill this requirement. The Municipality will also create an ERP to aid Municipality staff in the consistent and effective enforcement of the resulting regulation(s). The ERP will include a description of the available enforcement actions as well as the timeframes for escalation which apply to each.

Illicit Discharge Education and Training

The Municipality will utilize existing programs and implement new ones in order to educate staff and the general public about illicit discharges.

The Municipality will develop and implement an annual training to educate key staff about illicit discharges – both their detection and elimination. This training will be targeted at field staff in the Public Works Department and will focus on recognizing and responding to an illicit discharge (including violations of erosion and sedimentation regulations on construction projects) as well as spill prevention and spill response (see Pollution Prevention/Good Housekeeping section below). The Police Department will also be invited to attend this training in order to educate them about the impacts of illegal dumping and other illicit discharge sources.

Further, the Municipality will include basic information about illicit discharges on the storm water management Web site along with the information necessary for a resident to report anything suspicious. The Community in Communication with the Mayor program encourages residents to report issues or problems in the community. The program uses a form which residents complete with pertinent

¹ Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessments. Center for Watershed Protection. 2004. www.cwp.org

information and submit the Mayor’s office. This form will be amended to include storm water related issues.

The Municipality will continue to implement a septic system pump out program. Residents can request a pump out from the Municipality for a nominal fee (\$100 for residential and \$200 for commercial). The Municipality also will target educational efforts at homeowners within the MS4 boundary served by septic tanks. The Municipality will provide these residents education about how to maintain their septic systems properly.

Finally, the educational programs described above in the Public Education and Outreach section will serve to decrease illicit discharges by educating residents about the storm water impacts of homeowner and business activities.

Allowable Non-Storm Water Discharges as Significant Pollutant Contributors

The Municipality does not consider any of the allowable non-storm water discharges described in the Permit to be significant sources of pollutants within the Rincón MS4 boundary. No further BMPs are necessary to address allowable non-storm water discharges.

Measurable Goals

- Approval of adequate legal authority (i.e. existing or new ordinance(s)) to prohibit illicit discharges
- Completion of storm sewer map
- Completion of dry weather inspections within priority areas of the MS4
- Number of trainings provided to Municipality staff
- Percentage (%) of detected or reported illicit discharges eliminated
- Number of septic system owners educated about proper maintenance
- Number of septic system pump outs performed by the Municipality

Schedule & Milestones

Milestone	Completion Deadline	Frequency	Permit Year(s)
Review of Existing Ordinance(s)	Year 1	--	1
Septic System Educational Program	Year 1	--	1-5
Septic System Pump Out Program	Year 1	--	1-5
Incorporation of Storm Water Issues into Community in Communication with the Mayor	Year 1	--	1-5
Development of New Ordinance	Year 2	--	1-2

Municipality of Rincón Storm Water Management Program

Milestone	Completion Deadline	Frequency	Permit Year(s)
Storm Sewer Mapping	Year 2	--	1-2
IDDE Information on Website	Year 2	--	1-5
Development of IDDE Plan	Year 3		1-3
Public Works IDDE Training & Materials	--	1/year	1-5
Development of ERP	Year 3	--	3
Completion of Priority Dry Weather Inspections	Year 5	--	4-5

Note 1: Either Frequency or Deadline is provided based upon the type of milestone proposed.

Note 2: Completion Deadline indicates the Permit term year at the end of which the milestone will be completed.

Note 3: Permit Years indicate the years in which the associated BMP will be implemented.

Construction Site Storm Water Runoff

The Permit requires that the permittee develop, implement, and enforce a program to reduce pollutants in any storm water runoff to their small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of storm water discharges from construction activity disturbing less than one acre must be included in the Municipality program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. If the NPDES permitting authority waives requirements for storm water discharges associated with small construction activity in accordance with § 122.26(b)(15)(i), the permittee is not required to develop, implement, and/or enforce a program to reduce pollutant discharges from such sites. The program must include the development and implementation of, at a minimum – an ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under State or local law; requirements for construction site operators to implement appropriate erosion and sediment control best management practices; requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality; procedures for site plan review which incorporate consideration of potential water quality impacts; procedures for receipt and consideration of information submitted by the public; and procedures for site inspection and enforcement of control measures.

The Engineering Department will implement and coordinate the BMPs for the Construction Minimum Control Measure.

Rationale

Currently, the Municipality does not regulate active construction projects within the urban zone. The Municipality will develop an ordinance which requires erosion and sediment controls on projects which disturbs more than 900 m² or moves a volume of soil greater than or equal to 40 m³. This threshold is the same as the threshold in existing Commonwealth of Puerto Rico regulations, most specifically the “Reglamento para el Control de la Erosión y Prevención de la Sedimentación” mandated by the “Ley sobre Política Pública Ambiental” (Law No. 9, June 18, 1970). In addition, the ordinance will require that other wastes on construction projects be controlled as well (e.g. trash, concrete wash out). The ordinance will include specific requirements as well as enforcement mechanisms that will be utilized to require compliance.

The Municipality will require that developers will have to submit a plan which includes the BMPs necessary to control erosion and the discharge of other wastes. The Municipality will review the existing requirements for the Control of Erosion and Prevention of Sedimentation Plan (CES Plan) which is required by the PREQB for adequacy to comply with the new Municipality ordinance. If the CES Plan is adequate, developers will be required to submit the CES Plan to the Municipality for review and approval. If it is not adequate, an additional plan will be required.

Developers will not be allowed to begin a qualifying construction project until the erosion and sediment control plan has been approved by the Municipality. Once the plans are approved and construction begins, the Municipality will inspect projects based on their potential for storm water impacts. Each project will be ranked according to its size, location, compliance history of the contractors, and other factors to be determined. The frequency of inspection will be based on this priority ranking, however, at

a minimum, each qualifying project will be inspected once after the initial grading has begun to ensure BMPs are in place, once within 48 hours of a rain event to require adequate BMP maintenance and repair, and once when the project is completed to ensure that all areas are stabilized and BMPs have been removed. High priority projects may be inspected more frequently.

The Municipality will develop two SOP documents. One will detail the plan review procedures for the required erosion and sediment control plan. This SOP will include references to preferred BMPs as well as checklists for the plan reviewers to follow. The second SOP will describe inspection and project compliance tracking procedures. This SOP will include an inspection form for inspectors to use which will encourage thorough and consistent inspections.

Finally, the Municipality will develop an ERP specific to the enforcement of storm water requirements on construction projects. The ERP will include a description of the available enforcement actions as well as the timeframes for escalation which apply to each.

Public projects will also comply with all Municipality erosion and sediment control regulations.

Plan review and inspection staff will be trained in the requirements of the new ordinance, the appropriate SOPs and use of the ERP. The trainings will be conducted annually to ensure staff are kept up to date on BMPs and procedures. The trainings may be held “in-house” or staff may attend trainings provided by outside sources such as PREQB or USEPA.

The Municipality will inform the general public of ways to report violations of erosion and sediment control regulations on construction projects through storm water events as well as the Municipality Website.

Contractors will be educated about storm water requirements through brochures available at Municipality offices, information on the storm water Website, and during one-on-one compliance assistance provided during construction project inspections.

Measurable Goals

- Development of legal authority to implement the construction program
- Development of plan review SOP
- Development of inspection SOP
- Number of plan review staff trained
- Number of inspection staff trained
- Number of inspections conducted at each qualifying project

Schedule & Milestones

Milestone	Completion Deadline	Frequency	Permit Year(s)
Development of Ordinance	Year 1	--	1
Develop Plan Review SOP	Year 2	--	1-2
Develop Inspection SOP	Year 2	--	1-2
Evaluate and Select Preferred BMPs	Year 2	--	1-2
Develop ERP	Year 2	--	1-2
Conduct Staff Trainings	Year 3	1/year	3-5
Construction Information on Website	Year 3	--	3-5
Develop and Distribute Contractors' Brochure	Year 3	--	3-5
Conduct Plan Reviews & Inspections	Year 3	--	3-5

Note 1: Either Frequency or Deadline is provided based upon the type of milestone proposed.

Note 2: Completion Deadline indicates the Permit term year at the end of which the milestone will be completed.

Note 3: Permit Years indicate the years in which the associated BMP will be implemented.

Post-Construction Storm Water Management in New Development and Redevelopment

The Permit requires that the Municipality develop, implement, and enforce a program to address storm water runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into the permittee small MS4. The Municipality's program must ensure that controls are in place that would prevent or minimize water quality impacts; develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for the community; and use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under State or local law; and ensure adequate long-term operation and maintenance of BMPs.

The Engineering Department will implement and coordinate the BMPs for the Post-construction Minimum Control Measure.

Rationale

The Municipality does not currently require post-construction BMPs, inspect facilities or require that private property owners maintain implemented BMPs. The Municipality will develop an ordinance to address post-construction runoff from new development and redevelopment projects by requiring the implementation and maintenance of structural and non-structural BMPs.

Currently the Puerto Rico Aqueduct and Sewer Authority (PRASA), the Puerto Rico Planning Board and the PRDNER regulate post-construction runoff from new developments and redevelopment projects and require that post-development runoff not exceed existing or pre-development runoff. A hydrologic/hydraulic study is required to ensure this. The Municipality will review the project threshold requirements (i.e. type or size of project required to implement the requirements) and performance standards included in these regulations and determine if more stringent or additional requirements should be implemented in Rincón. The Municipality will implement post-construction standards at least as stringent as those required by PRASA and PRDNER.

The Municipality will also consider the most effective method of ensuring the post-construction BMPs are maintained as needed throughout their life. The Municipality will consider requiring property owners to inspect and maintain BMPs as well as a Municipality program to inspect and require maintenance of BMPs through the use of maintenance agreements, standard conditions on development plans, deed restrictions, etc.

The Municipality will then develop an ordinance which includes the appropriate project thresholds, post-construction structural and non-structural performance standards, as well as BMP maintenance requirements².

The Municipality will require that developers will have to submit a plan which includes the BMPs necessary to control post-construction runoff. The Municipality will review the existing regulations and

² If appropriate, the requirements for construction and post-construction BMPs may be combined into a single ordinance.

requirements for the hydrologic/hydraulic study which is required by the PRASA and PRDNER for adequacy to comply with the new Municipality ordinance. If the study is adequate, developers will be required to submit this same study to the Municipality for review and approval. If it is not adequate, an additional post-construction BMP plan will be required³.

The Municipality will specifically consider the appropriateness of site design (i.e. green infrastructure, low impact development) practices in addition to more traditional structural BMPs.

Developers will not be allowed to begin a qualifying construction project until the post-construction BMP plan has been approved by the Municipality. The Municipality will inspect all post-construction BMPs upon completion to ensure they are implemented or installed per specification. These “as built” inspections will be required prior to the completion of the project. In addition, the post-construction BMPs will be inspected (either by the Municipality or by the property owner/agent) on a regular basis (no less than annually) to ensure that they are being maintained and operating properly.

The Municipality will develop two SOP documents. One will detail the plan review procedures for the required post-construction BMP plan. This SOP will include references to preferred BMPs as well as checklists for the plan reviewers to follow. The second SOP will describe inspection and project compliance tracking procedures. This SOP will include an inspection form for inspectors (i.e. either Municipality inspectors or agents of the owners) to use which will encourage thorough and consistent inspections.

Finally, the Municipality will develop an ERP specific to the enforcement of post-construction storm water requirements on private property. The ERP will include a description of the available enforcement actions as well as the timeframes for escalation which apply to each⁴.

Public projects will also comply with all Municipality post-construction storm water regulations.

Plan review and inspection staff will be trained in the requirements of the new ordinance, the appropriate SOPs and use of the ERP. The trainings will be conducted annually to ensure staff are kept up to date on BMPs and procedures. The trainings may be held “in-house” or staff may attend trainings provided by outside sources such as PREQB or USEPA.

The Municipality will inform the general public of ways to report storm water issues at storm water events and trainings as well as the Municipality Website. Developers and engineers will be educated about the Municipality’s post-construction BMP requirements via the Website as well.

The Municipality will implement Municipality post-construction regulations on public construction projects as well.

³ If appropriate, Rincón may require that Municipality construction and post-construction BMP requirements be combined into a single site plan.

⁴ If appropriate, the Municipality may develop a single ERP document which will address both construction and post-construction ordinance enforcement.

Measurable Goals

- Development of legal authority to implement the post-construction program
- Development of plan review SOP
- Development of inspection SOP
- Number of plan review staff trained
- Number of inspection staff trained
- Number of post-construction BMP plans reviewed for adequacy
- Number of “as built” post-construction BMP inspections conducted
- Percent (%) of development projects with “as built” inspections performed prior to occupancy

Schedule & Milestones

Milestone	Completion Deadline	Frequency	Permit Year(s)
Development of Ordinance	Year 1	--	1
Develop Plan Review SOP	Year 2	--	1-2
Develop Inspection SOP	Year 2	--	1-2
Evaluate and Select Preferred BMPs	Year 2	--	1-2
Develop ERP	Year 2	--	1-2
Conduct Staff Trainings	Year 3	1/year	3-5
Introduce Post-Construction Information on Website	Year 3	--	3-5
Conduct Plan Reviews & Inspections	Year 3	--	3-5

Note 1: Either Frequency or Deadline is provided based upon the type of milestone proposed.

Note 2: Completion Deadline indicates the Permit term year at the end of which the milestone will be completed.

Note 3: Permit Years indicate the years in which the associated BMP will be implemented.

Pollution Prevention/Good Housekeeping for Municipal Operations

The Permit requires that Rincón develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations; and using training materials that are available from USEPA, the State or other organizations, the program must include employee training to prevent and reduce storm water pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and storm water system maintenance.

The Public Works and Rincón Ornate Departments will implement and coordinate the BMPs for the Pollution Prevention/Good Housekeeping Minimum Control Measure.

Rationale

Rincón will review all facilities managed and activities conducted by Municipality staff to determine which have the highest potential to contribute to storm water pollution. The Municipality will then select and implement the appropriate BMPs to address this potential to the MEP.

Facility Storm Water Management

The Municipality operates and manages several facilities within the MS4 area such as the Public Works fleet maintenance facility, the recycling center, and a construction material storage facility. The Municipality will create a full inventory of facilities and prioritize the list based upon the potential for the discharge of pollutants into the MS4 – both during rain events and dry weather (i.e. illicit discharges). The Municipality will conduct an on-site inspection at each facility and use the findings during the prioritization process. Factors impacting priority will include materials managed or stored, activities conducted, proximity to a water body, and overall condition of the facility during the facility inventory inspection.

The Municipality will then develop a storm water pollution prevention plan (SWPPP) for each of the highest priority facilities to prevent pollutant discharges. The SWPPPs will follow the basic guidelines provided by USEPA.⁵ Employees will then be informed of the SWPPP requirements and trained as necessary in the proper implementation of BMPs during an annual training (i.e. BMPs to used during fleet maintenance). This training also will include spill prevention and response training as described in Illicit Discharge Detection and Elimination Minimum Control Measure.

The Municipality will regularly inspect (no less than annually) all high priority facilities to ensure that the BMPs outlined in the SWPPPs are implemented appropriately. In addition, the Municipality will review, at least once per permit term, the prioritization of facilities and amend as necessary to ensure that all facilities are properly prioritized.

⁵ Developing your Storm Water Pollution Prevention Plan: A Guide for Industrial Operators. February 2009. EPA 833-B-09-002. http://www.epa.gov/npdes/pubs/industrial_swppp_guide.pdf

Municipal Activities

The Municipality performs basic maintenance activities in order to provide the appropriate level of service to Rincón residents. Several of these activities provide added storm water benefit as well. These activities include street sweeping and storm drain maintenance. Rincón does monthly storm sewer maintenance and dry sweeps the streets daily. Other Municipality activities (e.g. street repair, green area maintenance) could be sources of pollutants into the MS4. The Municipality will review typical municipal activities conducted by field staff and determine which BMPs are necessary to minimize this potential discharge.

The Municipality will review the typical activities conducted by field staff and determine which BMPs are necessary to minimize the discharge of pollutants into the MS4. These BMPs will be described, as necessary, in SOP documents that will be made available to all pertinent field staff. The field staff will be trained, as necessary, to ensure the proper implementation of these BMPs. This training could be incorporated into the annual IDDE and facility-specific BMP training described previously.

As previously stated, all public construction projects will follow the guidelines described in the Construction and Post-Construction Minimum Control Measures.

Storm Water System Maintenance

The Municipality of Rincón maintains the storm sewer system on at least a monthly basis. During times of heavy rainfall, maintenance is conducted weekly. Major outfalls are maintained every three months. The Municipality will continue to provide this level of service during the permit term.

Employee Training

As discussed in the Illicit Discharge Detection and Elimination Minimum Control Measure, the Municipality will conduct annual training for Municipality field staff (e.g. Public Works). This training will include general storm water awareness information, training to detect and response to illicit discharges, spill response and will inform field staff of specific BMPs that should be implemented at certain facilities and during certain activities.

Measurable Goals

- Number and percentage of facility inspections completed
- Number of SWPPPs completed
- Number and percentage of field staff trained in activity or facility-specific BMPs
- Activity SOPs completed to assist field staff in BMP implementation
- Number of street miles swept

Schedule & Milestones

Milestone	Completion Deadline	Frequency	Permit Year(s)
Perform Initial Facility Inventory & Inspections	Year 1	--	1-2
Review Activities for Discharge Potential	Year 2	--	1-2
Development of SWPPPs	Year 3	--	3
Train Public Works Field Staff	--	1/year	1-5
Implement Facility BMPs	Year 3	--	3-5
Inspect Facilities	--	1/year	3-5
Develop Activity-Specific SOPs	Year 3	--	3
Implement Activity BMPs	Year 3	--	3-5
Clean Debris from MS4	--	1/month	1-5
Sweep Streets within Urban Zone (Rincon Pueblo)	--	Daily	1-5
Review Facility Prioritization	Year 5		5

Note 1: Either Frequency or Deadline is provided based upon the type of milestone proposed.

Note 2: Completion Deadline indicates the Permit term year at the end of which the milestone will be completed.

Note 3: Permit Years indicate the years in which the associated BMP will be implemented.