

Appendix A to the Consent Decree between the
United States and the Puerto Rico Department of Transportation and Public Works and the
Puerto Rico Highway and Transportation Authority in
U.S. v. Municipality of San Juan, et al., 3:14-CV-1476 (D.P.R.) (CCC)

Stage I Reconnaissance, Investigation, Planning & Design, and Construction Work Plan

DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS
 CONSENT DECREE – V. COMPLIANCE MEASURES
 WORK PLAN FOR RECONNAISSANCE, INVESTIGATION, PLANNING & DESIGN, AND CONSTRUCTION

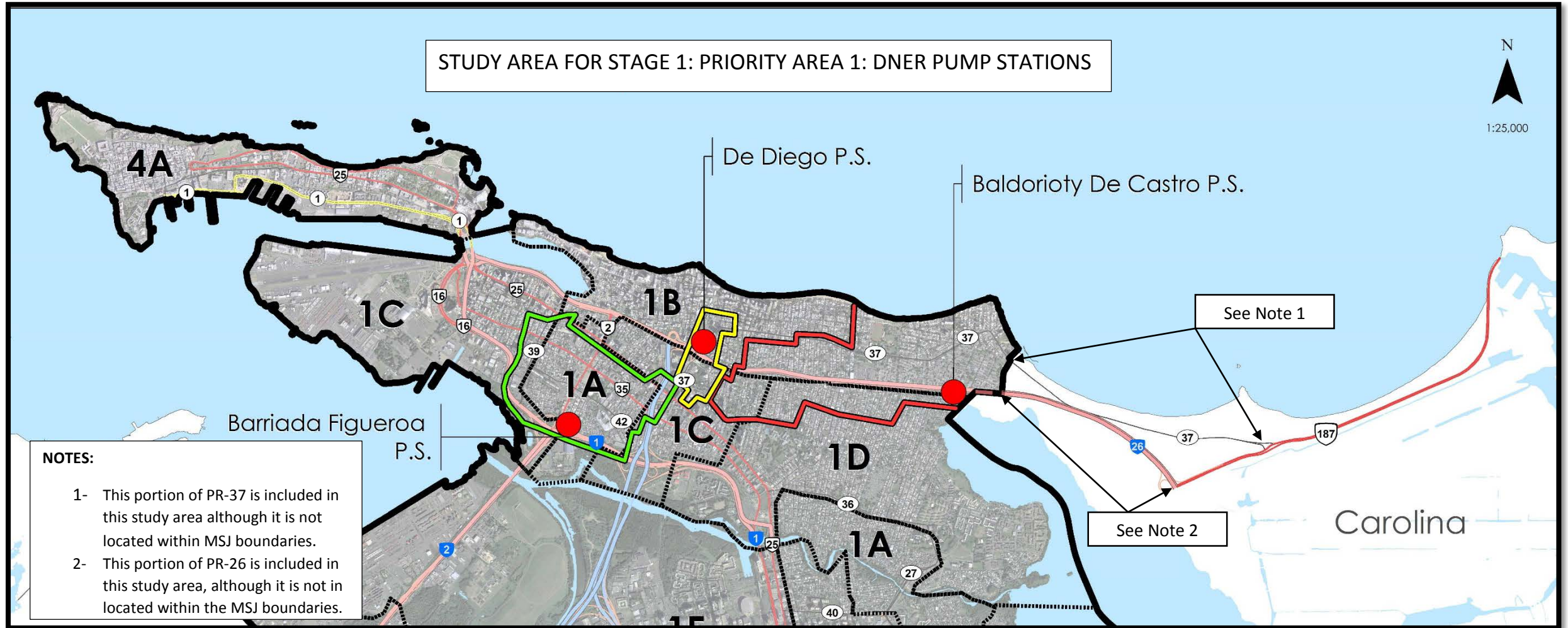
PRIORITY AREA (MSJ)	WARD/SUBWARD	STATE ROAD	SCHEDULE PHASE I RECONNAISSANCE	SCHEDULE PHASE II INVESTIGATION	SCHEDULE PHASE III PLANNING AND DESIGN	SCHEDULE PHASE IV CONSTRUCTION
STAGE 1: PRIORITY AREA 1- DNER PUMP STATIONS						
DE DIEGO PUMP STATION						
1A 1B	Santurce/Minillas, Comunidad Bayola, Pozo del Hato, Condadito, San Mateo	PR-26 (Baldorioty De Castro Expressway)	Completed	Mar. 2016 – Dec. 2018	Jan. 2019 – Dec. 2020	December 2022
		PR-37 (Loíza Street up to PR-187 in Carolina)	July 2015 - Feb. 2016			
BALDORIOTY DE CASTRO PUMP STATION						
1B 1C 1D	Santurce/Pulguero, San Juan Moderno, Machuchal, Chicharo, Seboruco, Loíza, María Moczó, Herrera, Villa Palmeras, Ocean Park, Las Marías, Shanghai, Merhoff	PR-26 (Baldorioty) (from km. 5.7 to int. with PR-187 in Carolina)	March 2016 – Aug. 2016 (considering Carolina portion of PR-26)	Feb. 2018 – Sept. 2020	Oct. 2020 – Oct. 2022	December 2025
		PR-37 (Loíza Street)				
STOP 18 PUMP STATION (BARRIADA FIGUEROA)						
1A 1B	Santurce/ La Zona, Figueroa, Hipódromo, Pozo del Hato, Gandul, Alto del Cabro, Campo Alegre, Tras Talleres	PR-1 (Luis Muñoz Rivera Expressway) (from km. 3.4 to km. 7.5)	Completed from km. 0.0 to km. 3.4 and from km. 7.5 to km. 11.8. Sept. 2016 – Apr. 2017	Oct. 2020 – May 2022	June 2022 – Dec. 2023	December 2025
		PR-2 (R. H. Todd)	May 2017- July 2017			
		PR-25 (Ponce de León Ave.)	Completed			
		PR-35 (Fernández Juncos Ave.)	Completed			
		PR-39 (Cerra Street)	Aug. 2017 – Oct. 2017			
PR-42 (Las Palmas Street)	Nov. 2017 – Jan. 2018					

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STAGE 1: PRIORITY AREAS 1A to 1E						
1A	Santurce/Obrero , La Marina, Buena Vista Hato Rey Central /Las Monjas Oriente/Borinquen , San José	PR-36 (Borinquen Avenue)	February 2019- May 2019	Sep. 2020 – Sept. 2022	Oct. 2022– Oct. 2024	December 2029
		PR-40 (Quisqueya Avenue)	June 2019- Sept. 2019			
		PR-27 (Dr. Barbosa Avenue)	Oct. 2019 – Feb. 2020			
		PR-23 (F.D. Roosevelt Avenue)	Mar. 2020 – Sept. 2020			
1B	Santurce/Condadito , Pozo de Hato, Villa Palmeras, Tras Talleres, Parque, Condado, La Zona	PR-37 (Loíza Street)	July 2015 - Feb. 2016	Feb. 2018 – Sept. 2020	Oct. 2024 – Oct. 2026	December 2029
1C	Santurce/Bolívar , Melilla, Marruecos, Hoare, Miramar, Minillas, San Mateo, Condadito, Hipódromo, Isla Grande	PR-1 (Luis Muñoz Rivera Expressway)	Sept. 2016 – Apr. 2017	Oct. 2020 – Oct. 2022	Nov. 2022 – Nov. 2024	December 2029
		PR-25 (Ponce De León Avenue)	Completed			
		PR-35 (Fernández Juncos Avenue)	Completed			
		PR-16 Boulevard Baldorioty De Castro	June 2019 – Aug. 2019			

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1D	Santurce /Buenos Aires, Obrero, Martín Peña, Sagrado Corazón, Las Palmas, Monte Flores, Shangai, Merhoff, Las Casas	PR-27 (Dr. Barbosa Avenue)	Oct. 2019 – Feb. 2020	Nov. 2022 – Nov. 2024	December 2026	December 2029
		PR-36 (Borinquen Avenue)	February 2019 – May 2019			
1E	Hato Rey Norte/Puerto Nuevo, Eleanor Roosevelt, Martín Peña, El Vedado Hato Rey Sur/Hyde Park	PR-1 (Luis Muñoz Rivera Expressway)	Completed	Dec. 2024 – Dec. 2026	December 2027	December 2029
		PR-2 (Kennedy Avenue)	Mar. 2020 – May 2020			
		PR-17 (Piñero Avenue)	June 2020 – Jan. 2021			
		PR-18 (Las Américas Expressway)	Feb. 2021 – Jun 2021			
		PR-22 (José De Diego Expressway)	Jul. 2021 – Jan. 2022			
		PR-23 (F.D. Roosevelt Avenue)	Mar. 2020 – Sept. 2020			
		PR-41 (Eleanor Roosevelt St.)	Feb. 2022 – May 2022			



REFERENCE: North Metropolitan 208 Areawide Waste Treatment Management Plan, May 1977, commissioned by EPA by a grant awarded under provisions of the Federal Pollution Control Act.

Appendix A.1 to the Consent Decree between the
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Reserved for Stage I Phase IV (Implementation and Construction) Schedule

Appendix A.2 to the Consent Decree between the
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**Draft Stage II Reconnaissance, Investigation, Planning & Design, and
Construction Work Plan**

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PRIORITY AREA (MSJ)	WARD/SUBWARD	STATE ROAD	SCHEDULE PHASE I RECONNAISSANCE	SCHEDULE PHASE II INVESTIGATION	SCHEDULE PHASE III PLANNING AND DESIGN	SCHEDULE PHASE IV CONSTRUCTION
STAGE 2: PRIORITY AREAS 2- 4						
2A	<p>Gobernador Piñero/ Industrial Bechara and Industrial Juliá, Villa Borinquen, Caparra Heights, San Patricio Gardens, Summit Hills, Mansiones de Altamira, and Altamira Urbanizations, La Marina Community, Villa Magna, Las Lomas, Reparto Landrau, La Riviera, Monacillos Community, Streets surrounding Villa España, Santa Elena, Vista Hermosa Public Housing</p> <p>Monacillo Urbano/ Monacillo Community</p>	<p>PR-28 PR-2 (Kennedy Avenue) PR-22 (De Diego Expressway) PR-23 (F.D. Roosevelt Ave.) PR-17 (Jesús T. Piñero Expressway) PR-19 (Luis Vigoreaux Ave.) PR-20 (Martínez Nadal Expressway)</p>	TBD	TBD	TBD	TBD

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<p>2B</p>	<p>Gobernador Piñero/Caparra Terrace, Las Américas, Reparto Metropolitano, Ext. Reparto Metropolitano</p> <p>El Cinco/ Industrial El Cinco Sector, Villa Los Olmos, Villa Las Américas, Jardines Metropolitanos, Villa Nevárez, Antosanti, Belisa, El Paraíso</p>	<p>PR-1 PR-21(José Custodio Ave.) PR-18 (Las Américas Expressway) PR-176 (Ana G. Méndez Ave.) PR-177 (Lomas Verdes Ave.) PR-8838</p>	<p>TBD</p>	<p>TBD</p>	<p>TBD</p>	<p>TBD</p>
<p>2C</p>	<p>Hato Rey Central/Las Monjas, Ciudad Nueva, Floral Park, Quintana</p> <p>Hato Rey Sur/ Bella Vista, La 37, Santa Rita, Hyde Park</p>	<p>PR-25 (Ponce de León Ave.) PR-40 (Quisqueya Ave.) PR-27 (Dr. Barbosa Ave.) PR-17 (Jesús T. Piñero Expressway)</p>	<p>TBD</p>	<p>TBD</p>	<p>TBD</p>	<p>TBD</p>

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3A	Oriente/Borinquen, San José	PR-27 (Dr. Barbosa Ave.)	TBD	TBD	TBD	TBD
3B	Oriente/San José, López Sicardó Universidad/ Auxilio Mutuo, Valencia, Institución, Amparo	PR-17 (Jesús T. Piñero Exp.) PR-47 (José de Diego St.) PR-25 (Ponce De León Ave.) PR-27 (Dr. Barbosa Ave.)	TBD	TBD	TBD	TBD
3C	Pueblo/Rio Piedras Antiguo, Capetillo, Ubarri, Buen Consejo, Venezuela, Monte Rey El Cinco/Venezuela Community	PR-27 (Dr. Barbosa Ave.) PR-3 (65 De Infantería Ave.) PR-47 (José De Diego St.) PR-847 (Guaracanal St.) PR-25 (Ponce de León Ave.)	TBD	TBD	TBD	TBD

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3D	Sabana Llana Norte/Villa Olímpica, Las Virtudes, Jardines de Campollano, Villa Prades, Villa Navarra, Villa Sevilla, Hill Brothers Norte, Jerusalem, Parcelas Falú, Streets surrounding Las Orquídeas, Ramos Antonini, Jardines de Selles, Las Camelias, Jardines de Berwind, Jardines de Campo Rico, Valles de Berwind Public Housing projects	PR-8 (Ramal Este Ave.) PR-3 (65 De Infantería Ave.)	TBD	TBD	TBD	TBD

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3E	Sabana Llana Norte /Country Club, Ext. Country Club, El Comandante, El Polvorín, Streets surrounding Jardines de Country Club, Flamboyán Public Housing Project	PR-8 (Ramal Este Ave.) PR-3 (65 De Infantería Ave.)	TBD	TBD	TBD	TBD
3F	Sabana Llana Sur /San Agustín, América, San Luis, González Seijo, Alameda, Ext. San Agustín, San Antonio, Reparto Universitario, Park Gardens, Hill Mansions, Villa Andalucía,	PR-3 (65 De Infantería Ave.) PR-181 (Manuel Rivera Morales Expressway)	TBD	TBD	TBD	TBD

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	Venus Gardens, Venus Gardens Norte, Venus Gardens Oeste, Río Piedras Valley Urbanizations, Cepero I and Cepero I and II communities, Streets surrounding Leopoldo Figueroa, El Alcázar, Jardines del Paraíso, Villa Andalucía, Antigua Vía Public Housing Project					
3G	Sabana Llana Sur/Capuchino and Sabana Llana Sur Sectors, Hollywood, Vosburg, Villa Capri, Ext. Town Park, Town Park, Ext. Villa Capri, J. Rivera Rivera, Alturas de Capuchino, Parque de Montebello, Berwind Estates, Alturas de Berwind, Highland Park, Monte Carlo, María Luisa, Colinas de Monte Carlo, Mansiones de San Martín, Vista del Atlántico, Ciudad Central I, Colinas Verdes, Las	PR-3 (65 De Infantería Ave.) PR-849 (Juan Báez St.) PR-877	TBD	TBD	TBD	TBD

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	Vista, San Martín, Club Manor, Bulón, Los Peña, Hill Brothers Sur, San Domingo, Hernández Community, Streets surrounding Las Dalías, Monte Park, Jardines de Monte Hatillo, San Martín Public Housing Project					
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PRIORITY AREA (MSJ)	WARD/SUBWARD	STATE ROAD	SCHEDULE PHASE I RECONNAISSANCE	SCHEDULE PHASE II INVESTIGATION	SCHEDULE PHASE III PLANNING AND DESIGN	SCHEDULE PHASE IV CONSTRUCTION
PRIORITY AREA 4						
4A	San Juan Antiguo/Ballajá, Mercado, Catedral, Marina, San Francisco, San Cristóbal, Puerto de Tierra	PR-25 (Ponce De León Ave.) PR-25P (Ponce De León Ave.) PR-1 (Fernández Juncos Ave.) PR-38	TBD	TBD	TBD	TBD
4B	Monacillo Urbano/Los Ranchos and Monacillo Urbano Sectors, Las Lomas, Parque Mediterráneo, Sevilla Biltmore, Los Frailes Norte, Santiago Iglesias, Altamesa,	PR-21 (José Custodio Ave.) PR-1 PR-18 (Las Américas Exp.) PR-177 (Lomas Verdes Ave.) PR-199 (Las Cumbres Ave.) PR-841 (San Ignacio St.) PR-838 (Camino Alejandrino) PR-8177	TBD	TBD	TBD	TBD

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	<p>Ext. College Park, Parques de Santa María, San Francisco, Villas de San Francisco, Villas de San Ignacio, San Ignacio, El cerezal, Reparto De Diego, Paradise Hills, Rio Piedras Heights, Reparto Luchetti, Ibernía, Del Pilar, Caribe, Villa Canales, Polvorín, Tierra Santa, Vista Alegre, Yambele Community, Streets Surrounding San Fernando, El Manantial, Las Amapolas Public Housing,</p> <p>Monacillo/ Alturas de Santa María, Collegeville, Fountainbleu Village, Parque de Bucaré, Alejandrino, Alturas de Caldas, Horizons, San Juan Gardens, la Cumbre, Laurel, La Cumbre 2, Ext. Alameda, La Cumbre 3 and 4, Romany, Mansiones de Romany, Romany Park,</p>					
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	Jardines de Romany, Villas del Pilar, Villas de Paraná, El Escorial, El Remanso, Quintas de Cupey, Alturas del Remanso, Paraná, Crown Hills, Paraíso Oeste Urbanization, Streets surrounding Alejandrino and Villa Esperanza Public Housing Projects					
4C	<p>Tortugo/El Veinte, Los Reyes, Sierra Brava, Lourdes Sector, Chalets de Santa Clara, San Clara, Beverly Hills, Roseville, Ext. Roseville, Tortugo and La Corte communities</p> <p>Quebrada Arenas/Los Reyes, Los Solá, La Loma, Las Cruces, Los Colones, Paracochoero, Las Sánchez, Los López, Los Navarro, El Buen Pastor, Hollywood Hills, Estancias del Río, Lomas de Sol</p> <p>Caimito/Julito, Los</p>	<p>PR-199 (Las Cumbres Ave.) PR-52 (Luis A. Ferré Exp.) PR-842 (Caimito St.) PR-1 PR-873</p>	TBD	TBD	TBD	TBD

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	<p>Cátala, El Hoyo, Betancourt, El Minao, Los Romero, Serrano, Los Cocos, Apolo, Bucaré, Alto Apolo, Monte Apolo Estates, García, Caldas, Mansiones y Jardines de Caldas, Milaville, Mirador Milaville, Hill Side, Monte Alvernia, La Alameda, Borinquen Gardens, Mirador de Borinquen Gardens, Monte Verde Real,, Alturas de Borinquen Gardens, La Campiña, Parque Forestal, Mansiones de Villanova, Guerrero, Vietnam, La Marina, Minao, Chapero, Barrio Dulce, Puntito, Corea, Parcelas Canejas</p> <p>Monacillo/Caldas</p>					
<p>4D</p>	<p>Caimito/Los Ramírez, Los Viera, Los Bigio, Los</p>					

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	<p>Benítez, Los Cotto, Los Figueroa, Morcelo, Los Sánchez, Montehiedra, Las Flores de Montehiedra, Los Campos de Montehiedra, Senderos de Montehiedra, Los Arboles de Montehiedra, Brisas del Valle, Laderas de San Juan</p> <p>Cupey/Los González, Los Andino, Los Marrero, Las Piedras, El Mudo, Los Pastrana, la Cuchilla, Los Guayabos, Colinas de Cupey, Los Choferes, Los Lirios, Colinas de Fair View, Reparto San Rafael, Mirador de Cupey, Ciudad Señorial, Las Curías</p>	<p>PR-52 (Las Américas Exp.) PR-199 (Las Cumbres Ave.) PR-844 (Camino Cupey Bajo)</p>	TBD	TBD	TBD	TBD
4E	<p>Cupey/Industrial Víctor Hernández Sector, Ext. San Gerardo, Redondel El Dorado, El Dorado, San Gerardo, Villa Olga, La Sierra del Monte, Riberas El Señorial, Villas</p>	<p>PR-845 (San Claudio Ave.) PR-844 (Camino Cupey Bajo) PR-847 Guaracanal St.) PR-176 PR-8176 PR-177 (Lomas Verdes Ave.)</p>	TBD	TBD	TBD	TBD

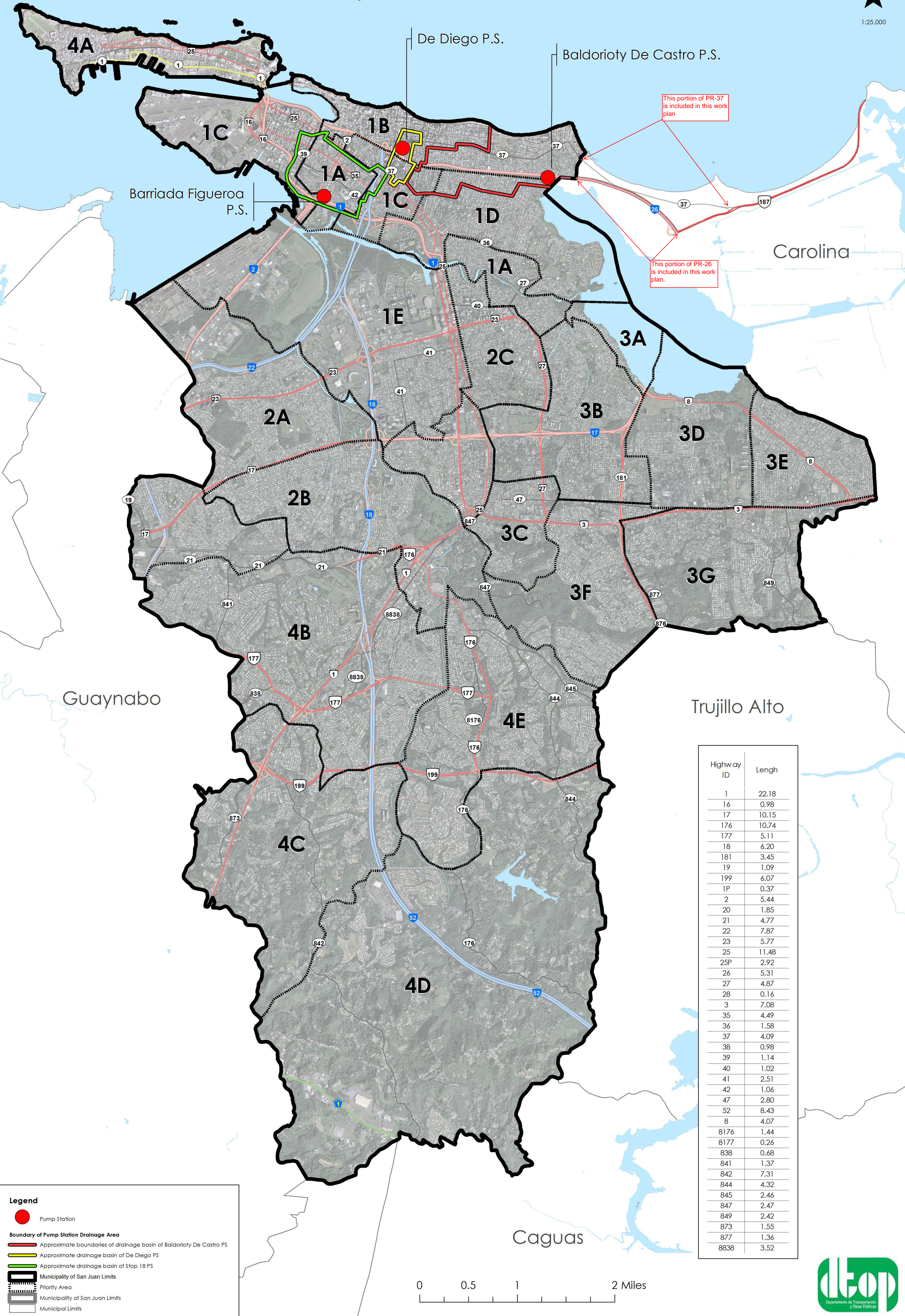
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	<p>del Este, Húcares, Laderas de Palma Real, El Señorial, and 2da Ext. Villa Húcar, Paseo Real, Paseo de la Fuente, Paseo Sereno, Paseo Mayor, Paseo Las Vistas, Paseo Alto, Paseo del Prado, Paseo de San Juan, Paseo del Parque, Paseo de las Brisas, Sagrado Corazón, Ext. Sagrado Corazón, Pem Court, Purple Tree, Litheda, El Vigía, Mansiones de Río Piedras, Villas de Cupey, Fair View, Veredas del Monte, La Alborada, La Rosa, Rivieras de Cupey, Cupey Gardens, Los Adoquines, Portal de Los Pinos, Monte Atenas, Hoyo I community, Streets surrounding Brisas de Cupey, Litheda, and Alturas de Cupey Housing Projects.</p>					
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Study Area for Work Plan



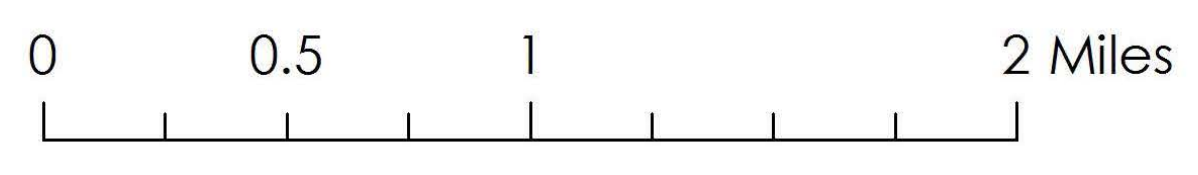
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Highway ID	Length
1	22.18
16	0.98
17	10.15
176	10.74
177	5.11
18	6.20
19	1.09
199	6.07
1P	0.37
2	5.44
20	1.85
21	4.77
22	7.87
23	5.77
25	11.48
25P	2.92
26	5.31
27	4.87
28	0.16
3	7.08
35	4.49
36	1.58
37	4.09
38	0.98
39	1.14
40	1.02
41	2.51
42	1.06
47	2.80
52	8.43
8	4.07
8176	1.44
8177	0.26
838	0.68
841	1.37
842	7.31
844	4.32
845	2.46
847	2.47
849	2.42
873	1.55
877	1.36
8838	3.52

Legend

- Pump Station
- Boundary of Pump Station Drainage Area**
- Approximate boundaries of drainage basin of Baldorioty De Castro PS
- Approximate drainage basin of De Diego PS
- Approximate drainage basin of Stop 18 PS
- Municipality of San Juan Limits
- Priority Area
- Municipality of San Juan Limits
- Municipal Limits



Appendix A.3 to the Consent Decree between the
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Reserved for Stage II Phase IV (Implementation and Construction) Schedule

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Urgent Action Registry

DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS
 * CONSENT DECREE SECTION V- COMPLIANCE MEASURES
 URGENT ACTION REGISTRY

REFERRALS	COORDINATES		Point of Reference	Date of Notification	MSJ Priority Area	Known or probable Point of discharge	STATUS	Need to notify?/entity	COMMENTS
	NAD 83								
	N	E							
EPA Letter	TBD	TBD	Baldorioty De Castro, Monroig Ave., Doña Ana creek, Buen Vista creek	Jun/13/12	1D, 1E, 3C	Rio Piedras River, Buena Vista creek, Doña Ana creek	Pending	TBD	Needs to be inspected to provide response.
EPA Letter	TBD	TBD	De Diego PS, Rio Piedras River, Mongil creek, Doña Ana creek	Jan/16/13	1A, 2A, 3C	Rio Piedras river, Doña Ana creek, Mongil creek, De Diego PS	Pending	TBD	Needs to be inspected to provide response.
EPA Letter	TBD	TBD	De Diego Pump Station	Sep/17/13	1A, 1C	Condado Lagoon, Atlantic Ocean	Pending	Yes/PRASA	Preliminary area reconnaissance performed, PRASA notified of a manhole overflow into DTPW MS4 at De Diego Ave.
EPA Letter	TBD	TBD	De Diego Avenue (PR-37) between Loiza St. and Estrella St.	Jan/14/14	1B, 1C	De Diego PS	Pending	TBD	Needs to be inspected to provide response
EPA Letter	TBD	TBD	PR-22, PR-21, PR-845	Feb/11/14	1E	Rio Piedras River, Buena Vista creek, Ausubo creek	Pending	TBD	Needs to be inspected to provide response
EPA Letter	TBD	TBD	Marina Sector of Obrero Ward	Apr/1/14	1A	Rio Piedras River, Martin Peña Channel	Addressed, pending Rio Piedras river portion.	TBD	PRHTA performed repairs at streets identified by MSJ. Report of activities pending submittal.
EPA Letter	TBD	TBD	Marina Sector of Obrero Ward	Jun/17/14	1A	Martin Peña Channel	Addressed	TBD	PRHTA performed repairs at streets identified by MSJ. Report of activities pending submittal.
EPA Letter	TBD	TBD	Stop 1B, Figueroa St., Villamil St.	Oct/24/14	1A,1C	Rio Piedras river, Mongil creek, Del Ausubo creek, Los Corozos, Lagoon	Pending	TBD	Needs to be inspected to provide response
EPA Letter	TBD	TBD	Constitución Ave. # 357	Feb/10/15	4A	Atlantic Ocean	Pending	TBD	Needs to be inspected to provide response
EPA Letter	TBD	TBD	PR-47	Jul/16/15	3B, 3C	Juan Méndez Creek	Pending	TBD	Needs to be inspected to provide response

Appendix C to the Consent Decree between the
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Advisory Sign Design and Warning Language

DTPW APPENDIX C – Advisory Sign Design and Warning Language

EPA requests that the Defendant post and continuously maintain warning signs at its MS4 outfalls that are discharging sanitary wastewater.

Generally, each sign:

- (1) shall be in substantially the same form as one to be approved by EPA;
- (2) shall measure at least 24 inches tall and 18 inches wide;
- (3) shall be made of a durable, weatherproof material;
- (4) shall be readily visible to the unaided eye from a distance of 100 feet;
- (5) shall, if located within 100 feet of a water body, be visible both from the water and from the land;
- (6) shall describe the nature of the risk of exposure to sewage and contaminated water in bilingual text;
- (7) shall include diagrams indicating that wading, swimming and fishing are prohibited; and
- (8) shall include a telephone number and identification of the entity responsible for placing and maintaining the signs.
- (9) shall state in English: "Possible Sewage Contamination" and in Spanish: "Posible Contaminación de Aguas Negras"

WARNING

Possible Sewage Contamination
Contact With Water May Cause Illness



AVISO

Posible Contaminación de Aguas Negras
El contacto con esta agua puede causar enfermedades

Para reportar olores fuertes u objetables, o decoloración del agua llame al 787-722-2929 EXT 2116.

**Report Foul Odors or Unusual Discoloration
Call 787-722-2929 EXT 2116**

Reference Sign No. _____



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United States and the Puerto Rico Department of Transportation and Public Works and the
Puerto Rico Highway and Transportation Authority in
U.S. v. Municipality of San Juan, et al., 3:14-CV-1476 (D.P.R.) (CCC)

Monitoring Parameters

DTPW/HTA Consent Decree, Appendix D

DTPW and HTA shall conduct the sampling below in accordance with the Consent Decree and compare with its fingerprint library and the Puerto Rico Water Quality Standards.	
Parameter*	Units
Ammonia	mg/L
Biochemical Oxygen Demand	mg/L
Total Suspended Solids (TSS)	mg/L
Chlorine, Total Residual	mg/l
Fecal Enterococcus**	CFU/100mL
Coliform – Fecal**	CFU/100mL
Coliform – Total**	CFU/100mL
Surfactants	mg/l
pH	SU
Temperature	°C
Flow Rate	Estimate MGD
Oil and Grease	mg/L

*All monitoring and analysis of the discharge shall be conducted in accordance with the approved procedures specified in 40 CFR (Part 136). Parameter sampling shall be representative of the nature and volume of the discharge and shall be taken at the discharge point or at the pump station influent or pump station wet well, as it be the case.

**If sampling results continue to detect presence of bacterial pollution (i.e., fecal enterococcus, coliform-fecal, and coliform-total) after elimination of all detectable illicit discharges into DTPW's or HTA's MS4, DTPW or HTA may discontinue sampling for this parameter by determining that the presence of bacterial pollution is related solely by natural background sources, such as runoff with bird and/or animal droppings, and roadkill, which are beyond the control of DTPW and/or HTA. DTPW and/or HTA shall support the determination by including in its SWMP:

- An explanation of why DTPW or HTA believes that the presence of bacterial pollution in the storm sewer system is not related to illicit discharges into its MS4,
- Information and/or documentation supporting the determination that the presence of bacterial pollution in DTPW or HTA MS4 is related to natural background sources in the sewershed, including but not limited to the bacterial sampling results.

Appendix E to the Consent Decree between the
United States and the Puerto Rico Department of Transportation and Public Works and the
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Reimbursement Claim Form and Procedures

Appendix E

Procedures Relating to and Reimbursement Claim Form for use pursuant to Para. 15 of Consent Decree with the Puerto Rico Department of Natural and Environmental Resources in United States v. Municipality of San Juan, Puerto Rico Department of Natural and Environmental Resources, Puerto Rico Department of Transportation and Public Works, Puerto Rico Highway and Transportation Authority, and the Commonwealth of Puerto Rico, 14-CV-1476 (CCC)

Procedures: Claims for reimbursement by San Juan, DTPW, and/or HTA must be submitted to the Puerto Rico Department of Natural and Environmental Resources (“DNER”) and EPA within forty-five (45) days after each anniversary of the Effective Date of the Consent Decree between the United States and DNER. Except for claims seeking excess funds following completion of Phase IV activities (as contemplated below), only claims for costs incurred in the prior year (from the Effective Date to the first anniversary and each subsequent anniversary, as the case may be) will be considered for reimbursement. Claims must be submitted using the attached Reimbursement Claim Form and include supporting documentation, itemization, and certification. On completion of all Phase IV activities relating to the DNER Pump Station sewersheds and reimbursement of valid claims, excess funds may be disbursed, as determined by EPA, on a pro-rata basis to reimburse as yet unreimbursed, valid claims for work under Phases I through III for the Stage I Work Plans pertaining to the DNER Pump Station sewersheds. Any determinations made by EPA pursuant to this paragraph shall be in its sole discretion. If the Court does not enter the Consent Decree between the United States and DNER, and the time for any appeal of that decision has run or if the Court’s denial of entry is upheld on appeal, the monies placed in the Court Registry Account, together with accrued interest thereon (less miscellaneous schedule fees), shall be returned to DNER, unless otherwise ordered by the Court.

Nothing in the DNER Consent Decree or the Consent Decree to which this document is appended shall be construed to limit the Parties to this action from agreeing to a reallocation of funds to be paid into the Court Registry Account and to be available for reimbursement, to effect the timely and efficient completion of the objectives of this Consent Decree. A copy of any request for payment must be sent by email to DNER at the time it is submitted for EPA’s consideration. Subject to EPA determination of the validity of the claim for reimbursement, DTPW and HTA (collectively) and San Juan shall be entitled to an initial disbursement of 20% of the amounts in the Court Registry Account and EPA shall allocate the remaining funds in proportion to the amount of subsequent valid claims for reimbursement. Subject to the proceeding sentence, available funds shall be allocated such that between the Effective Date and the sixth anniversary of the first installment payment, not less than 40% of the funds disbursed shall be for physical construction work contemplated by Phase IV activities, thereafter, not less than 80% of the funds disbursed shall be used for such purpose.

Instructions: Print or type information requested and sign certification before submitting to EPA at the address listed in the Notice provisions of Section XI of the Consent Decree with the Puerto Rico Department of Natural and Environmental Resources.

Claim Information	Number of pages including this cover sheet _____		
Name of Party Requesting Reimbursement			
Address			
Telephone Number			
E-mail Address			
Amount of costs incurred (include itemized costs on reverse or attached)			
Identification of Priority Area, Subward, and Phase (I-IV) for which costs were incurred (by Sub-Ward)	Priority Area	Subward	Phase (I-IV)
Amount of reimbursement requested			
Invoices and Backup Documentation Attached? (Failure to attach invoices will result in a denial)	Yes	No	
Brief description of Work performed			
Quarterly Report in which elimination of illicit discharges or reductions in contaminated flows relating to this work are documented	Cite to applicable Quarterly Report here		

Certification	
<p>I certify under penalty of law that the party on whose behalf I am submitting this claim for reimbursement is entitled to file such claim pursuant to the Consent Decree in the above-referenced matter. I further certify that the party has not been reimbursed for these expenses and that 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 fines and imprisonment for knowing violations. I further acknowledge that although the party on whose behalf I am submitting this form is entitled to request reimbursement, there is no guarantee that the claim will be honored in whole or in part and I understand that any determination made by EPA on this claim is in its sole discretion.</p>	
Signature	
Name and Title	

Itemized Reimbursement Form (attach additional copies, as needed)												Contractor Address, Telephone, E-mail							
Contractor Name												Project Location/Contract No.							
Work Performed for												Labor							
Description		Unit		Qty.		Materials		Hours		Average Rate		Total		Other Direct Costs		Line Total			
Line No.	Item	Unit	Unit	Qty.	Unit	Total	Hours	Average Rate	Total	Other Direct Costs	Line Total								
Sheet total																			

Appendix F to the Consent Decree between the
United States and the Puerto Rico Department of Transportation and Public Works and the
Puerto Rico Highway and Transportation Authority in
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Tier II Requirements for Stipulated Penalties

TIER II

APPENDIX F		
DTPW/HTA Consent Decree Tier II Requirements		
Tier II Requirements	V.9.a	Implementation of Illicit Discharge Detection and Elimination (IDDE) provisions of the current and any amended SWMP
Tier II Requirements	V.9.b	Submit a new NOI Application and revised SWMP under new MS4 General Permit
Tier II Requirements	V.9.b	Implementation of Illicit Discharge Detection and Elimination (IDDE) provisions of the SWMP under new MS4 General Permit
Tier II Requirements	V.10.a-d	Implementation of Workplan – Stage I and Stage II
Tier II Requirements	V.10.c	Submission of Stage II Work Plan
Tier II Requirements	V.10.f	Implementation of Urgent Action Registry activities for the removal of illicit discharges
Tier II Requirements	V.11.b	Implementation of Vacuum Truck Sludge Disposal Plan
Tier II Requirements	V.11.c	Comply with Vacuum Sewer requirements
Tier II Requirements	V.12	Implementation of Routine Sewer Cleaning Itinerary after Phase II activities are concluded
Tier II Requirements	V.13.b	Implementation of the SPCC Plans
Tier II Requirements	V.14.a-g	Comply with Outfall Reconnaissance Inventory requirements