

PUERTO RICO AQUEDUCT and SEWER AUTHORITY WATERSHED STEWARDSHIP INITIATIVE (PRASA-WSI)

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What is the PRASA-WSI and How is It Funded?

- **The PRASA-WSI**: is a cooperative effort among the regulators and the regulated community to establish watershed management plans for:
 - Significant drinking watersheds (PRASA & non PRASA); and
 - Watersheds receiving significant effluent from PRASA drinking water and wastewater discharges.
- **Funding**: is through the Supplemental Environmental Projects (SEP) program and is formally implemented through a Consent Agreement and Final Order (CA/FO) between the violator (PRASA) and EPA. The CA/FO is filed with the court and includes the cost of the penalty and the amount of money to be spent on the SEP.

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PRASA-WSI: What is a SEP?

- A **SEP** is an environmentally beneficial project that a violator voluntarily agrees to perform, in addition to actions required to correct the violation, as part of an enforcement settlement. The violator must show that it can and will complete the project and must provide all funds used for the project.
- **EPA** provides oversight to assure the project is completed, but does not manage or control the funds.

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PRASA-WSI: Who Can Do a SEP?

- A company, hospital, federal facility and state and local governments that is being fined for violating an environmental law may propose one or more SEPs as part of its settlement.
- A SEP must provide benefits beyond those required by compliance with the law.

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PRASA-WSI: Who Benefits from a SEP?

- **The Violator:**
 - EPA may reduce the penalty assessed;
 - A better relationship with the community.
- **The Local Community:** a SEP must include the involvement of the local community in the process of addressing local environmental problems, such as, improving environmental and human health, habitat protection and restoration, pollution reduction and prevention, and addressing local environmental justice issues.

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PRASA-WSI: The Beginning

- PRASA approached EPA with a plan to bring 64 drinking water treatment plants (DWTP) and 130 inland wastewater treatment plants (WWTP) into compliance.
- EPA reviewed the data and proposed a watershed/compliance enforcement approach to address PRASA issues.

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PRASA-WSI: The Players

- Puerto Rico Aqueduct and Sewer Authority (PRASA);
- Puerto Rico Environmental Quality Board (PREQB);
- Puerto Rico Department of Health (PRDOH); and
- U.S. Environmental Protection Agency, Region 2 (EPA)

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PRASA-WSI: Memorandum of Understanding (MOU)

- A MOU was written and signed by PRASA, PREQB, PRDOH and EPA.
- The MOU provides the framework to develop and implement water quality management plans for priority watersheds, under the auspices of the PRASA-WSI

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PRASA-WSI: Management Structure

- Two committees were formed:
 - Executive Committee - includes the following or their designee: EPA's Regional Administrator; PREQB's - Chairman; PRDOH's – Secretary of Health; and PRASA's Executive President; and
 - Technical Committee – is comprised of four members; one appointed by each member of the Executive Committee

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PRASA-WSI: Charge

- PRASA will work with PREQB, PRDOH, EPA, and full range of stakeholders to develop and implement surface and drinking water quality management plans for priority watersheds.

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PRASA-WSI: Charge (continued)

- PRASA will provide PREQB with data to be used in its 303(d) listing, and technical support documents used by EQB to establish Total Maximum Daily Loads (TMDLs).
- PRASA will provide PRDOH support in the implementation of Source Water Protection Programs.

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PRASA-WSI: Phased Approach

- The PRASA WSI is based on a Two Phase approach:
 - **Phase 1** : Expedite projects to maintain or restore full beneficial uses based on existing and readily available data and information; and
 - **Phase 2** : Comprehensive program to maintain or restore full beneficial uses.

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PRASA-WSI: Phase 1

- **Phase 1:**
 - Establish a watershed advisory committee, including stakeholders;
 - Review available data & identify data gaps;
 - Provide PREQB data for its 305/303 reporting;
 - Provide PREQB TMDL development support;
 - Develop a plan to implement: TMDLs, water quality management and source water management plans;
 - Initiate actions necessary to address impacts associated with PRASA DWT and WWTP;
 - Facilitate actions by other stakeholders;
 - Facilitate choice of environmental indicators to measure progress; and
 - Recommend activities to fill data gaps for Phase 2.

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PRASA-WSI: Phase 2

- **Phase 2:**
 - Continue and update, as necessary, the watershed advisory committee;
 - Collect the data needed to fill data gaps and implement, as necessary, Phase 2: TMDLs, water quality management and source water management plans;
 - Revise, as necessary Phase 1 products based on new data & information; and
 - Develop annual “State of the Watershed” reports that identify progress in: implementation; improving surface & drinking water quality; and restoring full beneficial uses.

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PRASA-WSI: Loiza & La Plata Watersheds – Phase 1

- PREQB, PRDOH and PRASA unanimously chose the Loiza and La Plata watersheds for the first PRASA Stewardship project.
- Both Loiza and La Plata are listed on the PREQB 2004 303(d) list:
 - Loiza for: Low Dissolved Oxygen; Fecal Coliforms; Ammonia; Arsenic; Copper; Cyanide; and Lead.
 - La Plata for: Low Dissolved Oxygen; Arsenic; Cyanide; Copper; and Selenium.

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PRASA-WSI: Loiza & La Plata Watersheds – Phase 1 (continued)

- Funding (\$825,000) for the Loiza and La Plata work comes from three CA/FOs.
- PRASA must submit a plan to complete the work required by the SEP within six months after the CA/FO has been accepted by the court (expected May 12, 2005).
- The final product must be completed within 21 months after the CA/FO has been accepted by the court (by June 2006).

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PRASA-WSI: Loiza & La Plata Watersheds – Phase 1 (continued)

- To date:
 - PRASA has hired a contractor to work with Executive and Technical Committees and to identify and establish stakeholder involvement.
 - The Executive Committee has not yet met but the Technical Committee has met twice.
 - PRASA's Contractor has outlined a schedule to complete work on the Loiza and La Plata watersheds by June 30, 2006

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PRASA-WSI: Loiza & La Plata Watersheds – Phase 1 (continued)

- PRASA Contractor has outlined the following 7 Milestones:
 - **Milestone 1 – May 12, 2005** – Project Workplan
 - **Milestone 2 – July 15, 2005** – Data Review, initiate stakeholder involvement
 - **Milestone 3 – Sept 15, 2005** – Initial model results, id point & nonpoint mgt. opt., implement 50% quick controls at PRASA facilities, continue stakeholder involvement

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PRASA-WSI: Loiza & La Plata Watersheds – Phase 1 (continued)

- 7 Milestones (continued) :
 - **Milestone 4 – Nov 15, 2005** – ID mgt. opts feasibility, refine model, outline implementation opts., GIS d-base, continue stakeholder involvement.
 - **Milestone 5 – Jan 13, 2006** – Phase 1 TMDL support document & draft TMDL, select mgt. opts., implement remaining 50% quick controls at PRASA facilities, continue stakeholder involvement.
 - **Milestone 6 – March 15, 2006** – Draft final report, continue stakeholder involvement.
 - **Milestone 7 – May 15, 2006** – Final Report & TMDL

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PRASA-WSI: Loiza & La Plata Watersheds – Phase 1 (continued)

- The CA/FOs require that PRASA submit a final report within two months of completion of the SEP that provides:
 - Description of the completed SEP;
 - Certify the SEP has been fully implemented;
 - Description of the envir. & public health benefits,
 - Summary of the final cost of the SEP; and
 - Certify no federal money was used to fund the SEP.

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PRASA-WSI: Loiza & La Plata Watersheds – Phase 2 & Other Priority Watersheds

- **Loiza & La Plata** – Implementation of Phase 1 or Phase 2 – implementation of Phase 1, as well as, Phase 2, as necessary, may be funded money remaining in the third CA/FO or by future SEPs.
- **Future Priority Watershed Projects** – will be identified by the Technical Committee and will be funded by future SEPs.