

CONSENT DECREE

Department of Natural and Environmental Resources (DNER)

Lodging Date: December 2, 2015

DRNA GENERAL COMPLIANCE MEASURES	STEPS TO COMPLETE EACH COMPLIANCE MEASURE	TIMELINE
NPDES Permit and Storm Water Management Program (SWMP).	Notice of Intent Letter.	Within three (3) months of the date of lodging of the Consent Decree or after renewal of the Small MS4 General Permit (March 23, 2016)
	Development, submit for review to EPA, and implement Storm Water Management Program (SWMP).	Within six (6) months of the date of lodging of the Consent Decree (June 23, 2016).
	The Storm Water Management Program (SWMP) shall be fully implemented.	Within three (3) years of the date of lodging of the Consent Decree (December 23, 2018).
Capital Improvements at the DRNA Pump Stations	Installation, Inspection, Maintenance, and/or Replacement of Warning Signs at all DNER Pump Station's Discharge Points.	Commencing no later than fifteen (15) days after the date of lodging of the Consent Decree (January 7, 2016).
Boom Replacement at all DRNA Pump Stations	The DRNA shall develop, submit to EPA for review, and implement a Standard Operating Procedure ("SOP") form	Within thirty (30) days of the date of lodging of the Consent Decree (January 23, 2016).

	<p>maintaining and changing the booms at each pump station. The SOP shall describe the method for replacing the booms, the methods to capture, contain, and remove floatables, sheens, oil, and other materials accumulated in the boom.</p>	
	<p>DRNA shall complete permanent installation of booms in or at the influent pipelines of the Pump Station wet wells.</p>	<p>Within six (6) months of the date of lodging of the Consent Decree (June 23, 2016).</p>
<p>Baldorioty de Castro Pump Station Upgrades</p>	<p>Discharge Channel Aerosol Control: DRNA shall submit a schematic drawing and schedule to EPA for review and approval of an effluent discharge channel aerosol control to be installed over the channel that will minimize aerosol from pump station discharge.</p>	<p>Within forty-five (45) days of the date of lodging of the Consent Decree (February 15, 2016).</p>
	<p>DRNA shall build and install the aerosol control measures.</p>	<p>Within six (6) months of the date of lodging of the Consent Decree (June 23, 2016).</p>

	<p>Installation of Discharge Channel Perimeter Fencing or Signs: The DRNA shall submit to EPA a design plan & schematic drawing for a fence and signs to be installed along the west side of the Baldorioty de Castro Pump Station Discharge Channel.</p>	<p>Within forty-five (45) days of the date of lodging of the Consent Decree (February 15, 2016).</p>
	<p>The DRNA shall complete all measures in accordance with the proposed design plan and schematic drawings for the installation of the fence & signs at locations in accordance with the sketch or map.</p>	<p>Within six (6) months of the date of lodging of the Consent Decree. (June 23, 2016).</p>
	<p>Wet Well Baffle Wall for Sedimentation: The DRNA shall submit to EPA a design and schematic drawings and construction schedule for a baffle wall to be installed in the Baldorioty Pump Station wet well. The purpose of the baffle wall is to promote sedimentation and/or settling of solids in the wet well.</p>	<p>Within forty-five (45) months of the date of lodging of the Consent Decree (February 15, 2016).</p>
	<p>The DRNA shall install the baffle wall in accordance with the</p>	<p>Within nine (9) months of the date of lodging of</p>

	design plan, schematic drawings, and schedule.	the Consent Decree (September 23, 2016) .
Continuous Electronic Monitoring Equipment and Lighting Fixtures at Pump Station Wet Wells.	The DRNA shall conduct a feasibility study and submit to EPA a report containing the conclusions and recommendations for the installation of continuous monitoring equipment to monitor ammonia, pH, temperature, and total residual chlorine at the Pump Stations wet wells.	Within sixty (60) days of the date of lodging of the Consent Decree (February 23, 2016) .
	The DRNA shall implement the recommendations and conclusions of the feasibility study, including monitoring, if feasible.	Within six (6) months of the date of lodging of the Consent Decree (June 23, 2016) .
	The DRNA shall place lighting fixtures and shall properly operate and maintain such lighting at the Pump Stations wet wells.	Within three (3) months of the date of lodging of the Consent Decree (March 23, 2016) .
Standard Operating Procedures and Schedules for DRNA Pump Stations	Standard Operating Procedures for Pump Cleaning: The DRNA shall submit to EPA for review and implement the final Standard Operating Procedures (SOPs) for all Pump Stations Wet Well cleaning for both every	Within thirty (30) days of the date of lodging of the Consent Decree (January 23, 2016) .

	four (4) months (Tri-Annual) and annual wet well cleaning activities.	
	Minimum Standard for Manual and Mechanical Bar Screen System Cleaning Standard Operating Procedures (SOPs): The DRNA shall submit to EPA for review and implement the final Standard Operating Procedures (SOPs) for cleaning and maintaining the manual and mechanical bar screens at the DRNA Pump Stations.	Within thirty (30) days of the date of lodging of the Consent Decree (January 23, 2016).
	Pump Stations Sludge Sampling and Disposal: The DRNA shall dispose of all materials from the DRNA Pump Stations in accordance with applicable federal and Commonwealth laws and regulations. Also, the DRNA shall once per year conduct a Toxicity Characteristic Leaching Procedure (“TCLP”) of the sludge removed from each Pump Stations.	
	Measuring of Water and Sediments Levels at the DRNA Pump Stations.	Within three (3) months of the date of lodging of

		the Consent Decree (March 23, 2015).
	Pump Stations Inspection Checklist following Appendix C and Appendix D checklist and field data sheet of the CD.	Within fifteen (15) days of the date of lodging of the Consent Decree (January 7, 2016).
	Operation & Preventive Maintenance Plan of the DRNA Pump Stations.	Within six (6) months of the date of lodging of the Consent Decree (June 23, 2016).
Spill Prevention Control and Countermeasures Plans (“SPCC Plans”)	The DRNA shall develop, submit to EPA for review, and implement the final SPCC Plans for the DRNA Pump Stations.	Within fifteen (15) days of the date of lodging of the Consent Decree (January 7, 2016).
	The DRNA shall construct, complete, and place into operation the necessary equipment and infrastructure in order to implement the SPCC Plan(s).	Within four (4) months of the date of lodging of the Consent Decree (April 23, 2016).
Water Quality Monitoring and Improvement Activities, Including Plans to Archive the Commonwealth Water Quality Standards (“PRWQS”).	Pump Station Monitoring: The DRNA shall conduct monitoring at each of the DRNA Pump Stations, in accordance with Appendix F monitoring parameters.	Beginning not later than six (6) months after the date of lodging of the Consent Decree (June 23, 2016).
	The DRNA shall sample the De Diego Pump Station discharge point at the Atlantic Ocean for	Beginning not later than six (6) months after the date of lodging of the

	Enterococcus and Fecal Coliform twice per month. Results shall be provided to the EQB and EPA within twenty-four (24) hours of receipt.	Consent Decree (June 23, 2016).
	The DRNA shall submit a protocol for monitoring and measuring floatables (e.g. bottles, litter, debris, etc.) discharges, a and /or deposits in the receiving waters from the DRNA Pump Stations	Within thirty (30) days of the date of lodging of the Consent Decree (January 23, 2016).
	The DRNA shall install floatables controls at the DRNA Pump Stations.	Within two (2) years of the date of lodging of the Consent Decree (December 23, 2017).
De Diego Pump Station	The DRNA shall pay the first of ten (10) annual installments of \$100,000 into the Court Registry to support the completion of Phase I through IV activities under the San Juan Stage I Work Plan and/or the Department of Transportation and Public Works (DTPW)/ Puerto Rico Highway and Transportation Authority DTPW/HTA Stage I Work Plan for the Diego Pump Station Priority Area.	By July 31, 2016

<p>Stop 18 Pump Station</p>	<p>The DRNA shall pay the first of ten (10) annual installments of \$150,000 into the Court Registry to support the completion of Phase I through IV activities under the San Juan Stage I Work Plan and/or the Department of Transportation and Public Works (DTPW)/ Puerto Rico Highway and Transportation Authority (HTA) Stage I Work Plan for the Stop 18 Pump Station Priority Area.</p>	<p>Within sixty (60) days of the date of lodging of the Consent Decree (February 23, 2016).</p>
<p>Baldorioty de Castro Pump Station</p>	<p>The DRNA shall pay the first of ten (10) annual installments of \$400,000 into the Court Registry to support the completion of Phase I through IV activities under the San Juan Stage I Work Plan and/or the Department of Transportation and Public Works (DTPW)/ Puerto Rico Highway and Transportation Authority (HTA) Stage I Work Plan for the Baldorioty de Castro Pump Station.</p>	<p>Within sixty (60) days of the date of lodging of the Consent Decree (February 23, 2016).</p>