

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION II
290 Broadway
New York, New York 10007

STATEMENT OF BASIS
DRAFT NPDES PERMIT TO DISCHARGE
INTO THE WATERS OF THE UNITED STATES

NPDES Application No. PR0001325

Name and Address of Applicant:

Linde Gas PR, Inc.
PO Box 363868
San Juan, Puerto Rico 00936

Name and Address of Facility where Discharge Occurs:

Street Road No.869, Km. 1.8
Cataño, Puerto Rico

Receiving Water: Quebrada Aguas Frías

Classification: SD

Name of Preparer: Sergio Bosques

I. LOCATION OF DISCHARGE

The above named applicant has applied for a National Pollutant Discharge Elimination System (NPDES) permit, to the U.S. Environmental Protection Agency (EPA) to discharge into the designated receiving water. The location of the discharge, Outfall 001, is described by the following U.S.G.S. coordinates: 18° 25' 50.09" latitude X 66° 09' 14.63" longitude. A map showing the location of the facility is found in Attachment I.

II. DESCRIPTION OF APPLICANT'S FACILITY AND DISCHARGE

The facility engages in the manufacturing of medical, industrial and specialty gases, pure and mixtures. Transfer of liquid and gaseous oxygen, nitrogen, helium, carbon dioxide and argon from bulk storage to cylinders and containers. Also, the facility manufactures acetylene gas and transfer to cylinders, and mixtures of different gases. This activity has a Standard Industrial Classification (SIC) code of 2813. The discharge will consist of

waters composed entirely of storm water and water table drainage to be discharge from outfall serial number 001 to Quebrada Aguas Frías in Cataño, Puerto Rico.

The receiving water has been classified SD by the Environmental Quality Board (EQB) of Puerto Rico.

III. DESCRIPTION OF LIMITATIONS AND CONDITIONS

A brief summary of the basis of each effluent limitation and other conditions in the draft permit is provided in Attachment II.

IV. STATE CERTIFICATION REQUIREMENTS

State Certification requirements, based upon a Water Quality Certificate (WQC) issued by the Environmental Quality Board (EQB) of the Commonwealth of Puerto Rico, are described in Attachment III. Review and appeals of limitations and conditions attributable to this certification shall be made through the applicable Commonwealth procedures and may not be through EPA procedures.

V. PROCEDURES FOR REACHING A FINAL DECISION ON THE DRAFT PERMIT

These procedures, which are set forth in 40 CFR 124, are described in the public notice of preparation of this draft permit. Included in the public notice are requirements for the submission of comments by a specified date, procedures for requesting a hearing and the nature of the hearing, and other procedures for participation in the final agency decision.

VI. EPA CONTACT

Additional information concerning the draft permit may be obtained between the hours of 8:00 A.M. and 4:30 P.M., Monday through Friday from:

Kate Anderson, Chief
Clean Water Regulatory Branch
U.S. Environmental Protection Agency
Region 2
290 Broadway, 24th Floor
New York, New York 10007-1866
(212) 637-3754

Mr. José C. Font, Director
Caribbean Environmental Protection Division
U.S. Environmental Protection Agency - Region II
City View Plaza II – Suite 7000
48 RD. 165 Km. 1.2
Guaynabo, P.R. 00968-8069
787- 977-5870

ATTACHMENT II

DESCRIPTION OF LIMITATIONS AND CONDITIONS

1. The effluent limitations, monitoring requirements, and other conditions of this permit are described in the draft permit. The effluent limitations in the permit are equivalent to the most stringent values specified in the applicable technology-based guidelines or water quality-based limitations. All anti-backsliding decisions are made in accordance with EPA Region II Antibacksliding Policy.
2. Discharge Outfall 001: Waters composed entirely of storm water and water table drainage [Table A-1].
3. The effluent limitations for **Chemical Oxygen Demand (COD) and Total Suspended Solids (TSS)**, are determined by EPA Region II Guidance for Storm Water Runoff based on Best Professional Judgment (BPJ).
4. All effluent limitations and monitoring requirements listed in Table A-1 for all contaminants, unless otherwise specified, are as imposed in the WQC issued by the EQB, dated May, 15 2012. The WQC was issued by the EQB for the purpose of assuring compliance with EQB's water quality standards and compliance with other appropriate requirements of State law as provided by Section 401(d) of the Clean Water Act.

5. General Conditions

These conditions apply to all permits as required by 40 CFR Part 122.41.

6. Special Conditions

Special Conditions No. 1 through 18 are part of the Final WQC.