



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
CARRIBEAN ENVIRONMENTAL PROTECTION DIVISION
CITY VIEW PLAZA II BUILDING, 7TH FLOOR
ROUTE 165 GUAYNABO, PUERTO RICO 00968

May 2, 2022

Mr. Alejandro Amador
President
ALV Development LLC
1303 Americo Miranda
San Juan, Puerto Rico 00921

**Re: Reconnaissance Inspection
Parque Miramonte Pump Station in Peñuelas, Puerto Rico
NPDES Reference Number PRU000654**

Dear Mr. Amador:

On April 05, 2022, Mr. Héctor Ortiz, Environmental Engineer of the United States Environmental Protection Agency conducted a Reconnaissance Inspections (RI) of the Parque Miramonte Pump Station (PS) facility located in Peñuelas, Puerto Rico, in accordance with the authority contained in Section 308 of the Clean Water Act (33 U.S.C. §1218 et seq).

The purpose of the RI was to investigate citizen complaints, Puerto Rico Aqueduct and Sewer Authority complaints, and Conservation Trust of Puerto Rico which allege have observed sewage discharges from the PS flowing into Los Cedros Creek.

Enclosed, you will find a copy of the RI report which summarizes the deficiencies, violations and concerns found during the RI. If you have any questions regarding the report, please contact Mr. Ortiz at (787) 977-5883.

Sincerely,

Jaime Geliga
Chief
Municipal Water Program Branch

Enclosures

cc: Annette Feliberty, EQB (w/enclosure)
Parque Miramonte Pump Station Reading File (w/ enclosure)

NPDES Inspection Report

SUPPLEMENT TO WATER RECONNAISSANCE INSPECTION REPORT FORM

Parque Miramontes Development Pump Station
NPDES Tracking Number PRU000654

State Road # 132, Km. 8.1, Santo Domingo Ward
Peñuelas, Puerto Rico 00624
Tel. 787-667-0083

On April 05, 2022, the Environmental Protection Agency (“EPA”) performed a Reconnaissance Inspection (“RI”) at the above referenced Pump Station (“PS”). The purpose of the RI was to investigate citizen complaints regarding an abandoned private pump station which has caused many sanitary sewer overflows (“SSOs”). The PS is located at the end of Street 8 at Parque Miramontes Development, Peñuelas, Puerto Rico. The citizens allege that the PS has an inadequate operation and equipment damaged. La Perla del Sur, a local newspaper, has informed that the SSOs waters have reached El Convento spring, a cave system which is a sensitive ecosystem in the area.

I. GENERAL INFORMATION

- a. Site Inspection Date –Tuesday, April 05, 2022
- c. Time of Inspection – Inspection began at 9:50 am and ended at 11:45 am
- d. ALV Development LLC (“ALV”) representative that was not present:
 - Alejandro Amador – Owner, Tel. 787 – 667– 0083
- f. EPA’s Representatives:
 - Mr. Héctor Ortiz, Environmental Engineer Tel. (787) 977-5883
- g. Parque Miramonte Development Homeowner Association Representative:
 - Mrs. Maricarmen Olan, Tel. 787 – 800 – 6911
- h. Weather – Sunny weather where clear skies prevailed most of the time of the inspection.

II. WITH RESPECT TO PARQUE MIRAMONTES DEVELOPMENT

1. Parque Miramonte Development is a residential development (the "Development") comprised of 137 dwellings of one story, parking lots and recreational facilities. The Development was built by CR Development Corporation ("CR Development") and was finished approximately in 2009.
2. The Development has been sold four times. The Permit Management Office provided a permit originally for 310 housing units, but the developer only finished 137, so they have the capacity to build 173 more. On January 2020, ALV bought the Development from SIA Development Corporation (Registered Number 342081) with the sanitary wastewater pump station.
3. ALV is a corporation organized and authorized to do business under the laws of the Commonwealth of Puerto Rico (Register Number 439772). The Department of State of the Commonwealth registered the incorporation on January 27, 2020.
4. Mr. Alejandro Amador is one of the owners of ALV. Nonetheless, Mr. Alejandro Amador has retained ownership, operation, and maintenance responsibilities over the Development's PS.
5. The contact person for ALV is Mr. Alejandro Amador. ALV postal address is 1303 Americo Miranda, San Juan, Puerto Rico 00921. Mr. Amador phone number is 787-667-0083 and its electronic email address is alejandroramador@gmail.com.

IV. PARQUE MIRAMONTE PS AND STORM SEWER COLLECTION SYSTEM

6. The PS collects sewage from Parque Miramontes Development.
7. The PS is comprised of a concrete house, wet well, bar screens, two submersible pumps and electrical system, among other equipment for wastewater collection.
8. Parque Miramonte Pump Station and its sanitary sewer collection system ("the pump station or PS") is located at Parque Miramonte Development ("Parque Miramonte"), State Road # 132, Km. 8.1, Santo Domingo Ward, Peñuelas, Puerto Rico 00624.
9. The PS and its sanitary sewer collection system were constructed to transport the wastewaters of Parque Miramonte Development into the Puerto Rico Aqueducts and Sewers Authority (PRASA)'s Peñuelas Wastewater Treatment Plant and its appurtenances.

V. INFORMATION OF CITIZEN COMPLAINTS AND PRASA

10. From the period of January 20, 2022, to April 18, 2022, EPA received many complaints from concerned citizens, the Conservation Trust of Puerto Rico, Puerto Rico Aqueduct and Sewer Authority and La Perla del Sur, a local newspaper alleging poor maintenance and malfunctions of the PS was causing sanitary sewer overflows of raw sewage continuously per months reaching Los Cedros Creek and the Convento Spring Cave System and eventually reaching the Caribbean Sea.

11. PRASA has conducted three inspections to the PS: August 05, 2008, April 01, 2016, and June 07, 2018, as requested by the different owners with the purpose to start the transferring process of ownership of the Development's PS to PRASA. PRASA's Public and Private Projects Auxiliary Senior Director, Eng. Ruth Díaz has presented a list of the deficiencies found in the PS during each inspection to the PS owners that should be corrected before PRASA accept the PS. All the intents of transferring the PS have been unfinished or unsuccessful.

VI. Information Provided by Mr. Alejandro Amador

12. Mr. Amador indicated in electronic mail on February 04, 2022 the following:
 - a. During Rod Rodder visit to the PS they removed both pumps because both were out of service. He contracted Rod Rodder to repair the pumps, hauling the wastewater from the wet pit to PRASA Wastewater Treatment Plant, and clean 500 feet of the wastewater pipeline. Mr. Amador has not informed EPA if the pumps have been repaired.

VII. FINDINGS OF THE RI

13. The RI consisted of an interview made to Maricarmen Olan, Residents Association President by phone to gather information regarding the operation of the PS and the recent sanitary sewer overflows. EPA couldn't conduct a thorough inspection of the PS components because Mr. Alejandro Amador was not available to attend the inspection although EPA provided him several dates for its participation. A photo-documentation of the RI is included in Attachment I.
11. The PS inspection findings revealed the following among others:
 - a) The PS was found discharging sanitary wastewater through the entrance manhole. EPA observed solids and debris around the entrance manhole. See Photos of the discharge in the Attachment I.
 - b) EPA does not know if the PS is connected to the Puerto Rico Power Electric Authority.
 - c) The PS is located approximately on less than 100 feet from Los Cedros Creek.
 - c) The PS is discharging sewage into Los Cedros Creek and the Convento Spring Cave System which eventually discharge into the Caribbean Sea.
 - d) EPA received an electronic mail on March 30, 2022, from Mrs. Mariana Rivera from the Conservation Trust of Puerto Rico indicating that they were in the PS area conducting a water sampling on March 25, 2022, around 8:00 am for water quality in Los Cedros Creek. Mrs. Rivera also mentioned that she observed a heavy sewage discharge in Los Cedros Creek that last 30 minutes. Attached in page 6 of this report maps of the PS, Los Cedros Creek and El Convento Cave System locations.
12. Los Cedros Creek, Convento Spring System, and the Caribbean Sea are "waters of the United States" within the meaning of Section 502(7) of the Act.
13. EPA called Mr. Amador to discuss the RI findings but Mr. Amador did not answer the calls.

VIII. NPDES PERMIT COVERAGE

14. A review of EPA's files on April 27, 2022, showed that ALV Development LLC, does not have a National Pollutant Discharge Elimination System (NPDES) permit to discharge pollutants (such as sewage) into waters of the United States.
15. SSOs discharges to waters of the United States are prohibited by the Clean Water Act (CWA).
16. ALV through Parque Miramonte pump station is in violation of Section 301 of the Clean Water Act, 33 U.S.C. §1311, for its discharges of pollutants into a water of the United States without a NPDES permit.
17. Attachment I of this RI Report includes a description of the photographs taken during the RI.

End of report

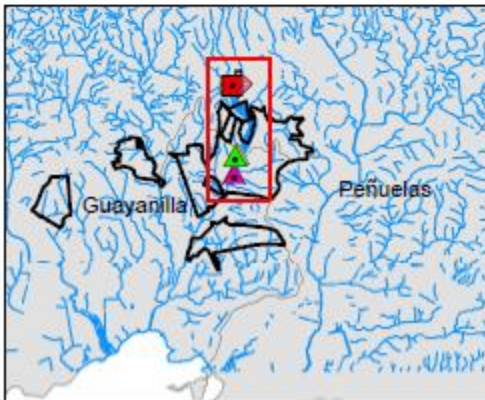
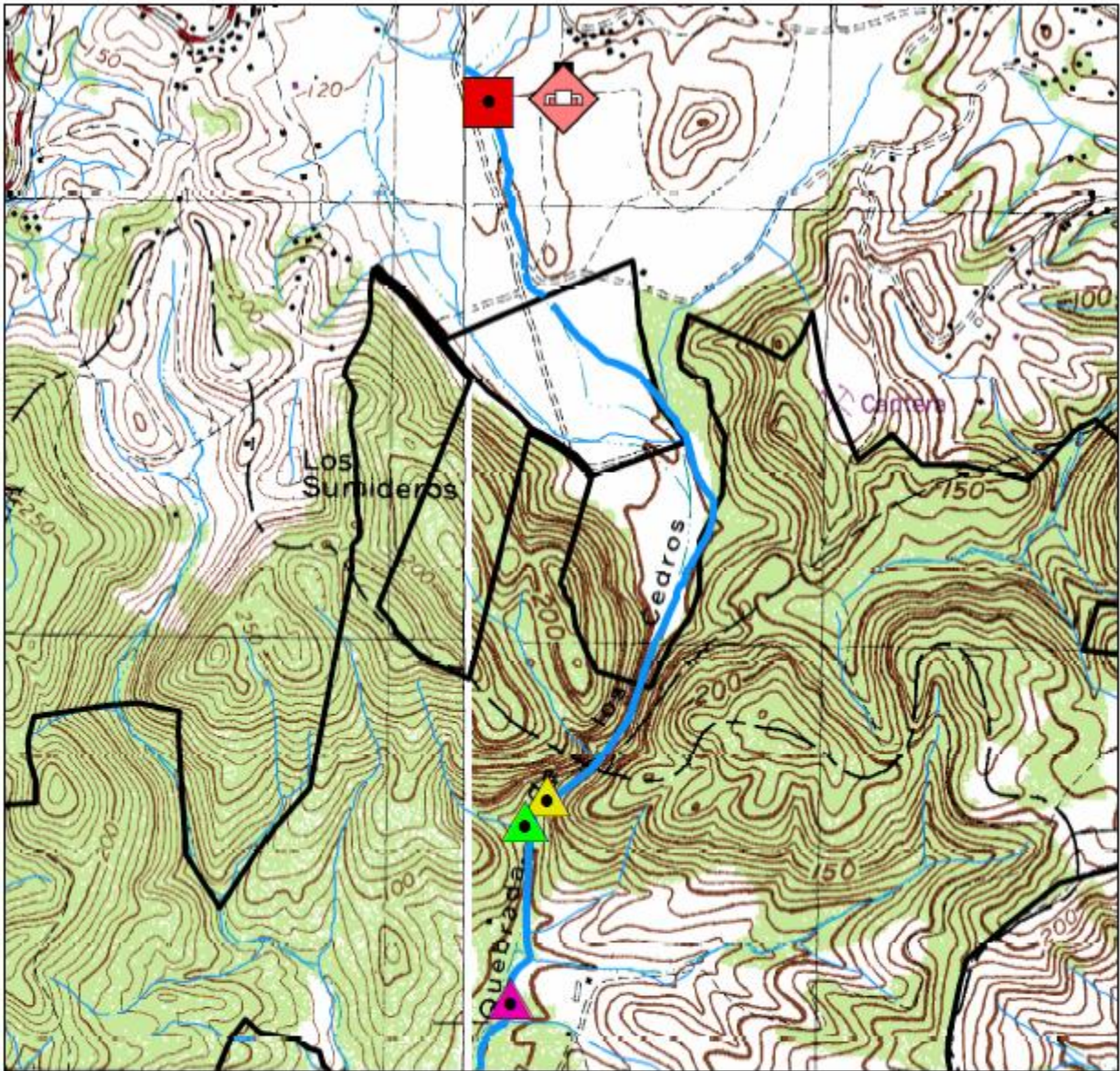
Prepared by:








Héctor Ortiz
Environmental Engineer
U.S. Environmental Protection Agency, Region 2

Jaime Geliga
MWPB Supervisor
U.S. Environmental Protection Agency, Region 2

Attachment I – Map
Attachment II – Photo-documentation

PARQUE MIRAMONTES MAP



-  Bomba Miramontes
-  Punto de entrada a la quebrada
-  Ojo de agua
-  Cruce camino viejo
-  Charco Azul
-  Quebrada El Cedro
-  ANP Cuevas El Convento
-  Municipios

ATTACHMENT I

PHOTO – DOCUMENTATION

April 05, 2022

RECONNAISSANCE INSPECTION



Photo 1: View of Parque Miramonte Development Pump Station from the road.



Photo 2: The entrance manhole of Parque Miramonte Development Pump Station was discharging sewage continuously.



Photo 3: The Pump Station had a gate closed with a lock.



Photo 4: The sewage was flowing from the entrance manhole thru the road to a dry channel.



Photo 6: View of the concrete house.

PARQUE MIRAMONTES RECONNAISSANCE INSPECTION

APRIL 05, 2022

Photos taken by Hector Ortiz

Environmental Engineer