

104TH CONGRESS
1ST SESSION

H. R. 1371

To ensure the protection of the coastal marine coral environment off the west coast of Puerto Rico by requiring the Director of the United States Geological Service to assess the environmental and economic costs and benefits of relocating an existing wastewater treatment plant outfall to a deepwater location, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 1995

Mr. ROMERO-BARCELÓ introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To ensure the protection of the coastal marine coral environment off the west coast of Puerto Rico by requiring the Director of the United States Geological Service to assess the environmental and economic costs and benefits of relocating an existing wastewater treatment plant outfall to a deepwater location, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. STUDY BY THE GEOLOGICAL SURVEY.**

2 (a) IN GENERAL.—The Director of the Geological
3 Survey (in this Act referred to as the “Director”), upon
4 entering into a cooperative agreement under subsection (c)
5 and subject to the availability of appropriations, shall con-
6 duct a mapping and study of the marine environment of
7 Anasco Bay off the coast of the Mayaguez region of Puer-
8 to Rico, and of the marine environment in the ocean area
9 adjacent to Anasco Bay, to determine the feasibility of
10 constructing a deepwater outfall for the publicly owned
11 treatment works located at Mayaguez, Puerto Rico, con-
12 sistent with the goals and objectives of the Magnuson
13 Fishery Conservation and Management Act (16 U.S.C.
14 1801 et seq.). The Director shall conduct the mapping and
15 study in coordination and consultation with the Secretary
16 of Commerce and in cooperation with the government of
17 the Commonwealth of Puerto Rico.

18 (b) CONTENTS OF STUDY.—The study under sub-
19 section (a) shall—

20 (1) determine whether environmental and eco-
21 nomic benefits can be achieved by constructing a
22 new, deepwater outfall for the publicly owned treat-
23 ment works located at Mayaguez, Puerto Rico;

24 (2) determine and map possible locations for
25 such a deepwater outfall and determine for each lo-
26 cation the effects of such an outfall on wildlife re-

1 sources, fisheries, the marine coral environment,
2 other marine communities, and water quality; and

3 (3) determine and compare the environmental
4 and economic costs and benefits of—

5 (A) relocating the existing wastewater
6 treatment plant outfall to any of one or more
7 possible deepwater locations; and

8 (B) operating the existing outfall modified
9 to meet secondary treatment standards.

10 (c) FEDERAL SHARE.—The Federal share of the
11 costs of a study under subsection (a) may not exceed 50
12 percent. The Director shall seek to enter into a cooperative
13 agreement with the government of Puerto Rico under
14 which the government of Puerto Rico is required to pay
15 at least 50 percent of the costs of the study.

16 (d) REPORT.—Not later than 1 year after the date
17 of the enactment of this Act, the Director shall submit
18 to the Congress a report on the study under subsection
19 (a) that includes—

20 (1) a recommendation on the best location for
21 construction of a deepwater outfall for the publicly
22 owned treatment works located at Mayaguez, Puerto
23 Rico, based on the effects of such an outfall on ma-
24 rine resources and the environment; and

1 (2) if appropriate, a finding that the current
2 discharge of the treatment works from an outfall at
3 that location would not adversely affect the coastal
4 marine environment.

5 (e) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated to the Director to carry
7 out this section \$1,000,000 for fiscal year 1996.

8 **SEC. 2. APPLICATION FOR A DEEPWATER OUTFALL.**

9 Notwithstanding section 301(j)(1)(A) of the Federal
10 Water Pollution Control Act (33 U.S.C. 1311(j)(1)(A)),
11 any publicly owned treatment works for which the Direc-
12 tor determines that environmental and economic benefits
13 would result from relocation of its existing outfall to a new
14 deepwater location may apply for a modification under
15 section 301(h) of that Act (33 U.S.C. 1311(h)), for con-
16 struction of a deepwater outfall at any location which the
17 Director has reviewed, recommended, and found to be a
18 point where the current discharge from the treatment
19 works would not adversely affect the coastal marine envi-
20 ronment. Such an application shall be filed within 1 year
21 after the date the Director issues such a recommendation
22 for the treatment works.

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