

Under the 1977 Clean Water Act Amendments, coastal communities—mainland and island—were permitted a time-limited opportunity to apply for exemptions from secondary treatment requirements if they met very stringent environmental standards for ocean discharges. Overall, EPA has granted 39 waivers. All applications were required to be submitted to EPA by December 29, 1982. The Puerto Rico Aqueduct and Sewer Authority [PRASA] submitted 12 waiver applications, and 6 have been tentatively approved. Only two applications—including one for the Mayaguez treatment facility—were denied, in December 1993. The EPA insists that the Mayaguez POTW construct secondary treatment facilities costing approximately \$100 million, despite significant evidence that other, far less costly alternatives would be equally, or even more, effective in protecting the surrounding marine environment.

Puerto Rico has proposed construction of a deep water outfall situated more than 300 feet deep and several miles from shore as an alternative to secondary treatment at the Mayaguez POTW. This would save the Commonwealth about \$65 million. Substantial scientific evidence gathered from similarly situated POTW's with deep ocean outfalls indicates that such methods can achieve the equivalent of secondary treatment standards or better.

The evidence was so compelling in the instance of San Diego, CA, that Congress last year enacted, and the President signed into law, legislation permitting EPA to consider a section 301(h) waiver application proposing a similar alternative to secondary treatment—notwithstanding that such a waiver otherwise would be time-barred under the Clean Water Act. Puerto Rico deserves the same opportunity to implement cost-effective alternatives and seek a section 301(h) waiver.

This is not simply an issue of fairness or cost-effectiveness; it is also an issue of science. The Clean Water Act was intended to improve the marine environment. There is significant scientific evidence that suggesting that a new deep ocean outfall at the Mayaguez POTW would best protect the surrounding marine environment. Furthermore, this legislation would require a scientific study of the issue by the U.S. Geological Survey, an impartial agency with no interest in the outcome. Puerto Rico is willing to share 50 percent of the financing necessary for the study.

There are numerous precedents of such limited exceptions to the requirements of section 301. The municipal wastewater treatment construction grant amendments of 1981 included a provision that extended the date under which section 301(h) waivers could be requested and specifically permitted the city of Avalon, CA, to receive such a waiver. The Water Quality Act of 1987 included a specific exception for the Irvine Ranch Water District that permitted it also to file for a waiver after the deadline.

The 1981 provision specifically reexamined section 301(h) and concluded: "failure to broaden eligibility * * * risks requiring treatment for treatment's sake, involving the expenditure of funds which could be better used to achieve additional water quality benefits elsewhere." This provision does not grant variances. It simply allows variances to be sought with the burden on the applicant to

make its case on environmental grounds.¹ Such logic applies fully to this legislation.

I urge our colleagues on the Transportation and Infrastructure Committee and on the Resources Committee to consider this bill and its common sense approach to the regulatory burden confronting Puerto Rico. I understand that the EPA is receptive to this change in the law, which can only improve the marine environment off the west coast of Puerto Rico, and which will apply these regulatory requirements with cost effectiveness and flexibility, rather than rigidly and without regard to their consequences.

IN HONOR OF THE 25TH ANNIVERSARY OF THE PICO RIVERA BOBBY SOX ASSOCIATION

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 1995

Mr. TORRES. Mr. Speaker, I rise today to commemorate the 25th anniversary of the Pico Rivera Bobby Sox Association.

For the past 25 years, the Bobby Sox Association has been providing an invaluable service to the young girls, and now the young boys, of Pico Rivera. The association was established in 1970 by a group of parents determined to give their daughters the same opportunities to play on an organized team sport, as their sons. The parents, led by Bobby Sox founder and president of the board, Mr. Ray Garcia, labored countless hours laying out fields, building dugouts, and constructing and staffing a snack bar, all for the love of their children and softball.

The whole community has a vested interest in the success of this program. Countless parents have taken time out of their schedules to coach, manage, chaperon, and care for these young girls. And, because of their efforts, the return on their investment has been immeasurable.

These young women have all learned lessons in comradery and sportsmanship. In 1977, the Pico Rivera Bobby Soxers All-Stars led by coaches Jim Cafferty and Eddie Gomez experienced the thrill of winning a national championship. Indeed, the whole association is to be commended for putting forth the effort to ensure the participation of the nearly 6,000 young girls who have graced the softball diamonds at Rio Vista Park over the past 25 years.

I applaud every individual who has had a part in making the Bobby Sox of Pico Rivera a success. I know that the memories carried in the hearts of their daughters are priceless. As a new generation of young girls, and now boys, stand ready to take the fields at Rio Vista, I hope the dedicated spirit which has accompanied their predecessors will continue for many more generations of players to come.

PERSONAL EXPLANATION

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 1995

Mr. DEFAZIO. Mr. Speaker, on March 9, I was having dinner at a nearby restaurant with the Oregon State labor commissioner and apparently my electronic beeper malfunctioned and I missed a recorded vote on the Cox amendment to H.R. 956 which would cap non-economic pain and suffering damages in health care liability cases at \$250,000. If I had been present I would have voted "no."

ROBERT GARCIA BRINGS HISPANICS TOGETHER

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 1995

Mr. RICHARDSON. Mr. Speaker, our former colleague, Bobby Garcia, has spent many years trying to forge better relations among all people. As a co-founder of the Congressional Hispanic Caucus, he sought to unite Hispanic Members of Congress working toward common goals. As a private citizen, he has continued to focus his attention on uniting Hispanics in this country and throughout our hemisphere.

Recently, Mr. Garcia hosted a reception in Washington honoring the current chairman of the Congressional Hispanic Caucus, our colleague, ED PASTOR. Mr. Garcia also invited representatives of the Latin American republics and Spain to further our common interests.

I commend our former colleague for his work in improving relations between people and countries and urge my colleagues to review the following article which appeared in the Caribbean Business publication.

[From Caribbean Business, Mar. 23, 1995]

GARCIA SEES EXPANDED CAUCUS ROLE

(By John Collins)

Former Congressman Robert Garcia of New York views the Congressional Hispanic Caucus, of which he was a co-founder, as an important catalyst for bringing Hispanics, in the U.S. and elsewhere in the world, closer together for the mutual benefit of all.

Garcia and his wife, Jane, hosted a reception in honor of the new chairman of the CHC, Ed Pastor, an Arizona Democrat. To help familiarize members of the Diplomatic Corps with the workings of Congress and how Hispanic members might assist them in achieving their legislative agendas, Garcia invited representatives of the Latin American republics and Spain to the reception.

Among those attending were ambassadors Raul Granillo Ocampo (Argentina), Sonia Picado (Costa Rica), Ana Cristina Sol (El Salvador), Jesus Silva Herzog (Mexico), Ricardo Alberto Arias (Panama), Jaime de Ojedo (Spain), and Pedro Luis Echevarria (Venezuela). Countries represented by other diplomats included Brazil and Guatemala.

EXPANDED DIVERSITY

The CHC was organized in 1977 when there were only four Hispanics in Congress, including Garcia. Today, the caucus has grown to 18 members, 13 Democrats and five Republicans. The largest segment of the CHC is of Mexican descent, four are Puerto Ricans,

¹H. Rep. No. 97-270, 97th Cong. 1st Sess. at p. 17.