



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

October 19, 2023

October 20, 2023 @ 10:13 am
USEPA – Region II
Regional Hearing Clerk

CERTIFIED MAIL- RETURN RECEIPT REQUESTED
7018 0360 0001 5525 6182

Eduardo Ramos Vera
General Manager
Homeca Recycling Center Co., Inc.
PMB 323-200
Ave. Rafael Cordero 140
Caguas, Puerto Rico 00725

**Re: Notice of Proposed Assessment of a Civil Penalty
In the Matter of Homeca Recycling Center Co., Inc.
Tallaboa Industrial Park Complex
Docket Number CAA-02-2024-1201**

Dear Mr. Ramos Vera:

Enclosed is a Complaint and Notice of Opportunity to Request a Hearing (Complaint) which the United States Environmental Protection Agency ("EPA" or "Agency") is issuing to Homeca Recycling Center Co., Inc. (Respondent), as a result of EPA's determination that Respondent violated Sections 112 and 113 of the Clean Air Act ("CAA" or "the Act"), 42 U.S.C. §§ 7412 and 7413, and the National Emission Standard for Asbestos, 40 C.F.R. Part 61, Subpart M. The alleged violations are related to demolition activities conducted by Respondent at the Tallaboa Industrial Park Complex located at Road 385 Km. 5.4, Tallaboa Poniente Ward, in Peñuelas, Puerto Rico. The Complaint proposes that a civil penalty of \$187,487 be assessed against Respondent for the violations alleged in the Complaint. This Complaint is brought pursuant to Section 113(d) of the Act, 42 U.S.C. § 7413(d), and EPA's Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and Revocation/Termination or Suspension of Permits, 40 C.F.R. Part 22 (the "Consolidated Rules of Practice").

Enclosed please find a copy of the Consolidated Rules of Practice. Also enclosed, is a copy of the "Standing Order: Authorization of EPA Region 2 Electronic Filing System for Filing and Serving Documents Electronically in Proceedings Governed by 40 C.F.R. Part 22", instituted by the Agency during the COVID-19 pandemic emergency, which establishes procedures for electronic filing and service of documents in administrative proceedings governed by the procedural rules set forth in the Consolidated Rules of Practice.

Whether or not Respondent requests a hearing, Respondent may informally confer with EPA concerning the alleged violations and the amount of the proposed penalty. EPA encourages all parties against whom it files a Complaint to pursue the possibility of settlement as a result of such informal conference with the Agency. Respondent may represent itself or be represented by an attorney

at any stage of the proceedings, including any informal discussions, whether in person, by telephone or video conference. An attorney from EPA Region 2's Office of Regional Counsel will normally be present at any informal conference. Please note that a request for an informal conference does not substitute the requirement of filing a written Answer to this Complaint within thirty (30) days of your receipt of this Complaint, nor does it extend the thirty (30) days period by which Respondent must file an Answer requesting a hearing.

If you have any questions or wish to discuss a settlement of this matter with the EPA by an informal conference, please contact:

Evelyn Rivera-Ocasio
Assistant Regional Counsel
Office of Regional Counsel- Caribbean Team
U.S. Environmental Protection Agency, Region 2
City View Plaza II Suite 7000
#48, Rd. 165, Km. 1.2
Guaynabo, PR 00968-8069
(787) 977-5859
rivera-ocasio.evelyn@epa.gov

Sincerely,

Carmen R. Guerrero-Perez, Director
Caribbean Environmental Protection Division

Enclosures

Cc: Rafael A. Toro, Esq. (by electronic mail at rtoro@toro-arsuaga.com)
Amarilys Rosario Ortiz, PRDNER (by electronic mail at amarilysrosario@drna.pr.gov)