

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR**

IN THE MATTER OF:

Homeca Recycling Center Co., Inc.  
PMB 323  
Luis Muñoz Marín Ave. #20  
Caguas, Puerto Rico 00725

Respondent

In a proceeding under Section 113(d) of  
the Clean Air Act, 42 U.S.C. §7413(d)

Docket No. CAA-02-2024-1201

NOTICE OF SUPPLEMENT TO  
RESPONDENT'S REDACTED  
INITIAL PREHEARING EXCHANGE

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**NOTICE OF SUPPLEMENT TO RESPONDENT'S REDACTED INITIAL  
PREHEARING EXCHANGE**

COMES NOW Respondent Homeca Recycling Center Co., Inc. ("Homeca" or "Respondent") through its undersigned counsel and submits this Notice of Supplement to Respondent's Redacted Initial Prehearing Exchange.

1. On April 26, 2024 Respondent filed its Redacted Initial Prehearing Exchange as directed by Administrative Law Judge, Michael B. Wright, in the Prehearing Order dated January 19, 2024, as amended by Order on the Parties' Motions Regarding the Prehearing Schedule dated April 9, 2024.

2. On May 1<sup>st</sup>, 2024, Respondent filed an Updated Index of Exhibits to rename RX 19 as RX 19 (redacted).

3. As part of its Redacted Initial Prehearing Exchange, Respondent claimed inability to pay, to which Claimant requested additional financial information to be able to perform an ability to pay analysis.

4. As requested, Respondent sent to Claimant the following financial information:

- a) Copies of Respondent's final signed tax returns that were filed for the last five years;
- b) Respondent's audited financial statements for the fiscal years ended June 30, 2019 to 2022; and
- c) Respondent's Balance Sheet as of December 31, 2023, and Profits and Losses from July through December 2023.

5. In addition, Respondent had originally removed several pages in RX 19 because it understood that they were not pertinent and others because they contain privilege attorney-client information. However, since Claimant is conducting an ability to pay analysis, Respondent revised RX 19 to include all pages, while redacting only the two pages that contain privilege information.

6. Finally, in its Initial Prehearing Exchange, Respondent had made a reference to a document labelled RX 27 which was unintentionally omitted, so it was produced to Claimant.

7. In this Supplement, Respondent submits the complete RX 19 with redacted portion, the RX 26 with the financial information and RX 27 with a table summarizing expenses in the cleanup at the Elementary School and Head Start.

8. Finally, Respondent now submits a revised Index of Exhibits.

RESPECTFULLY SUBMITTED.

May 17, 2024

**Rafael  
A. Toro  
Ramírez**

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**CERTIFICATE OF SERVICE**

I certify that, on the dated noted below, I caused to mail by electronic mail, a copy of Notice of Supplement to Respondent's Redacted Initial Prehearing Exchange to the following persons at the electronic address listed below:

- (1) Evelyn Rivera-Ocasio, Esq., Assistant Regional Counsel, Office of Regional Counsel – Caribbean Team, U.S. Environmental Protection Agency, Region 2, [rivera-ocasio.evelyn@epa.gov](mailto:rivera-ocasio.evelyn@epa.gov);
- (2) Sara Amri, Assistant Regional Counsel, U.S. Environmental Protection Agency, Region 2, [Amri.Sara@epa.gov](mailto:Amri.Sara@epa.gov); and
- (3) Mary Angeles, Headquarters Hearing Clerk, via OALJ E-filing System.

May 17, 2024

**Rafael  
A. Toro  
Ramírez**

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