

Excerpt 17

Letter from Judith Enck, Regional Administrator, EPA, Region 2, to Angel Gonzalez, Aleida Centeno, Orlando Negrón, Martha Quinones Dominguez, and Teresa Sanchez, dated July, 12, 2012, AR II.B.2



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

JUL 12 2012

VIA E-MAIL

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Re: Energy Answers, Arecibo, LLC Prevention of Significant Deterioration Permit Preliminary Determination

Dear Ms. Sánchez, Ms. Centeno, Ms. Quiñones Dominguez, Mr. González, and Mr. Negrón:

The U.S. Environmental Protection Agency has received your June 14, 2012 letter regarding the May 23, 2012 public meeting at the Arecibo campus of the University of Puerto Rico on the EPA's proposed approval of an air permit for the Energy Answers International facility in Arecibo, Puerto Rico. The EPA is committed to a full and transparent public review of the proposed permit. The agency conducted the May 23 public information session to provide information on its review of the application and its decision to propose approval of a permit.

The EPA makes its regulatory decisions based on scientific and technical data that must protect people's health and natural resources and considers public comments before finalizing its decisions. On June 25, 2012, the EPA held a formal public hearing to facilitate public comment on the proposed permit. The hearing did not provide a productive opportunity for the public to provide comments. The EPA has decided to extend the public comment period and will schedule another public hearing in the near future. EPA will not finalize its decision on the permit until all the comments have been fully reviewed and considered. The comments will be reviewed by a team of EPA technical staff and the final decision on whether to approve the permit will be made at a senior level within EPA Region 2.

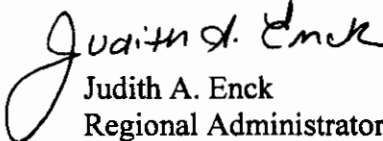
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The EPA recognizes the importance of an impartial process in EPA decision-making. EPA technical and legal staff, as well as senior managers have reviewed the comments made during the May 23 public information session by Steven C. Riva, Chief of the Permitting Section in the EPA Region 2 Air Programs Branch, which you cited in your June 14, 2012 letter. They have also reviewed the video clips of the meeting that you provided. The EPA has determined that there is no need to make changes in the project review team and will proceed with the collection of public comments, their full review and consideration of a final decision as planned. The EPA wants to assure you that the final decision on the permit will, as always, be based on a scientific and technical evaluation of the application and full consideration of public comments.

The EPA continues to support a solid waste management strategy that first prioritizes source reduction, recycling and composting. If you have any additional questions, contact John Filippelli, Director of the Clean Air and Sustainability Division at 212-637-3736 or filippelli.john@epa.gov. Thank you.

Sincerely,


Judith A. Enck
Regional Administrator