

Environmental Protection Agency

Region 2

Public hearing regarding PSD permit for Energy Answers

Arecibo, Puerto Rico

Date: August 27, 2012, 1:00 p.m. – 4 p.m.

Place: Lions Club of Arecibo

Arecibo, Puerto Rico

Moderator: José Font, Interim Director CEPD, EPA

Transcribed by Aledawi Figueroa

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(1:16 pm)

Jose Font: Please if you can take your seats so we can start with this afternoon's hearing.

Good afternoon to everyone here, my name is Jose Font, Acting Director for Caribbean Environmental Protection of the U.S. Environmental Protection Agency (EPA). Today I am joined by the following EPA staff: Mr. Ariel Iglesias, Deputy Director of the Division of Sustainability and Clean Air EPA Region 2; Mr. José Rivera, Acting Chief of the Sub-Division of Multimedia Permits and Compliance, Ms. Brenda Reyes, Coordinator of Community Relations; Engineer Evelyn Rivera, Community Outreach Coordinator for the Energy Answers project, Mr. John Aponte, from the Air Program of the Sub-Division Multimedia Permits and Compliance, and Mrs. Christie Vasquez of the subdivision of remediation and environmental response.

We give you all a warm welcome to this Public Hearing. We thank the Administration of the Arecibo Lions Club for providing this space in the Municipality of Arecibo and so allow us to meet once again closer to the community.

The purpose of this public hearing is to receive comments from the public concerned about the draft permit to prevent significant deterioration of air quality (PSD, for its acronym in English), which was prepared by EPAA under federal Clean Air Act. This action was taken in response to a permit application filed by the company Energy Answers for the establishment of a facility for energy recovery from solid waste in the Municipality of Arecibo, Puerto Rico.

On May 9, 2012, EPA issued a public notice in the newspaper El Norte, proposing to issue a PSD permit for the proposed facility by Energy Answers. In that notice, EPA requested public comment on the proposed permit for the facility, established a comment period of 45 calendar days, provided information about the repositories of information and documents relevant to the permit application, and invited the public to attend an information session on May 23, 2012 at the Theatre of the University of Puerto Rico at Arecibo, and a public hearing on June 25 at the same location. A second public notice containing the same information was published in the newspaper El Vocero on May 13, 2012.

As published, the briefing on the proposed permit was held on May 23, 2012 at the University of Puerto Rico at Arecibo. The meeting provided information on the preliminary draft for the permit of prevention of significant deterioration of air quality (PSD) under study by the EPA under the federal Clean Air Act, and answered questions from the audience. In addition, EPA emphasized that although the public hearing was to be held on June 25, 2012, the agency would accept written submissions until Friday June 29, 2012. Following the cancellation of the public hearing of June 25, 2012, extended the comment period until August 27, 2012, according to the notice published in the newspaper El Vocero published July 23, 2012. Note, this week the EPA announced the extension of the comment period until August 31, 2012.

After our evaluation of the application of Energy Answers, we have put before the public consideration a draft permit. The final agency decision on it will not be considered until all opinions objectively collected during the comment period in order to safeguard the environment, health and safety of all.

The final agency decision on it will not be considered until all opinions have been objectively collected during the comment period. This is in order to safeguard the environment; health and safety of all are properly considered. Your comments and submissions will be heard and included in the administrative record for this public hearing. All comments or proposals to be presented today will be considered by the EPA and shall be included in the administrative record of the facility, as established by the applicable federal regulations. The EPA will not respond to the comments at this time. Note that this activity will address only matters related to the PSD permit for Energy Answers. The EPA believes that the establishment of a public policy on the management of solid waste on the island is the responsibility of the Government of Puerto Rico and its local agencies.

You can submit your opinions to EPA staff in the afternoon, or they can be sent to Mr. John Aponte at the directorate of the Caribbean Division of the EPA. You may obtain a copy of the address in the table at the entrance of the room. EPA will evaluate all comments received, and will answer them in a document that will be prepared as part of the final decision to be taken by the Agency.

As announced in the public notice about this view, the EPA held five sessions on 3 consecutive days. The sessions are distributed as follows: the first session was August 25, 2012, from 1:00 to 4:00 pm and the second session was August 25th from 6 p.m. to 10 p.m. The third session was August 26, from 1:00 to 4:00 pm, and the fourth session was August 26, from 6:00 to 10:00 pm. The fifth and final session is the one we are doing today, Monday, August 27, from 1:00 to 4:00 pm. All sessions are open to the public. Those wishing to express themselves verbally had two ways to register. The first

method was by pre-registration by contacting Mr. John Aponte of our Division. The second, involved registering in person at any of the five sessions of the public hearings.

The pre-registration procedure was included in the public notice of this view. All those who previously registered for sessions of August 25 and /or August 26, and did not have the opportunity to speak will be granted preference to speak at fifth session this coming Monday, August 27, 2012. Also, if time permits, those who wish to participate and did not register will have an opportunity to do so on August 27, 2012.

To hear each of the speakers in this public hearing...

(Electrical problem)

Jose Font: We'll recess for a moment to check the p.a. Over there!, What about recording? All right?

I am told that all systems are operative so let's continue.

To hear each of the speakers in this public hearing, we have established rules of procedure, and they need to be observed at all times by the participants. The procedures in this public hearing will be documented for the record through a transcript prepared by a professional stenographer, who is present. We also have simultaneous translation from English to Spanish or vice versa of what is presented in each of the sessions of view. Those interested can pick up the headphones in the central part of the building. It is necessary that all participants of this hearing are registered to enter the room and are noted on the list of attendees. Those who will speak should tell me whether they are submitting written comments today. For this session of the public hearing fourteen (14) people have duly registered as speakers. These have already been notified either by email or by registering on entry day.

This hearing is conducted under the rules of procedure established in Part 124 of Title 40 of the Code of Federal Regulations. The order of the deponents shall be as follows: The first opportunity will be given to elected officials or their designee, followed by federal, state and municipal, and other speakers in the order they registered. Note that to ensure the opportunity for expression of all participants, we will be strict with the time limits, and speakers not be allowed to shift their allotted time to other speakers to extend their set time. Due to the number of people interested in speaking and to give opportunity to all, time for each intervention should not exceed 10 minutes. There will be a designated person to notify each speaker when they have one (1) minute left to conclude their presentation, and to notify when their set time is over. If his speech

exceeds the set time, the microphone will be turned off to make way for the next speaker. We ask all participants to remain silent until it is your turn to speak, and show respect for the diversity of opinions in the proceedings and to listen to all the deponents. Please do not interrupt the work or cause unnecessary distractions. To maintain order, I ask that if you want to make some kind of protest, or have a discussion with someone, we ask you to leave the room to do so, while the session continues.

The order of the deponents shall be as follows: The first opportunity will be given to elected officials or their designee, followed by federal, state and municipal, other deponents in the order in which they were recorded. Note that to ensure the opportunity for expression of all deponents, we strictly ...

(1:28 pm Electrical power failure)

(2:09 pm the hearing was resumed without electricity)

Jose Font: For purposes of record, this hearing held today August 27, Monday August 27, the session from 1:00 to 4:00 pm had to go into recess at half past one, because for reasons beyond our control, we lost power. We communicated with the Power Authority, and they indicated that there is a problem, a transformer exploded apparently. Since we do not know how long this can take, we decided to continue with the public hearing. We have no electricity, but we are trying to use the technology we have available to ensure all the speeches and words spoken this afternoon are recorded. So having said that, we continue with presentations or we begin, rather, with the presentations. I am told that an elected official of the government of Puerto Rico has arrived, this person is Representative Charlie Hernandez, so we grant him the first turn to carry out his address. You have 10 minutes to read your paper, next to the transcriber.

Unidentified lady from the public: I want to ask a question or comment. The time got limited, really, because the conditions were not expecting.

Jose Font: Ahem...

Unidentified lady from the public Are we going to replace that time those 30 minutes or so? For people who want to do depositions?

Jose Font: Let's ... As we progress, we'll make decisions, several things could happen, we ...

Unidentified lady from the public: I took the time it was from 1:38 to 2:11 t, which means that the time is ours and I think, really, it would be right for us to have that time slot back, too ...

Jose Font: Certainly we can accommodate that, too. So we'll get started with the presentation of Representative Charlie Hernandez.

Honorable Charlie Hernandez: Yes, very good afternoon to all. First, my greetings to the people of this community and my thanks to the members of the EPA who have coordinated this meeting to hear the sentiments of everyone here on the proposed project in Arecibo and that will have an effect on the entire northern region of the country. I will submit in the coming days a written statement formalizing my position on this matter. And to clarify for the record, I am Representative Charlie Hernandez, a member of the House of Representatives of Puerto Rico since 2001, and during my time in public service I've had to fight fights similar to the one that now I feel compelled to give, on behalf of my fellow Puerto Ricans. And I wanted to express my opposition to the proposed initiative in this area, understanding that they have not been given to the community or any of us adequate assurance that the project is safe, adequate assurance that the project will be safe and that it'll safeguard the health of our people. And today I stand I as a citizen, as an elected official and as well as a person with asthma, with a good understanding about the air quality in our communities. Those of us who have suffered during the last year, as winds carrying fungal contamination embedded in volcanic ash have reached Puerto Rico, we understand very well, perhaps better than anyone, what additional potential contaminants as the ones we are sure that this facility will emit mean for us. Obviously I'm not representative of Arecibo, I'm not representative of any of these communities but I do not want to this for Arecibo, not what I want for my hometown of Mayaguez, or to the neighboring town of Barceloneta. So I feel a responsibility to come in front of you today to ask you emphatically, to emphatically request that you evaluate the evidence submitted and the one that it is yet to be submitted, not only from a technical point of view, an inherent role of the Federal Environmental Protection Agency, but also from a sociological standpoint, the community does not want this project. It is very difficult to advance a cause if the community does not support that cause. And I've been in majorities and have been in minorities I have and always understand that the recipe for success is that the people stand behind a proposal. What I don't want is for the people of Puerto Rico or the community to take or make a judgment with insufficient information that could make the people to surrender in some issues that are of vital importance, particularly health issues. In this particular, some friends told me today that none of my son's lungs, my son's skin or any of its organs that have no cancer today, are worth a single job for the people of my country. I do not gamble with the health of my children; I do not negotiate with my son's health or the health of any Puerto Rican son of this land. So I object to the project, I think it's risky. For some reason there have been so few projects like this in the entire jurisdiction of the USA. If it hasn't been that good in many other U.S. jurisdictions, why it has to be good in Puerto Rico? So that's why I reject it and specific details of my

additional grounds for rejecting will be featured in the written paper, which I shall shortly submit. And obviously I conclude by expressing my gratitude for this effort, recognizing that last time was a little rough, but it was-is - an act of great justice, that there is another opportunity for the community to express their feelings. And that is what we are doing today, I appreciate it. But to listen is not enough, our claim is that you also put their ideas to consideration, and that is the hope we all have, knowing that for this community, for all the people of Arecibo, the matter does not end here in this hearing. And that the effort to stop the project will continue in all its forms and it is important that the federal agency is aware of the resistance that exists in the community for the development of this project. Because there is only one cause for Arecibo, this is the cause for all Puerto Rican brothers. A few decades ago I gave a fight like this, when I was a boy, and somebody wanted to establish a project of an entity called Collentrix in my city of Mayagüez. At that time all the people of Mayagüez rallied against this initiative and we communicated to our community how detrimental this project was. If I did it for Mayagüez back then I must do it now for Arecibo, because I do not know when we'll have to do it for the rest of the country. So with that said I thank you and leave the rest of the time for the residents of the community so they have an opportunity to express themselves equally. Thank you.

Jose Font: Thanks to Hernandez for his presentation, continuing the public hearing today the next turn belongs to Mr. Nelson Alicea Rivera and will be followed by Juan Manuel Mercado.

Nelson Alicea Rivera: Very good afternoon to the friends from the EPA and other friends present. First I would like to thank, although they are not here today, my brother Nathanael Alicea and his wife Miriam Rios Yolanda Nieves who collaborated in research for this paper. Back in the 70's Arecibo receives a source of contamination for our people: The installation of the municipal landfill. Many promises were made then by the agencies concerned; denying the adverse effects that would cause locating the landfill in the Factor 2 neighborhood, in land belonging to the the Land Authority and subsequently was renamed or became known as The Natural Reserve of Caño Tiburones. Today, 40 years later and instead of improving or making sure the promises were fulfilled, the landfill has become a worse threat than it was back then, by turning it into what is now known as the Arecibo Regional Landfill.

The daily waste dump increased, making the situation worse with the dumping of with toxic waste. From this the agencies that deal with this have strong evidence. As if that was not enough, we add to the onslaught a petrochemical plant, which was built in the seventies, precisely in the area of Cambalache. You could see it when transiting Highway 2, close to the boundary with the Domingo Ruiz neighborhood, how the green lungs of our city were drying under the indifferent gaze of the authorities, the same

authorities that were supposed to secure the landfill. Paradoxically today, and using the same facilities, the plant is operating by burning batteries, which has caused a lead contamination problem that has directly affected employees and their families as they come drenched in pollutants home from work. Within walking distance of this factory was located the Central Cambalache that supplied the raw material for the "International Paper Company" that also wreaked havoc on our community. Many workers became ill and died of what became known as the common term coined or vagasosis. Yesterday, August 26, a man named Ramon, who identified himself as former technical worker testified of his experience before you and those present in these hearings.

Simultaneous to all this, the town of Barceloneta went through and industrial transformation: pharmaceutical, petrochemical and other companies settled in this area in search of the riches of the deep waters, thereby contaminating much of these natural resources. An example of this is the artery that provided the water for the Garrochales community wells and other adjacent communities, from which it was impossible to continue extracting the precious liquid, essential for our survival. I am referring to the accident at a pharmaceutical plant, the Upjohn. Couple that with the treatment plant for wastewater from these same industries located in Palmas Altas de Barceloneta and add up the wastewater plant located in Islote 2, a facility that for years has been rejected by the residents of these places. Despite fierce opposition from all affected residents, an electricity generating plant was arbitrarily installed at the Cambalache neighborhood, leaving in misuse hundreds of acres of land from the Land Authority where now electrical lines go from north to south. Just like in those days and for the same reasons, we oppose tenaciously to the installation of the incinerator, that for God's sake, we all know that is a source of contamination. It is equally imperative to bring up the effects that produced the asbestos, something that once looked like the great innovation, in the health of our people. It is not the time to call responsibilities of things badly done in the past, but it is now time to raise the alarm so that our children and our grandchildren will not have to stand here to accuse us of being accessories in this macabre project. When you hurt people, when you hurt people for a long time, when people get hurt all the time, the people have a popular expression that I'll refrain from saying here out of respect for the audience, but I invite you to further interpretation. I decided to participate by going to this appointment with history because there are situations that made it necessary, and this is one of them. We must embrace noble causes and justice; we must make them our own. Neighbors want the landfill to disappear. Energy Answers, taking advantage of the suffering, the struggle for several decades that have led us, the immediate neighbors of this den of death, presents itself as redeemer and savior. They love us so much! They want to do justice by committing another injustice. We need to have friends like you, the EPA, that is, it is supposed to protect our environment and therefore our health. Friends like those of the Energy Answers are in excess. With friends like that,

who needs enemies, no? The residents of the nearby town of Barceloneta, aware of the pollution in their area, reported their concerns to the municipal government, meaning the legislature and the mayor. These in turn, through legislation passed, endorsed and signed by the Honorable Wanda Soler, the first municipal executive, notified the relevant agencies and the proposing company their opposition to the installation of the plant. Yesterday the Univision newscast showed a group of neighbors in that are desperate to get the landfill closed, and as we know, are sponsored by those who want to build the plant that is mentioned at a cost of \$ 500 million. They have given yellow shirts with identified supporting the incinerator; they have paid hotel stays in the United States to take them to see an incinerator miles away from the population in the mainland. They paid very well to those who were in government then, supposedly on the side of the people. How wrong we are about with people sometimes, gentlemen! Today they sell for a mess of pottage like Esau, forgetting the people who swore to protect at the time. With an investment of that amount some are able to sell his soul to the devil. These neighbors and friends have told me that they'll sue the EPA in Federal Court to the EPA because of the landfill. Ask your sponsor and friend, Energy Answers, where they will deposit the ash produced by incineration? The one that advise you, the one that has fed you this argument will then tell them: I don't know you, or I don't have time. I say: "I know you, cod, even if you are on disguise." I will submit this speech as evidence of my position on the threat posed by the incineration plant that the company Energy Answers plans to install and in its efforts to mislead the public. They beautify or change the name for energy conversion plant or gasification plant or the magic box that takes away the trash. As stewards of the environment, we firmly support citizenship education. We support an Improved legislation necessary for everyone to rethink, redesign, reuse, reduce and everything that has to do with recycling. Future generations will reap the fruits that we sow today thinking and acting green. Take care of what you have while there is time to harvest. No, no and no to incineration. No and no to contamination. Thank you and good afternoon.

Jose Font: Next turn corresponds to the Attorney Juan Manuel Mercado. And after the lawyer, Attorney Capella Angeira will follow. Please note that were allocated ten minutes per person and you must please adhere to those ten minutes.

Atty. Juan Manuel Mercado: Very good afternoon. I am the Attorney Juan Manuel Nieves, I am a candidate for resident commissioner in Washington by the PIP. I entitled my deposition "Puerto Rican Independence Party Opposition to the granting of a permit to increase emissions of air pollutants in the region of Arecibo." The proposal of Energy Answers is a sample of what metropolis they do with their colonies. Energy Answers proposes massive and indiscriminate burning of waste as a solution to the problem of solid waste in Puerto Rico. Its proposal is based on technology and practices that are at

least thirty years old, is a polluting technology, obsolete and has been superseded in many forms.

The Puerto Rican Independence Party has had on his agenda since 1996 the clear opposition to waste incineration as a solution to handling these materials. We consider that burning waste in order to produce energy is an inefficient way to produce energy and absurd practice in waste management, as it destroys materials that are potentially much more valuable than the energy generated.

The company Energy Answers has tried for more than 20 years and under different names, almost to install its incinerator in Puerto Rico, suggests burning here for nearly 20% of the waste generated on the island, saying that the burning of over 2,000 tons per day of waste of different composition, including serious air pollutants, can be controlled to the extent that it will not have a significant effect on our health and the environment. We believe that such a claim is public relations a ruse and has nothing to do with reality. If you do not know for sure the chemistry of what's going to burn, you cannot predict that this will not generate combustion emissions of hazardous pollutants.

The political and economic principles that the U.S. Environmental Protection Agency is discussing here today, coming here today to discuss, centers around what kind of available technologies is Energy Answers using to control their emissions, which in English is called Best Available Control Technologies. This does not mean that they will prevent pollution and deterioration of health. Not even to say that there is superior technology. What he really means is that this is a technology more cost effective from an operational standpoint, - excuse me- that this technology is more cost effective operationally and financially. This is unacceptable to us because this is a way to get thrash away from the ground and place it in the air.

Energy Answers will burn more than 400 tons per day of tires. Generate thousands of pounds of particles, metals, and various compounds that cannot be filtered by their emission control mechanisms. Particularly we should worry issuing nano particles, those less than 2.5 millionths of a meter in diameter, which surely will go to our lungs, since their emission is the most difficult to control. Attached to these particles metals, hydrocarbon compounds, dioxins, furans can gain access to our tissues. In short, a chemical soup extremely dangerous.

Far from solving the problem of waste, the proposed transaction will generate about 245 tons of ash with concentrate pollutants that are extremely dangerous. They will not be able to be buried in regular landfills. If we add the 500 tons of ash from the coal plant in Guayama that also have to be deposited in a special landfill, where the government is proposing that this landfill is located, here in Arecibo, too?

The Arecibo region has received a huge proportion of the industries that pollute the environment and affect health. Proof of this is that the most severely polluted areas called “superfondo” sites on the island are located in this region. From the point of view of environmental justice, which both seem to worry the federal government, this proposal is only to add to the environmental injustice practiced on the North Central Region for the past 50 years.

Finally, I want to make clear that the Puerto Rican Independence Party, as a matter of principle, rejects the arrogance demonstrated by the directors of this agency, whose alleged purpose is to ensure environmental protection when handling these procedures in a disorganized way and to have discharge for the record that in Puerto Rico are required to establish and operate over an incinerator. Similarly, the recommendation strike since challenged the impartiality of the rating agency and the EPA states that decisions are made, so these views are merely a resource to augment the record. In Puerto Rico needed bridges, roads, forests, farmland, hospitals, food self-schools, but yet not necessary neither many incinerators. Anyway, if you insist on validating the positions advanced by the great interests and their representatives without weighing the views of Puerto Ricans, I remind you that the people, we will have the last word. Submitted! I'm going back to the transcriber to record. Thank you.

Jose Font: The next turn goes to Attorney Capella Angeira. If not present...

Member of the public: May I, Mr. Capella ...

Jose Font: Attorney Capella, sorry.

Public Person: Is Rafael Capella Angeria, he is coming this way, the last time I spoke with him he was passing Manatí, so it is my understanding that in half an hour ...

Jose Font: Ok – We continue then. Mr. Franco Marcano is the next witness and after Mr. Marcano it will be Ms. Mirna Conti.

Franco Marcano: Good afternoon my name is Frank Marcano. I am 22 years old, study mechanical engineering and I want you to do something, and I am sorry that there are no children here. Try thinking, what happens to it with everything we throw the trash in the can?

Public Person: It gets recycled.

Franco Marcano: It gets recycled and what else happens?

Public Person: It rots!

Franco Marcano: What would children think? It disappears, we throw it in the trashcan, the truck comes, takes it to the dump and it makes everything magically disappears? Unfortunately, my people, that is not true, we as human beings take many things for granted. We think everything just happens, and it simply happens without a reason, we make a mistake and waste is part of that vision we have that is wrong. The concept of recycling that we are taught from childhood, right, consists of a triangle, consisting of three R's, what does that mean? To recycle, reduce and reuse. Unfortunately we live in a town that lives in a culture of consumerism, we like to eat, we like to buy, and we like to own things, right? and many of these things I wonder why if they are so small, they come in a package this big full of cardboard, plastic bags, why not? So the concept of reducing even the most practical of all is certainly the most difficult to implement: Reuse. Why reusing and recycling simply have not worked? Because people, especially Americans people unfortunately, imagine you are going to tell them you are going to eat in a bowl of recycled plastic. Do you like to eat in a bowl, which was made of any other plastic?

Audience: Sure, that will do all day.

Marcano Franco: Well, unfortunately, my brothers, most do not think so. I do not want to have my food in any container. Or another point, that if they do not know the triangle unfortunately not have any laws or regulations, any company can put the triangle and thought the triangle means to be recycled when we throw it to the dump someone magically going to come and be recycled, it is not so. Also, on the other hand we have two major problems, right? Waste management and energy production. In 2005 there were 32 landfills. Today there are only 17 landfills and 90% of these landfills are in breach of the law. In 2025 it is expected that only three landfills remain operating and if we think that garbage from landfills has to be redirected to other landfills is thought that by 2028 in Puerto Rico will no longer have the capacity to handle the waste. And then imagine the landfills, right? Landfills are no more than a time bomb, especially in Puerto Rico where it unfortunately by politicking, the regulations do not have been emphasized and not implemented. In case you do not know when garbage is thrown in landfills all that juice that comes from liquid waste or rain, can end up in water bodies. I guess that you, as residents of Arecibo, know that the karst region, the world's largest aquifer, is located in Puerto Rico. If the Arecibo landfill were to explode, as they say, this protective layer that limits these liquids would break and unfortunately all water of our country would be contaminated, not only would this happen in Arecibo but in any other area or country with a landfill, and this is one of the major concerns with engineers when designing a landfill. We also talked about air pollution but do you know that Puerto Rico is the only country that still burns bonkers "C" for energy? The Power Authority does not know what it burns; do not know the sulfuric content of these fuels. So imagine

what is coming out of the generating plant right now and you have no idea. Generating plants now, as an engineer I think that within 50 years generating plants in this country are not going to cope, they will not serve for anything. What we do between now and 50 years? To build 10 more? We all certainly going to oppose, right? Then what can we do? We have what is called the "Waste to Energy" and let me tell you it is very different to what is the concept of incineration. Incineration is the burning of waste and the release of gases without any control. The concept "Waste to Energy," unfortunately I do have this concept in Spanish, but it is very different from the incineration we are talking about here. It is the controlled burning of some materials, excluding several specific materials such as batteries, tires, metals. These wastes are collected before entering what is known in English as "Fair Nest", or baked. So my people, unfortunately as part of America, the American is very close-minded and I do not mean the United States of America I mean the continent as a whole, we are very close-minded. Look beyond, as the EU countries that have signed the Kyoto Protocol, and I invite you to do a search for the Kyoto Protocol if you do not know what it is, have installed hundreds and thousands of plants that we know here "Waste to Energy ". Countries like Denmark, which are among the best countries to live, have hundreds of plants "Waste to Energy" and nobody complains, nobody dies, it is not polluting, is a technology that has more than 30 years and has developed and its technology has increased to an extraordinary level. Countries as small as Bermuda are only 50 000 inhabitants have two plants "Waste to Energy". And why are so small that they are generating plants and we cannot? I just understand that we need to ensure that regulations are met and we have to look beyond the possible EPA regulations, we have to be even better and follow the rules of the Kyoto Protocol, even if the United States, China and Brazil have not ratified. We as part of the United States of America, we have not signed the Kyoto Protocol, and I have not heard any environmentalist here to say that the Government of Puerto Rico while having its own constitution, could follow the Kyoto Protocol on its own. So I invite you to reconsider your idea, I as a student, engineer and citizen of Puerto Rico, I believe that if you follow all the parameters, regulations and takes everything correctly, this will be the best option for Puerto Rico, for the country, and the best for all of us, thanks.

Jose Font: Yes, we take a brief recess to rearrange, as the electricity has been restored. Let's take 10 minutes off and then we continue.

(Recess to fix sound system)

Jose Font: Please take a seat to we can continue. Well, before continuing with the hearing, I want to take the privilege of making three remarks to the audience, first I would like to thank for being so accommodating in the face of the electrical failure, but thank God we could reorganize and continue the proceedings this afternoon, so important for all of us, so thank you very much for accommodating. Second, I want to

make clear that a person who is going to present or speak during these hearings must face the panel and must occupy the chair placed on the table for the speakers and look directly to the panel. It is very important that at all times adhere to the rules we have discussed in each and every one of the sessions we've had for this weekend and Monday. So having said that let's continue. The next speaker is Ms. Mirna Conti.

Mirna Conti: Good afternoon, everyone, to the EPA and all present here. My name is Mirna Conti, I'm an environmentalist and the president of an organization called "Mi Barrio Guaynabo" and I am here today to express my strong opposition to this incinerator in Arecibo and ask the EPA not to approve the PSD permit Energy Answers.

Moreover, being an asthma patient myself and mother of two children with asthma, I know how important it is not to continue to pollute our air, damaging our health. Anyone who suffers from this disease knows how difficult it is when you are short of breath and one cannot breathe. I want clean air, but in the end, even though I live in Guaynabo, I am clear that this project of burning garbage, or incinerate in Arecibo or any other part of Puerto Rico, affect the health of all citizens of our country. Remember that if the Saharan dust can cross the entire Atlantic, what will not air pollutants coming out of this fireplace of this incinerator? Why where would they go? I have no doubt it would come to the east coast and the west coast of our island, including my town of Guaynabo. For this I also call upon all residents of Puerto Rico to oppose this incinerator and any other proposed similar facilities in Arecibo and in Puerto Rico. I also note the fact that in the last four sessions of public hearings of the past few days, none in support of the incinerator intervened. Not only did not participate but have not even attended. Why was this change would be so dramatic by Energy Answers? It seems clear that Energy Answers is that they do not want their supporters to know about the truth of the effects on health and the environment caused by the incinerator. Energy Answers, if they really wanted and had good intentions, really, if they were sure that his project is good for Arecibo, they would have their supporters as they had always done before here today. But today, we are still waiting for these buses with their supporters. I will also make a call to all who may favor this incinerator to listen to the opposition, especially the experts, to be educated and then come to their own conclusions. Their health is also at stake, this incinerator does not choose whom it will affect. If you are concerned or want a new landfill, then you should worry for diseases that this incinerator will cause to your or your loved ones. Do not allow Energy Answers continue deceiving us saying that this is safe and that will create jobs. Anyway, who wants to work in a place that is a death foretold? We exhort you to reflect on this. Usually proponents say they will protect and fulfill all requirements required. But the reality is that nobody monitors, no State agency or Federal agencies. Only when communities get alarmed, is that Federal and State agencies violations of permits issued. This I can assure you from personal experience

and the struggle that we have in Guaynabo. For more than a decade ago, the violations of the permit granted by both federal agencies and state are violated every, every day. There's no one to audit, no one can check whether they are doing what they put in those papers are going to do and that is the biggest concern we have. And I ask the question: Does the EPA will periodically inspect the project to see if it meets the approved permits? And the EPA will you make regular and unannounced inspections, including members of the community in this inspection to verify that all is if it is granted that permission? It is extremely important to the transparency of these processes to avoid that if all is well, and thinks everything should continue as you understand it And and Energy Answers, there is nothing to hide, and it is important to involve communities not one of these inspections hears when after years of one family all this with all these diseases. We understand that this incinerator will pollute the environment in an irreversible way, and that the impacts to the environment and health of the people of Puerto Rico would be devastating. Who wants a relative or friend getting cancer? A disease that is deadly. Who will take responsibility when after several years respiratory diseases increase, and also the cancer rates in Arecibo and neighboring towns? Who will bear the medical expenses?

I request Energy Answers to put in writing that are responsible for these expenses, since they claim that this incinerator is safe and will not affect people's health, especially when Energy Answers probably not this in the picture, because he sold the plant to another and not all over Puerto Rico, leaving us with the problem and disease. I wonder if the EPA also assumes responsibility and expenses as it grant this permission? But I understand that yes, it is high time that the state and federal agencies to take responsibility for their decisions. No longer can we allow our country to be polluted because of bad decisions made by state and federal agencies. Not to come after the agencies have the ministerial duty to protect our environment and natural resources, and to resolve to be fined because the proponent did not comply with the permits. It is very important to note, if you pay the fine, because the other thing is that you bring fines but who says it and pay? You know, we live every day with permissions that are granted to different projects in this country, and then after the long run they do is put a fine because they realize they did not comply. We want no more fines. I urge the EPA to evaluate this application carefully and completely deny it. EPA must also ensure that it fulfills its mission is to protect human health and prevent environmental pollution. Another issue to understand is that Energy Answers made the misleading claim that they will take all recyclable materials from recyclers now helping the Energy Answers. This I say now, but we all know, as there is no supervision, they will burn all the garbage trucks bring to them. Who's going to watch when they get those trucks and who is taking out the garbage? Are there recordings? How are you going to monitor? Is it the EPA or the Environmental Quality Board who is in the responsibility? I worry greatly, moreover,

that the Environmental Quality Board, especially in this case, The Environmental Quality Board approved the environmental impact statement in record time. The Government of Puerto Rico has approved permits agencies, agencies, State, in record time, without really having a valuation thorough and careful, trampling community greatly. JCA allowed No not even a citizen participation, when were these views I was present and what was either humiliating. I totally agree with what was said here that it is essential to depoliticize environmental agencies. Anyway environmental pollution and damage to our natural resources are not partisan preferences. It affects everyone equally. I still have a little ore, I can continue later? If there is time. Will you have time to continue or not?

Jose Font: Uh, gee I cannot tell you right now, but certainly If we have more time if you can continue.

Mirna Conti: Ok, it will stop here then.

Mr. Font: Thank you. Next turn belongs to Mr. Rafael Capella, after Rafael Capella it is Mr. Sergio Colon's turn.

Mr. Rafael Capella Angueira: Yes, very good afternoon to EPA officials, very good afternoon to all my friends - I see many well known people around here, here in the area of Arecibo.

My name is Rafael Capella Angueria, I am a lawyer and professor of vocation. I am here today for a simple and plain concern, which is one I share with most of you, is the environment. I am also here in my capacity as a politician, but I will not speak as a politician. I am also a candidate for senator for the Soberanista Union Movement, for the district of Arecibo, precisely. But I reiterate that I am here for the commitment to the environment, so that our city of Arecibo, our Villa del Capitán Correa, has a better environment. And as we all know, with what this company seeks to establish in this area, we will not have a better environment. I will quickly read a paper, which is part of a larger presentation by Aleyda Centeno. Energy Answers has been identified as the proposer of burning the plastic parts of motor vehicles as an alternative fuel. That is what they pretend. I denounce this activity and its possible impact as genocidal. What genocidal means is that goes beyond, going on all people not only with a no little group of two or three people, no, no, this can have genocidal effects on all parts of Arecibo. I include the population of the island as well, because Energy Answers in its separation plan, in section 3.3, proposed to install three incinerators. Proposes the Arecibo, with a burning capacity of 2,100 tons, still be called the Northeast installation and the Northwest one will burn 2.940 tons per day, and if so expressed in which the burn northwest 1.590 tons per day then it follows that the Northwest burned 1,350 and in total

between the three reached the amount of 5.040 tons per day. Where will you get so much crap if the population of Puerto Rico has declined to 3.5 million inhabitants? we do not know. The United States of America have a problem today, and arises from a treaty, an international treaty called the Basel Convention This international treaty controls trans boundary movements of hazardous materials and hazardous waste defined as any motor vehicle that has been exposed to leaded gasoline, and puts the repatriation to countries producing motor vehicles, any vehicle that is in the countries European Community have used leaded gasoline. This imposes on the United States of America the repatriation of motor vehicles returned from the European community. That is a legal issue that the company and the country will have. The United States is one of the countries that signed this convention. Annex 1 of the Convention contains 45 compounds defined dangerous by the Basel Treaty. In 2011 the Bar Association of Puerto Rico requested a folio from EPA on pollution in Arecibo. The 14 toxic substances list issued by the EPA in folia application number 02-foi-titled 00448-12 1988-2010 TRI Arecibo are all included in the list of hazardous compounds of the Basel convention. As we can see these substances in other countries are part of the Basel Convention are considered hazardous waste by its ability to be bio-accumulative. This means that once it comes into contact with the human system, animal or vegetable, are cumulative and are generally harmful to health, as well as other activities such as cattle ranching, agriculture, and transmitted from one generation to another in all living things. This means that its effects remain in the environment for long periods of up to hundreds of years. You can not ignore their existence when there is a request to place more of these substances or to burn them as is the case of the application of Energy Answers in Arecibo to build an incinerator in which their own expert, Arcadis, admits that it is going to emit them. The EPA has an inescapable duty to incorporate the knowledge it has on toxic substances in the Arecibo area, to the request of Energy Answers to degrade the air of Arecibo. This increases to have to demand not only of "Best Available Control Technology", but also a higher standard called "Less Available Emission Rate". The EPA failed to comply with its ministerial duty to include the 1988 and 2010 TRI Arecibo in Arecibo Energy Answers evaluating and implementing the LAR. The lax attitude of the EPA environmental discrimination occurs with Arecibo. On the other hand if the, already mentioned Basel Convention applies, we have both wheels of vehicles like the plastic parts can be vehicles in the countries covered by the convention are considered hazardous waste have been exposed to leaded gasoline. In the countries covered by the convention requires the return of these vehicles producing countries. We can not avoid thinking about the possibility that the United States of America, a producer of motor vehicles, attempt to dispose of the hazardous waste under license by authorizing the installation of incinerators in Puerto Rico, which authorizes the ASR as fuel, the PUW, and TDF. Once processed urban include wood, which is also considered hazardous waste when it has been painted with paint containing lead derivatives. It is

EPA's ministerial duty; assessing DTF, PUWW and ASR are also hazardous waste containing lead. Arecibo is already a place exposed to lead, Battery Recycling Company. That Battery Recycling has closed temporarily, not exempted from this duty. Since we started this permit in Arecibo surprise at the margin of the Rio Grande de Arecibo an entity dedicated to shred motor vehicles, no name visible and looks like a clandestine operation. And suddenly we have a high interest in Arecibo industries that want to have parts of motor vehicles such as dead batteries and now Energy Answers with the plastic parts of discarded vehicles. That Energy Answers called "Automotive Shredder Residues", excuse the English, obviously not the best. "Automotive Shredder Residues" waste degradation is auto smaller parts through the process of breaking into small pieces with a hammer or metal hammer. According to the guidelines, in the process, you can also add waste appliances and other household goods. In some parts of the United States of America the ASR is considered a recyclable product and become a fuel, is considered illegal. The ASR waste differs appliances in motor vehicles that contain plastic parts that are not recycled to the metal, the ASR therefore it has been determined that if a plastic product containing aromatic hydrocarbons burn poly signs, TASS, organic nitrogen, sulfur and chloride compounds 16. These products ...

Jose Font: Excuse me, excuse me, Mr. Capella

Mr. Rafael Capella Angueira: Yes

Jose Font: You have indicated that you were 3 minutes, 1 minute and rang the bell to make his closing remarks please.

Mr. Rafael Capella Angueira: Well we will submit this in writing, anyway should not be any doubt that we are supporting the request for investigation by the Mothers in Black of Arecibo. Also I do support it personally, as a parent concerned about environmental health, concerned about my children, for my offspring. I know this will cause damage detrimental to our community, our people. So I invite you to reflect and reject the application outright Energy Answers. Thank you.

Jose Font: Thanks to Mr. Capella. The next turn belongs to Mr. Sergio Colon, followed by Mr. Filiberto Bonilla Bonilla or Filiberti. Told them they have to be aware to notice the 3, 1 minute and when the bell rings please is indicative that should culminate his speech immediately, thank you very much.

Sergio Colon: Very good afternoon to everyone here, my name is Sergio Colon. I am electronic technician by profession and resident of Barrio Dominguito neighborhood of Arecibo. I oppose the proposed construction of Energy Answers incinerator, considered a discrimination against poor communities. The insistence of Energy Answers, to build an incinerator in Arecibo and Barceloneta, gives me a total distrust. What if being the

metropolitan area, the largest waste of Puerto Rico, is only logical that the incinerator is built in that place? What case does not also have water resources as the Bayamon River to cool the plant? Why consider water as a natural reserve Caño Sharks? While in metropolitan spaces are reserved for hotels, theaters and other structures for economic development, they see the trash Arecibo in Puerto Rico. Clearly it is a discrimination against the impoverished town of Arecibo. And on top of that they do not consider that Arecibo already has a biomedical waste incinerator in the Cercadillo sector. And here I show a picture of when, being incinerated and in the evening -- Imagine that 24 hours 7 days a week. But if what Energy Answers proposes is a perfect job, perfect combustion, this is different from what I show in this photo, I go back and ask why not build in San Juan? If it's so good right? I would add that work as an instrumentalist in Barceloneta Pfizer during the morning shift, the Abbott pharmaceutical, blew through your chimney dense black smoke, which the air stream threw it to Pfizer. At that time where were the inspectors? Are these industries not well regulated? We always found ourselves covered in soot when that machine was running, so this as the argument that says that any residue or ash, all emanating from the fireplace will not fall on the west is ludicrous. I live in Dominguito, and that worries me, because I remember that there was a fire two months ago in the Caño South Sharks area, and ash came to my residence, despite the distance. I imagine what would happen to an incinerator 24 hours a day, 7 days a week. With everything that has been the town of Arecibo, can we trust the small project or the proposed incinerator? If you feel the trade winds to where I live in the neighborhood Dominguito, just imagine what one would breathe once built the incinerator. That is all, thank you very much.

Jose Font: Thank you Mr. Colón, next turn is for Mr. Filiberti Bonilla, followed by Eliza Llenza.

Filiberti Bonilla Acosta: Good afternoon, distinguished officers of the EPA. I excuse Dr. Velez Barreto who was here and is a candidate for the 14th district representative and who is strongly against this project. My name is Mr. Filiberti Acosta Bonilla, Arecibo citizen; I am a retired teacher, now a real estate broker. Twice president of Arecibo "Board of Realtors." Executive Director of the Realtors Association of Puerto Rico in 2004. Professor of Real Estate at the University of Puerto Rico. I am practicing as a real estate broker since 1994, almost 20 years of experience as a runner in the Arecibo area in commercial and residential properties. I have seen how the business of Real Estate Arecibo in Puerto Rico and have gone to ground. There are currently detained in the Arecibo area countless projects, because of the economic situation of the country. No new construction project in Arecibo. Oddly enough, that a realtor is against this project, if this plant is supposed to bring jobs to Arecibo. Let's see why. Energy Answers is advertised at two stations in the area, a WCMN, and the other is WNIK. Your ad I've

heard hundreds of times, because I am a panelist on the political agenda in the area. For this reason I am aware of what is happening in our town. In his radio ads Energy Answers will create thousands of jobs. What this is creating in the mind of the Arecibo and neighboring citizens? When women go through this plant will see a swarm of people working. He created it with you in mind. And for a moment think that you are going to be my next prospective buyers, or developers, in the Arecibo area. This is not true. You will go by and you will see some jobs working. In the first phase of construction has been asked to Energy Answers that many jobs will be at the time "peak" of its construction. We have not been able to answer. How many employees will be working and for how long? And if that is so, a project that will last two years of construction, any employee who is there, employee temporarily, where it will not be staying at that stage, going to a bank in Puerto Rico, there is no bank that gives a loan to an employee who in three months more, most likely be out of work. Banks require at least two years to an employee who is at least as probation or if not permanent if not, no loan. And with the fall of the banks right now is not going to run a bank for a loan to such employees that will create the industry. In the finals, they ensure that they will have 150 employees, but they themselves know that many larger plants have far fewer employees. It means that the big announcements that have these people in the media are two big lies. Here, unfortunately, this job enticement is no attraction to any citizen not even in Arecibo. By accepting this proposal, we will be accepting the crackling fireplace in return for 150 jobs in 30 years. The danger generated by this industry, you cannot sell for 150 jobs. Here in Arecibo's industries in 5 acres of land and I will mention, in his best time Termoking had 980 employees. Right now in this crisis has 450 employees and does not pollute our environment. Compare to these people, promising 150 employees for 30 years. Is it worth risking our health, our environment? For 30 years? Neither Abbott nor Upjohn, and all factories that have been implemented in the northern area, have spent as much money as this industry is here. Renova For 2000, came to the same thing, and you know who was behind it? Banco Popular, New Day, the Association of Industrial and Telefónica, were his great buddies. Today it's Energy Answers. Today, this behind politicians who are to them and in past primaries that happened and are now behind possibly support them. The ads say they put: "We already endorsed by the city" "We are endorsed by Electric Power" 'how much are endorsed by government agency has "and end, - because they do not dare say it would be a nerve -" and we have preliminarily EPA permits "That we are struggling right now, we here, preliminarily. It means that the two ads are really two failures. Do you think that I as a seller of real estate I can convince someone to buy from me a property near the incinerator? Do you think that I as a seller of real estate, I can convince a potential developer? If you were my customers, think about it, would you buy property form me? Not really. This is why we do not want the incinerator in Arecibo. I would like to say to EPA, which unfortunately has taken many hits here, have given as a rogue I film, and I

do not abuse them more. I still want EPA Environmental Protection Agency and Environmental Pollution Agency to review this and do the right thing. The incinerator pollutes us all. Thank you.

Mr. Font: Thank you. Next turn belongs to Mrs. Eliza Yenza. After Mrs. Eliza Yenza belongs to Mr. Marcos Medina.

Eliza Yenza: Good afternoon, I will something more complex, but I wanted to take the opportunity you give me to express myself briefly. My name is Eliza Yenza, I am dedicated to journalism and communications with a special passion for the environment and alternative medicine. I was born in Pennsylvania in the United States, but since I came to the nine months I have never been to this island and I decided to stay here, make my life here ever since. Yet my family traditionally, especially in Pennsylvania, were environmentalists and protectors of the environment, and even my grandmother who is 97 years old still helps all organizations dedicated to the protection of the environment and the animals that are on this planet. These values are instilled into me the me from childhood to honor and care for God's protection, creation and where we live in this environment and that our duty as human beings, who are supposed to have a higher intelligence, it is assumed that do the right thing not to damage it and use it in a good way. I always wanted to rely on local governments in both of us as the U.S. first because they have chosen to people who are in front of us for us to handle the situation that we have all of society together, and I always I remembered very positively the work that EPA has done in the past and remember the allegations that have been through the years when they have not complied with regulations made by the government to protect everyone's anything we can do damage within what we all do, whether commercial, private or community staff. And I just remember when I was little they still had a chimney condominiums to strip away that night and looked horrible and felt terrible as well and finally told us that burning trash was bad and we had to quit and was completely eliminated. So far that was my perception of burning trash that is wrong and damaging the environment and health harms us, emitting a part of all toxic emissions, emits gases that are harmful to the planet and contributing to global warming and climate change we are experiencing now, and where things are not as they were, the places where there are now flooded and rained continually have a number of social problems that we face and we are getting to the point that we do not have the means to economically confront that continuous alteration situation than it was for us before, something stable, more or less to be into one thing in one place and one would expect that it was there. Now things are changing. My what worries me more as a communicator, the lack of information out there, I allow my conscious decision. And I think lucky, in the sense that I have much more access than most citizens in Puerto Rico, to get information. I also had the privilege of being bilingual since childhood and

that gives me access to a lot of information that others do not have. I know that the EPA has a lot of tools to the community and elsewhere in the United States have been much more effective, much more active in educating communities to help themselves, to even produce less waste, that is part of the problem that we have right now handling the trash. And have a hard time and many years of effort I've been watching in Puerto Rico, despite ignorance of many people and other interests that have been used, they have gradually created a recycling program with the recommendations of the EPA, and even EPA has given to the people who have been willing to fight like Don Quixote against the windmills, aid to establish companies composting, recycling and guide people and then create a system, for people have to take that crap somewhere eventually. Our homes are not designed to store large amounts of garbage; it has to be taken somewhere. I am very worried that anything that begins here with this incinerator will indeed destroy what has been achieved so far, because I understand that the public policy of the United States, through the EPA, and other organizations has been to take the recycling to the best use of our resources and the protection of health. As others have said here, here are some health problems and quite large and full U.S. level, the problem of the health budget that is becoming increasingly inadequate to address all the things that are happening to people, and there comes a time when all you really going to give us a little more health is prevention, and all that could affect health should be avoided, because that is the best way to prevent disease.

We I believe, that we have no really - we were counting on the "expertise" of the EPA and EPA scientists to really evaluate things that may be issued in this plant. And I've asked scientist and am quite upset because I'm not convinced that we will not be contaminated, and we have enough. And I like that - I found out from the things I've been able to learn - that there are some in the EPA laboratories that I have not seen anything that have evaluated for this project. I wonder why the risks are not assessed with EPA direct experiments? And simply be borne not only by what we are presenting this proponent. It is customary that they are driven, like the FDA that it is driven by a person who manufactures drugs said to have been the results, and that because I did not know this happened so until I started researching and I now has to wait for a disaster there then realize that the projections were not correct. And with the added, then for one to claim, we have a number of problems, commercial organizations are dissolved, change hands, people are no longer responsible and always stays obviously affected the small and without any remedy. That's my approach, I wanted things to change. I relied heavily on the EPA, and I know that in many places has made the difference. I wish, I wish to make a difference here. I want - this is one thing that this, and other things that are going on here, I understand proposals that are going to change for many years the fate of Puerto Ricans. We are approaching the sustainable development, because sustainable development is to reuse things and give use to what

we can still use. We are taking the planet materials, subsoil and turning them into products that could be reused and burn because I understand that no longer exist and we must return to the land and back to remove material. And it does not seem healthy, because how many times we will continue taking land the materials we need? As with use and can be reused in some way I think that's the right way. I do not see any guarantee that it will be done. If I take out everything that can be recycled in the trash, do not know what is going to be to burn and that worries me because this incinerator is very big and it will be very costly. You have to burn a lot of garbage to pay them to people who have invested their money, and that he can pay commitments to banks that have financed. In many places it's been, as I have understood that they have been failed project of different things and then the municipalities have to take charge and costs or government and I do not want that to happen more to Puerto Rico. If the government cannot give us many things, at least we should leave a country where we can live in health. Thank you Mr. Font: Thank you. Marcos Medina rightful Lord next turn and continue Mr. Ricardo Laureano.

Marcos Medina: Well greetings and good afternoon everyone. My name is Marcos Medina, and I live here in Arecibo with my new family. I am a bio-organic farmer and builder. The good news is that serious threats to human health and the means of life, often inspire strong base actions and motivate people to unite in defense of their communities. There is nothing better about burning garbage today, whether in Europe, the U.S., Denmark or Puerto Rico or anywhere else in the world. Attempts to sell the waste to energy resources have not gained widespread sense around the world because people are aware that incineration remains a serious threat to public health. Burning garbage is a primary source of cancer-causing dioxins and other pollutants entering the food chain and is concentrated through the food chain. It produces more carbon dioxide per unit of electricity than coal power. Current carbon loads in the atmosphere cannot withstand the additional emissions from incinerators and landfills. It is a great loss of energy due to its low calorific value burning garbage to produce energy is highly inefficient. Conversely recycling recovers energy from 3 to 5 times the incineration occurs. Create an economic burden on the community, billions of taxpayer dollars are spent subsidizing, in the construction and operation of incinerators. For a fraction of the investment cost of recycling and reuse prefabrication, create business opportunities and many more employment. It represents the destruction of valuable resources and jobs. Zero waste practices, create more than ten times the number of jobs and zero burn or bury the waste itself. Over 90% of municipal waste can be recycled, reused, or composted to create thousands of new jobs in the long term.

Solution, global justice, only reach real solutions when our work is compatible with systems of social justice, economic and ecological sustainability. Addressing the issues

of access, ownership, autonomy and democratic participation among others is the basis for lasting success. Garbage 0 means reducing waste in landfills and incinerators to zero. Most of the things that can and should be safe, affordable, be recycled or reused. We also need to use less and simply redesign products that are free of toxins and built to last. Clean production. Cleaner production is a product design and manufacturing processes in harmony with natural cycles and ecological. It takes a lifecycle view of all material flows, from extraction of raw materials for the manufacture of the product and the final destination of the product at the end of his life.

Extended Producer Responsibility. To get to the root of the waste home, communities must stop collecting waste from manufacturers of products that become waste and begin to demand that they do it themselves. The realization of this idea is extended producer responsibility, which requires companies to manufacture or sell products to be responsible for these products after their useful life.

Waste picker rights. In many parts of the developing world the collection and sorting of waste informally, provides a livelihood for a large world of urban poor who often work in appalling conditions. Protecting the rights of recyclers is an important part of working for environmental justice.

Medical Waste Management. For compliance with medical ethics, first do no harm. Health care providers have a responsibility to manage waste in a manner that protects the public and the environment. The first step is the minimization of waste and the separation and the next is the treatment of infectious waste to prevent the spread of the disease.

A good example is in San Francisco, which basically they recycle 73% of their waste, and have created many jobs too. You can get much of this information under Global Lines for "Alternative Gaiator Incinerator". I ask, how much of you from the EPA, Energy Answers, lawyers, engineers, "Lobyist", how many of you live here in Arecibo? It's all thanks.

Jose Font: next turn belongs to Mr. Ricardo Laureano, followed by Ralphy Dominichi.

Laureano Rircaro: Good afternoon, my name is Ricardo Laureano, belong to the group life, I have links to environmental protection groups in the area by the coalition of coastal communities resistance. Project work reef recovery. As academic and scientific community planting projects we corals, water sampling, etc, etc, in the Vega Baja and Manati. Here I have a document which I have opposed proposals and questions. It is simple and short, as we get down.

The first point, which is the guarantor of the closure of the landfill?. The Vega Baja is supposed to have closed in 2010 and is still operating. I was at the public hearings of the closing thereof and deposed about the importance reef area in 2007. Largest reef region on this side of the Atlantic West and possibly the most important coral specifically in the federal jurisdiction.

Second point, if you EPA, have the ministerial duty, as it name implies is to ensure the health of the people, how do you import permit to burn garbage in Arecibo? if approved. In a country where governments sponsor with legislation, regulations are violated, environmental and conservation laws such as "Clean Water Act", "Endangered Species Act", "Coral Reef Conservation Act". A federal law maritime zone 147 of reef physiography of carzo law, etc. Statewide, worse meshes is not put to the sports fields or maintenance is given to all, and this company comes with the messianic solution to the problem of solid waste in the archipelago, through the burning of garbage. When this imminent danger to the public health is being discarded in the United States of America and Europe. We do not believe that the filters fence to stop all involved. And if it were not for the nefarious maintenance that eventually would cause them to stop working. EPA knows that we intend to use, - EPA knows that

We intend to use toxic waste landfill U.S. automakers sold to Europe as U.S. waste any vehicle sold in Europe by law returns to the U.S. homeland. But U.S. has laws that prohibit the incineration of such waste, which mentioned a moment ago of "Automotive Shredded Residues". More Puerto Rico but no such law, but we are within that country called, so it would fall here do that, because we have no laws protecting it. So what are the elements of impact analysis on water bodies such as pH changes and acidification taking clear that adversely affect - adversely affects - underwater ecosystems that are part of a national food reserve and recreational space public use? It is understood that all Puerto Rican territory is an "Environmental Justice community" and is like a drop of as a community tool to defend against unilateral decisions and pro forma efforts which are not suitable for all day consumerism breathe this air and waters.

The old crematorium of Vega Baja, where he is currently the Community nestled Rosario, whose residents suffer from high rates of cancer, this study by the Medical Sciences Campus, as I understand after public hearing was present, and some of you were there I saw. He chose the most economical cleaning and not the best for the Town. As I mentioned a moment ago the server was present. Well to close about 1 year ago held in Ponce EPA 35 years of the super fund. We as signed groups that are 35 years of ecological degradation. Thank you.

Jose Font: Thank you. Ralphy Dominichi Lord as the next witness. Then the Lord Dominichi followed Mrs. Mariola Laureano.

Ralphy Dominichi: If good afternoon everyone, my name is Ralphy Dominichi representing the UTIER and its president Angel Figueroa Jaramillo. Workers Union of Electrical Industry and Irrigation, UTIER, as the union which represents workers who have a duty to build from the state electricity company that all Puerto Ricans use every day to meet our energy needs has just with the misnamed greenway, the moral obligation to express clearly and transparently about the proposed burning trash, and plowing as it has always done, knowing that their responsibility goes beyond the defense of their workers. Our primary responsibility and incorruptible is with our people, not only with the here and now, but for the future of our country we want to leave to our future generations. Therefore let our written submission with the reasons and rationale why we oppose this project. Thank you.

Jose Font: Thank you. Next turn is for Mrs. Mariola Laureano, followed by Mr. Fernando Betancourt.

Mariola Laureano: Hello, my name is Mariola Laureano and I will be reading the paper annexed by Dr. Martha Quinonez, economist and planner. The paper is titled, "We Do Not Play With People's Health."

I know studying Environmental Justice and technical study conducted since leaving, I have criticized for being simplistic and highly aggregated.

In continental models applied to contexts islanders make the mistake of grouping and information from the offices owe no research in the field, if it behaves like the model says. If there be more field view can see more information and statistics collected not fit models and interdisciplinary complex realities that are represented. Speaking of models, we must be careful with them, because, when we group data make the mistake of generalizing and in the case of Puerto Rico, a territory smaller and denser, the results can go far from reality. We have the example of the study of environmental justice, in the same commit such errors and show that on the island there are no cases of injustice. The failure analysis is due to lack of caution in view the small details in the same community pooled. It has a range of incomes that on average give the impression that everyone is equal. If we disaggregate the data and put them into smaller units the result will be different. What is the ruling? We took a continental model and applied it to a small island, more densely populated Island and it does not adapt. Same with the disease model that presents the company, is one clustered. That's a result that does not conform to the Puerto Rican reality and worse with lack of data validity and reliability. Both studies lack validity and reliability, because when we go to the field we can show that the results are wrong. With results determine wrong and misguided public policies unrealistic, affecting people and causing environmental injustice. We therefore recommend that say not to require permission and validate the models obtained, data

within the affected areas. With a participatory study to project a better picture of what should be the reality. You will find that the results will change with data wrong and out of context will make mistakes that can cost the lives and health of many people. In these new data to health impact must be added the cost analysis to assess the magnitude of it. The health cost model must contemplate a dynamic and complex, because the situations are complicated by other precipitators that already exist in the area and that contribute to the pollution load to health. In addition to the variability of the population exposed a meter, an assumption that community groups are analyzing is interviewing both the population and area physicians to give us a better profile of health conditions. I think you have to calibrate these models and make them more descriptive of existing reality to provide accurate information. The recommendation is the caution given the lack of information. Caution is the best alternative, to deny permission to provide reliable information so you can make decisions without affecting or placed at risk vulnerable populations environmentally abused. No. Thank recommend.

Jose Font: Thank you. Next turn belongs to Mr. Betancourt.

Bachelor Betancourt: Good afternoon, greetings, forgive the delay my dear fellow, I am sickly, and continue to struggle with health issues. First of all I want to thank God for the opportunity it gives me to be here, because as a cancer survivor, as one begins to really rethink life when you go through this type of disease that is a cause pollution and which we have to confront. And I wanted to bring the provision of record who model and that the Environmental Quality Board, our constitutional democratic system derived from the area where we believe in the Christian faith, in Genesis 1:26 when the word says: "Let man in our image and likeness, so that they let them have dominion over the birds of the air and the fish of the sea beasts that dwell upon the earth. " It is the primary obligation that makes us the divine creator to be steward of God's creation. In Arcibo have personal knowledge, not because these people come from "Imagine the Result" of "Arcadis" which are those who made the study of Environmental Justice, we have personal knowledge that we had to be in charge of God's creation to protect the environment of Arcibo, Arcibo us. And EPA has that record. I do not understand how you might have professional people who dare to sign a letter of Arcadis, to conclude that Arcibo is not an "Environmentally Discriminated Against Community." EPA intervened with the landfill; EPA intervened with PREPA and gave a dispensation to pollute beyond the limits with electricity. Mr. Rivas of the EPA gave a dispensation for contaminating Water and Sewer. The EPA has covered the records of the Department of Defense, petrochemicals that were there in the same area. Sharks spout is a nature reserve, we took was a lawsuit. The last time we had to intervene, that this humble lawyer had to intervene, was when the Army Corps of Engineers of the United States came to Arcibo to dredge the harbor and at the moment and we were doing a beach.

We had to give some instructions to some young surfers, who will stand up and stop him was the work of civil disobedience to the Corps of Engineers of the United States and won the lawsuit in court. Because we had already noticed when he came here to establish an Electric Power plant that environmentalists won in the first instance a ruling against. And when we the environmentalists and the academics, we went to the Supreme Court. We will resort to civil disobedience to address government abuses of Major Interests. One point, I bring some dots on the time we have to state that I want to record, first procedure of this process, I scratch that EPA has been growing little by little over the course of how to deal with Arecibo and I congratulate them on that aspect, because the depositions extended to three days. In Arecibo we listen to the good being spoken from each other. And I congratulate Mr. Aponte, as he has noticed the change in dynamics, since you came here, is already noticing a change in the people who are more committed to work on the environmental problems of Arecibo. It has been a long time that we see the folks from your agency here and what we need is for you to protect our environment. Look, imagine if this writing I am surprised that they are saying that they will use the wastewater as our tap water. In September the Puerto Rico Water Authority said they will use selected water from a regional flood control system, the water being used to cool the incinerator's burners and then dumped into the ocean. They will use the tap water is a water sharks that they throw out there, because that waste water, look, this is a nature reserve. So, here in this study does not mention that they intend to remove the gray waters of the shark, which is a nature reserve, whose water is protected by a lawsuit we won. The government is still waiting for the management plan, because it is a reservation. And when migratory birds come here, for now, when the time to go, stay and live here, breaking the ecological pattern of an entire species of life. In some species, the research is telling us, the incidence of respiratory diseases, asthma, and cancer diseases in Arecibo, have soared. I suffer from respiratory diseases and have cancer. It is not the same as a person comes to me to talk about my patterns here that there have been new technology "available", that look, that we had the experience unfortunately, the story of "Best Available Technology", we came with that story here in Canvalache, and they did not work when I got a "waiver" to comply. We at Arecibo are not willing to break this situation anymore. These technicalities that use the powerful interests that are what create the sub-shelters federal regulations pertaining to economic line of a neoliberal economic policy, Republicans who threaten us middle class, the poor above those paid campaigns, which everybody knows. But I understand that EPA has been improved in this regard, I commend you, I will apply or not to grant a waiver for not meeting here requirements. We are a community, discriminated for environmental reasons, we are an "Environmental Discriminated Community" by definition, carry regional landfill pollution of all trash in the region, lead pollution load that is under your consideration. We carry regional sewage; here we are struggling with this problem, giving 4 or 5 waivers. I think

I'm the last of the Mohicans; I come here to oppose the group. I have understood that there is an additional part of fellow who will lay down or repeat about your points, but certainly we bear disproportionately and adversely pollution in this region and respectfully understand that this study must also discard it altogether and, instead of being discussing the possibility and having a view to see how we can fulfill, because how many "wavier" but you may be giving up every agency that does not comply? We understand that this agency is the lead agency for environmental protection, which have to, because we cannot count on the Environmental Quality Board. The State Environmental Quality Board, responds to the great interests role we upgraded the administrative level, and that we all know, for alleged environmental energy emergency (I've got 3 minutes are 2) and they really that environmental energy emergency did not exist, then these people you refer to the parameters of the Environmental Quality Board, no reliability, and absolute credibility, the agency in Puerto Rico. First, because the arms are crossed because we are the ones we have to force compliance with the laws in Arecibo.

It has never been the Environmental Quality Board, that we bring to your consideration, we do eventually get our paper, we appreciate very much his appearance to date here, the patience that we have had, we were granted this right. Also as a last point I want to bring that to future proceedings, we are very clear on what is due process of law and the right to freedom of expression. In the process these people for Energy Answers are talking here they went to the communities gave a very interesting indicator, and it was that when they came to communities and talking, and we came when we were going to ask something merely a question or we limited the position and we tried to shut up, and that's the pressure of free speech and expose the cons. They have the recordings, they can edit those, but full sun bring them out for you to see, but full bring them out in bulk so you can see, the times we were sent to silence the communities, as often as not we are not allowed to speak for ourselves. Furthermore, when they took to the input signatures, said they were the sign-ins, and they did that were the signatures of those who were in favor. Here there are many irregularities and what they call the "Chilling Effect" feel. When a procedure, administrative law, a party is used to intimidate and pressure free speech it is a terrible thing. Imagine that you had to stop again because we want the light box in three minutes, and I thank God at least we got a few inches more. The people are sovereign, we here are the ones that have the copyright, eventually the people will obey or disobey an order is a federal agency or government. We already proved that the opposition had in the pipeline that government realized that we were stopped in front of whatever it is in the abuse, and here we also compared Arecibo. We have already resorted to civil disobedience and has not been easy, but we are aware that this is a mechanism that we have to. Thank you again, thank you very much and God bless.

Jose Font: Thank you. I have been told from the table that there are some additional speakers. We have an extra turn for Mrs. Myrna Conti, although it is already after 4 pm. Everyone had the opportunity to express themselves and those who wanted to express themselves in more than one occasion they have done. If you tell me ... if you can please come closer to the microphone. State your name please.

Carlos Mario Garcia Berrios: If to record my name is Carlos Mario Garcia Berrios. I was the first to arrive here this afternoon and checked into the table with Mr. Aponte and asked if there was please give me chance opportunity to make a short speech because I think I what I have to say is important for the public to know.

Jose Font: I know, we are running behind schedule, but we will proceed with Mrs. Conti and then once your presentation is done, then we'll close.

Carlos Mario Garcia Berrios: Perfect Ok, what do I know what is going to take five minutes but I understand that is important. I imagine this within the half hour that the process was delayed.

Jose Font: Wow is that we were clear that if a new person comes,

Carlos Berrios Mario Garcia: No, no, I understand that perfectly

Jose Font: Ok, let's proceed with Mrs. Conti

Mirna Conti: Look, I do not think it takes more than 10 minutes so I can give him that time. Ok I'm pretty quickie.

Jose Font: You can take 10 minutes and then we close with Mr. Carlos Garcia.

Mirna Conti: To continue where just now we were speaking...Does he EPA knew that in Puerto Rico, there are seven "Waste to energy" or incinerators plans proposed? On the map of renewable energy - which we will submit when you send it by email as an attachment, - on the map Renewable Energy Electric Power Authority, six plants proposed for different peoples and in previous weeks, the news came that another incinerator for the city, town of Yabucoa for a total of 7. Who knows how many more there are in Puerto Rico and we do not know. Where are the calculations made as comparable air pollution from each? We must evaluate the air emission of one, in this case the only Arecibo, calculations must be made together including all proposed incinerator emissions in Puerto Rico. Remember that we are talking about the Air. This is not located at a fixed point. As we said earlier, if the dust of the Sahara, travel across the entire Atlantic, which is what comes out of the chimneys of these incinerators. We will have an island with a dangerous air pollutant concentration. You want this to Puerto Rico? It is also important to consider the cumulative impacts. For example, do not

understand how there may be a proposal for an incinerator in Arecibo and another in the nearby town of Barceloneta and there is one for Manatee, is running. Is it considered in these calculations for the PSD? Do Barceloneta incinerator emissions? It will also burn trash and produce the same pollutants. I wonder and I do not understand, if the data used for computations metropolitan area, how they will not consider emissions from incinerators burning waste from nearby towns? The EPA Energy Answers should ask that - if they have not done - that they submit this data. In short, it is the responsibility of Energy Answers when advisors are being paid for their work does not induce the EPA to approve this permit by error. I have several questions about the PSD permit that I will submit to you my answer in the future. The first is:

1. How many tons of trash need for 2,100 tons per day to use to burn? because if you are going to take a lot to recycle, I understand you have to have a larger amount of these, how much is that amount and if Energy Answers notified the EPA? to see if there really is trash after recycling as they claim.
2. How will you avoid the nano-particles? The fact that it is a fabric, and filters, I am not convinced. We need a little more detailed explanation of how they will ensure that these nanoparticles are not going to go on the air and we will let you breathe.
3. The fact "BACT", which is the best control technology available, it is interesting to note that what is being measured limits really are, not saying that this is not going to pollute the air, but have limits to pollute. And I wonder, what is this limit that will ensure that people's health is not affected when diseases are not really limited, but when one acquires a Cancer for example, the disease continues to grow until the death of one? Not that if you have a limit, you caught the disease and stopped there. I worry a lot of you are getting some calculations that are not precise. I understand we need to be a little more specific. And what are the health effects in the long term? If EPA considered after all these calculations that may be submitted Energy Answers, if you have considered going to affect health. But to my surprise that the truth is told here and I think it is extremely important and I suggest for future occasions, it is very important to educate the community. You read this document, for example the "Facts Sheets", which I read, there are many technical part, but I am surprised that it is not a matter of technical, but number 2 in the table on page 14 of "Facts Sheets" speech that emission limits "BACT" which is the best available control technology. They have some numbers, but yet I wonder emission limits of subpart EB, I mean really, because I could not confirm this to be some regulation of the EPA, many pollutants that have no standards. Then how can they issue a PSD permit without even have a standard for whether this meeting although they say the amount they say there? That's because I would like to enlighten myself, as that is possible and thus ensure that people's health is not affected. The party also speaks of fugitive particulate emissions, the "BACT" document also says

that they will, - the control that will be used - in some areas within the complex will be sweeping. If there's fugitive dust, which will be contaminated, I understand that you should not sweep, not be allowed this form of control. In addition they also argue that the trucks will be closed ensuring that there is truth, allege, but also say they will be closed or covered. If I walk into Puerto Rico, you see these trucks that sometimes these plants use and when they have sand or something, the wind takes it. What will happen to all those ash emissions? And that is very important to consider. Also I wonder and I ask the EPA, how is going to protect the health of truck drivers who will be taking day as trash day every day there? and not just taking away those who will take the ashes because ashes that will take them to a landfill. What is the detailed list that is not in Attachment 1 as the document control measures with monitoring requirements and limits of "BACT" emissions for particles, PM10 and PM2.5. Also discussed in this document the "Facts Sheets", which refers to the permission of the Environmental Air Board. I understand that the Board of Environmental Quality issued an air permit for Energy and Answers. This is not in the documents, suggest that it should be published because it is very important to see how this relates to the license will grant you. I wonder also what kind of contracts were signed by the municipalities that were committed, because I guess that Energy Answers must have assessed the amount of waste it is going to get, that Municipality undertakes to give away, because if they have no garbage project. These contracts must be at least as spoken and have had a list, it is important that we submit a copy of that. And the other thing is, where do they get the ASR? That is, truth residue cars. In Guaynabo is to really make a recycling plant Hugo and they will crush cars. I specifically asked them if they were going to send Energy Answers, the ASR, because it is not as much but it's pretty close to 220 tons per day is going to produce them, they assured me no. But as one, the experience you have you say one thing and this is too casual, too big a coincidence, that he understands that, I want to know where they will get that ASR. And, what do we do? Indeed, to conclude, when after several years here EPA realizes, if granted this permission, which contaminated the town of Arecibo and people are sick. I wonder what the EPA will do? because it is not something that should be considered and rest assured that this is a license that does not contaminate the town of Arecibo and the entire island. Thank you.

Jose Font: Thank you very much Mrs. Conty. Well let's proceed to the last turn of the evening belongs to Mr. Carlos Garcia and beg him not to extend of 5 minutes please.

Carlos Mario Garcia Berrios: Good afternoon, my name is Carlos Mario Garcia Berrios, Arecibo resident for purposes of Record. I come to rectify information that gave you yesterday, remember that yesterday I said the Bachelor Toro, I had lied to me and even representative of a public hearing on that they would not burn tires? And then at the end of my speech I told him that the obvious purpose of Energy Answers, was to bring three

million, three million tires to burn on the ground. I was wrong, I was reviewing and submitting permission Energy Answers in section 2.3.3 Tire Derived Fuel, and pardon my English is not very good. Dice, Energy Answers Proposed processed refuse fuel to supplement via F with TDF at the maximum of 20% by weight of approximately 210 tons per day per Boiler PTO. It means that they are asking permission to burn 400 tons of tires per day. And a simple mathematical calculation, it gives you are 17,176,470 tires annually. In Puerto Rico as DACO, the ADS Environmental Quality Board, will produce about 4 million tires in average. Where will you get the rest? Is that going to make a big dump Arecibo Tire brought from other places? Because Puerto Rico does not produce them. You answer that EPA Energy Answers and ask you where going to get that. If we think become a tire dump Caribbean, God knows where. Mr. Toro back I say, pro favor if this project is so good, what is the need to lie? To push something, sell something to someone who is good, do not lie, what there is to explain, I zero this is good for this, this and this. No need to lie to people, Lord please. There is another fact I want to make and is as follows. They are treating deceptively the question of Diesel engines and only include the data in the Engine Plant Emergency and engine fire pumps. Why do this? What about the hundreds of trucks that will attract trash get there? Do not include the data means that you are giving to you to evaluate it, are deliberately withholding information. So I ask the EPA, please, do your homework and require them to submit such information. For with what they say, of the two engines putting on the permit, and that will use 500 hours per year that are for emergency. With one day with all the trucks that will be coming there, they will exceed the pollution that they are including these two engines for emergencies. Do not keep trying to fool us, this town is not dumb. We will continue searching the document and no matter if the comment period is over, we will go where you wherever we find something that is wrong and it is a hoax where you're going. And if you're going to ignore my above you. But these people cannot continue trampling by these people who come here to try to abuse us. Moreover we emphasize, this project is not going to give, no matter who commits EPA to approve the mistake, I assure you that this project is not going to perform. The town of Arecibo, Puerto Rico's people will not allow. So we have that clear, avoid, avoid a confrontation there in this town. You have a responsibility to protect the people. But if you do not, we're going to protect. Thank you.

Jose Font: Thank you. Since this last witness we end this fifth session and give the most sincere thanks for their presentations and I take the opportunity to remind you may submit written comments until August 31, 2012. The address is there; the address is in the table.