

BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.

In re:

Energy Answers Arecibo, LLC
(Arecebo Puerto Rico Renewable Energy Project)
Permittee

PSD Appeals Nos 13-05
through 13-09

U.S. Environmental Protection Agency Region 2
EPA Examiner

Coalition of Organizations Against Incinerators (La Coalición de Organizaciones Anti-Incineración) (“Coalition”);
Ms. Eliza Llenza;
Ms. Martha Quiñones;
Ms. Cristina Galán;
Mr. Waldemar Flores
and Ms. Aleida Centeno.filing jointly
Petitioners

Leonardo Ramos-Hernandez
Party with interest.

MOTION SEEKING CLARIFICATION OF ORDER

TO THE HONORABLE BOARD MEMBERS:

COMES NOW, Leonardo Ramos-Hernandez, the party with interest above captioned, filing PRO SE, respectfully ALLEGE, EXPOUND AND PRAY:

The Board entered an order that appears to delegate upon the Clerk its duty under CFR to determine the response of motions to the Board. Such delegation is unconstitutional as it violates Article II prohibition of naming judges by non department heads. It is clear that the Board members are not heads of department as it pertains to Article II. Thus they are forbidden to grant judging powes upon the Clerk of The Board.

The Board need not delegate its powers upon the Clerk if it firmly believes I am abusing the judicial process. It has plenty of powers under the All Writs Act to enjoin the undersigner from further interaction with the Board. Further violations of such decree will place the undersigner under comtempt authority. Moreover if the Clerk attempts to not notify the Board of any motion signed by me I will file a criminal complaint against the Clerk for obstruction of justice and destruction of Government Property as the motions once filed are government property.

Nevertheless I do agree with the Board that my third challenge to the April 11th orders has indeed exhausted the administrative review with regard as to the facial validity of them as orders of the Board. Though not final, the April 11th orders do stand until judicial review and that matter is closed. Another matter exhausted and closed is the challenge to the March 25th order in regards to the reopening of commenting period upon remand. But both the April 10th and the March 25th orders are with errors that have yet to be exhausted. It is unclear wheather the Board's prohibition refered to the whole case or juast the facial validity of the April 11th orders.

Wherefore I respectfully request the Environmental Appeals Board to clarify whether it meant to prohibit the undersigner from raising all the yet undisclosed matters or whether the June 24th filing prohibition is limited to the three times challenged matter facial validity of the April 11th orders.

In Barranquitas Puerto Rico this 7th of July 2014

/s/ Leonardo Ramos-Hernandez
Leonardo Ramos-Hernandez
HC 4 Box 2925
Barranquitas PR 00794

CERTIFICATE OF SERVICE

I CERTIFY that on this date I have notified this MOTION SEEKING CLARIFICATION OF ORDER

Via email as follows:

Christopher D. Ahlers
Environmental and Natural Resources Law Clinic
Vermont Law School
chrisahlers@vermontlaw.edu

Martha G. Quinones Dominguez
quinones.martha@gmail.com

Eliza Llenza
elizallenza@yahoo.com

Aleida Centeno Rodriguez
karsicamontuna@gmail.com

Fermin Arraiza Navas
Fermin_ns@hotmail.com

Skadden, Arps, S late, Meagher & Flom,LLP
Henry C. Eisenberg
henry.eisenberg@skadden.com

Don J. Frost
don.frost@skadden.com

Joseph A. Siegel
Assistant Regional Counsel
U.S. EPA Region 2
siegel.joseph@epa.gov

Brian L. Doster
Air and Radiation Law Office
Office of General Counsel
Doster.Brian@epa.gov

Cristina Galan
christina_galan@hotmail.com

And via US Mail to Waldemar Natalio Flores Flores at Calle 4 B-20 Forrest Hills Urb Bayamon PR 00959.

In Barranquitas Puerto Rico this 7th of July 2014

/s/ Leonardo Ramos-Hernandez
Leonardo Ramos-Hernandez
HC 4 Box 2925
Barranquitas PR 00794
ramosL8029@gmail.com