



February 21, 2024 @ 10:30 am  
USEPA – Region II  
Regional Hearing Clerk

EPA REGION 2  
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION

February 15, 2024

**Via Electronic Mail and**  
**Certified Mail with Return Receipt Requested**

Hon. Anaís Rodríguez Vega, Esq.  
Secretary  
Puerto Rico Department of Natural and Environmental Resources  
San José Industrial Park  
1375 Ave. Ponce de León  
San Juan, PR 00926  
Email: [anais.rodriguez@drna.pr.gov](mailto:anais.rodriguez@drna.pr.gov)

**Re: Notice of Proposed Assessment of a Civil Penalty  
In the Matter of Héctor Rodríguez Valle and Transporte Rodríguez Asfalto, Inc.  
TRA Recycling Plant Construction Project  
Docket Number CWA-02-2024-3451**

Dear Mrs. Rodríguez Vega:

Attached, for your review and comment, please find a copy of the Notice of Proposed Assessment of an Administrative Penalty and Opportunity to Comment (“Complaint”) that the United States Environmental Protection Agency (“EPA”) issued to Héctor Rodríguez Valle and Transporte Rodríguez Asfalto, Inc. (“Respondents”) on February 15, 2024, pursuant to Section 309(g) of the Clean Water Act (“CWA”). EPA alleges in the Complaint that Respondents violated Sections 301(a) and 402(p) of the CWA, for their failure to apply for and obtain National Pollutant Discharge Elimination System (“NPDES”) permit coverage for its discharges of pollutants from TRA Recycling Plant Construction Project located in Aguada, Puerto Rico, and for their discharges of pollutants from such project into a water of the United States without NPDES permit coverage. EPA is seeking a penalty in the amount of \$145,41.00.

Since the alleged violations occurred in the Commonwealth of Puerto Rico, EPA is hereby offering the Puerto Rico Department of Natural and Environmental Resources, pursuant to Section 309(g)(1)(B) of the CWA, and 40 C.F.R. § 22.38(b) (Consultation with States), an opportunity to confer with EPA regarding the proposed assessment of an administrative penalty.

CITY VIEW PLAZA II BUILDING, 7<sup>TH</sup> FLOOR  
ROUTE 165 GUAYNABO, PR 00968

If you have any questions or want to confer with EPA regarding this matter, please have your staff contact Mr. José A. Rivera, Team Leader, Clean Water Act Team, at (787) 977-5842, or via email at [rivera.jose@epa.gov](mailto:rivera.jose@epa.gov). Any legal questions should be directed to Ms. Suzette Meléndez Colón, Assistant Regional Counsel, Caribbean Team, at (787) 977-5822, or by email at [melendez-colon@epa.gov](mailto:melendez-colon@epa.gov).

Sincerely,

Héctor L. Vélez Cruz, Esq.  
Acting Director

Enclosures

cc: Ángel Meléndez, Director, DNER - Water Quality Area  
(copy via email [angel.melendez@drna.pr.gov](mailto:angel.melendez@drna.pr.gov) w/ enclosures)