

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

IN THE MATTER OF:

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

Respondent

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

Docket No. CAA-02-2024-1201

NOTICE OF SUPPLEMENT TO
RESPONDENT'S REDACTED
INITIAL PREHEARING EXCHANGE

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

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

1. On May 17, 2024 Respondent filed a supplement to its Redacted Initial Prehearing Exchange which included redacted RX 19, RX 26 and RX 27. These documents were submitted so that Complainant can conduct an ability to pay analysis.

2. Several pages in RX 26 contain financial information in the Spanish language that consists of tax returns filed by Respondent for the years 2018-19 to 2022-23.

These tax returns were included in pages that are bate stamped as follows:

- a. RX 26, pp. 78 – 91
- b. RX 26, pp. 109 – 119
- c. RX 26, pp. 121 – 133
- d. RX 26, pp. 137 – 151
- e. RX 26, pp. 153 – 170

3. English translations of these pages are hereby submitted and bated stamped with page numbers as follows:

- a. RX 26, pages 78a – 91a (English translation)
- b. RX 26, pages 109a – 119a (English translation)
- c. RX 26, pages 121a – 133a (English translation)
- d. RX 26, pages 137a – 151a (English translation)
- e. RX 26, pages 153a – 170a (English translation)

4. These pages have been inserted in RX 26, substituting their original Spanish versions, to facilitate their handling and review by the Complainant, its financial consultant and the Honorable Judge Wright. Therefore, the attached RX 26 version is complete with all pages containing information in English.

5. In addition, and as requested by Complainant for review by its financial consultant, Respondent has produced the following additional information, marked as follows as part of its prehearing exchange:

RX 28 – Respondent's Profit and Loss Statement for the period of July 2023 to April 2024

RX 29 – Respondent's Balance Sheet as of April 30, 2024

RX 30 – Respondent's Projected Financial Statements for the period of June 30, 2024 to June 30, 2025

6. A revised Index of Exhibits is herein submitted to reflect the modifications and additions made in this second supplement.

7. Lastly, and as requested, serve this notice to inform that since Claimant is conducting an ability to pay analysis, Respondent revised RX 19 and submitted it with the Notice of Supplement to its Prehearing Exchange filed on May 17, 2024, to include all pages, while only redacting the two pages that contain privileged information.

RESPECTFULLY SUBMITTED.

July 3, 2024

**Rafael
A. Toro
Ramirez**

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Homeca Recycling Center Co., Inc.

Respondent

Docket No. CAA-02-2024-1201

CERTIFICATE OF SERVICE

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

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

July 3, 2024

**Rafael
A. Toro
Ramirez**

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