



REGION 2

NEW YORK, N.Y. 10007

October 16, 2024

CERTIFIED MAIL NO.

RETURN RECEIPT REQUESTED & VIA EMAIL

EMink@rdus.com

Ellsworth Mink, Regional Manager
Schnitzer Puerto Rico, Inc.
PR-3, Km. 156.4, Aguirre Ward
Salinas, PR 00751

**Re: Request for Information Pursuant to Section 114 of the Clean Air Act,
Reference Number: CAA-02-2024-1407**

Dear Mr. Mink:

The Clean Air Act, 42 U.S.C. §§ 7401 *et seq.* (CAA or the Act), at Section 114, 42 U.S.C. § 7414, authorizes the U.S. Environmental Protection Agency (EPA) to require submittal of information, among other things, to assess compliance with the Act and regulations promulgated pursuant to the Act. In accordance with Section 114(a) of the Act, this Request for Information (Information Request) requires Schnitzer Puerto Rico, Inc. (SPR), doing business as Radius Recycling, to submit information with respect to its scrapyard located at PR-3, Km. 156.4, Aguirre Ward, Salinas, PR 00751 (Schnitzer Salinas).

Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1), gives EPA the authority to require any person who owns or operates any emission source to, *inter alia*, establish and maintain records, make reports, sample emissions, and provide such other information as may reasonably be required to enable EPA to determine whether such person is in compliance with the Act and its implementing regulations.

Pursuant to Section 114 of the Act, this Information Request requires SPR to submit the information described in Enclosure 1. Failure to submit the requested information is a violation of Section 114 of the Act, and may result in an order to comply, an order for administrative penalties, or a civil action for penalties and injunction requiring compliance pursuant to EPA's enforcement authority provided in Section 113(a) of the Act. (See Enclosure 2). In accordance with Section 113(c)(2)(A) of the Act, any person who knowingly makes any false statement, representation, or certification, or who omits material information from or knowingly alters, conceals, or fails to file a response to this Information Request, may be subject to criminal

action. The authority to issue this Information Request has been delegated to the Director of the Enforcement and Compliance Assurance Division. We may use any information submitted in response to this request in an administrative, civil, or criminal action.

You may choose to assert a business confidentiality claim covering all or part of the information submitted. You may not, however, withhold any information on that basis. In order for EPA to consider a claim of business confidentiality for one or more of the documents submitted by you, a cover sheet, stamped or typed legend, or other suitable form of notice must be placed on or attached to the document, with language such as “trade secret,” “proprietary,” or “company confidential.” Any portions of non-confidential documents that you believe are confidential should be clearly identified and may be submitted separately to facilitate identification and handling by EPA. For each confidentiality claim, the date or occurrence of any event after which the information can be released should be indicated, if applicable. Note that “emission data,” as defined in 40 C.F.R. § 2.301(a)(2), cannot be claimed as confidential under Section 114(c) of the Act. See 42 U.S.C. § 7414(c). If no confidentiality claim accompanies the information received by EPA, all information submitted as part of your response may be made available to the public without further notice to you. EPA will disclose information covered by a confidentiality claim only to the extent allowed by, and in accordance with, the procedures set forth in EPA’s public information regulations at 40 C.F.R. §§ 2.201 *et seq.* (see 41 Fed. Reg. 36902 (Sept. 1, 1976)), and with applicable case law.

In order to comply fully with this Information Request, your response must include a completed Certification of Response (see [Attachment to Enclosure 1](#)), notarized by a notary public, and signed by you or another officer of your company. Your responses to the questions in Enclosure 1, including all supporting documents and the Certification of Response, must be scanned, and submitted by email to Mr. Robert Buettner of the EPA, in accordance with the schedule set forth in Enclosure 1, at his email address below:

Robert Buettner, Manager
Air Compliance Branch
U.S. Environmental Protection Agency
Region 2 Office
290 Broadway, 21st Floor
New York, New York 10007-1866
Buettner.Robert@epa.gov

with copies sent to:

Hannah Patel
Patel.Hannah@epa.gov

Richard Kan
Kan.Richard@epa.gov

Part III of Enclosure 1 specifies that the requested information shall be submitted to EPA within thirty (30) days after receipt of this request. You may request an extension of this timeline to respond in writing by email to Mr. Buettner at the above-listed email address. Please include the reason(s) for the delay in responding and include the requested subsequent date for responding. In order to allow sufficient time for review, any such request for an extension of time must be made at least ten (10) calendar days prior to the date on which the requested information is due to EPA. An extension of time will be effective only if granted by EPA in writing.

Please include the above-cited Reference No. CAA-02-2024-1407 in any and all of your response(s) to this Information Request. Further, if within one year of the date of this Information Request, you obtain information different from, or in addition to, the information provided, or if there is any change affecting the information submitted, you must notify EPA and submit the relevant information no later than twenty (20) calendar days after such information becomes available.

This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

You may address any questions concerning this matter to Hannah Patel in the EPA Region 2 Air Compliance Branch at Patel.Hannah@epa.gov or at 212-637-4926. We appreciate and look forward to your prompt response.

Sincerely,

KATHLEEN
ANDERSON

Digitally signed by
KATHLEEN ANDERSON
Date: 2024.10.16
17:12:15 -04'00'

Kathleen Anderson, Director
Enforcement and Compliance Assurance Division

Enclosures

cc: Amariyls Rosario, Puerto Rico Department of Natural and Environmental Resources (DNER), Air Quality Area Manager, AmarilysRosario@drna.pr.gov

Jose E. Cedeño, Corporate Senior Environmental Manager, Schnitzer Puerto Rico, Inc., JCedeno@rdus.com

Jose A. Soto, Salinas Plant Manager, Schnitzer Puerto Rico Inc., JASoto@rdus.com

Pedro E. Labayen, Environmental Manager, Schnitzer Puerto Rico Inc., PLabayen@rdus.com

bcc: R. Buettner, ECAD/ACB (electronic)
R. Lonergan, ECAD/ACB/SSCS (electronic)
J. Cardile, ECAD/ACB/SSCS (electronic)
R. Kan, ECAD/ACB/SSCS (electronic)
Hannah Patel, ECAD/ACB (electronic)
A. Rivera, CEPD/MPCB (electronic)
S. Froikin, ORC/AB (electronic)
L. Villatora, ORC/AB (electronic)
Facility File

ENCLOSURE 1

INFORMATION REQUEST PURSUANT TO SECTION 114 OF THE CLEAN AIR ACT, REGARDING THE SCHNITZER PUERTO RICO, INC. (SCHNITZER SALINAS) LOCATED AT PR-3, KM. 156.4, AGUIRRE WARD, SALINAS, PR 00751

Pursuant to Section 114 of the Clean Air Act, Schnitzer Puerto Rico, Inc. (SPR) shall supply the information requested below. The requested information must be submitted in accordance with the instructions in Part I and the schedule set forth in Part III, below, unless EPA grants, in writing, an extension of time to respond.

Part I: Instructions

In preparing your responses, please refer to the following instructions:

1. A complete and separate response must be provided for each numbered information request paragraph below. Identify each response with the same paragraph number to which it corresponds.
2. Provide all supporting documentation for each response. Supporting documentation includes, but is not limited to, company records (such as logs, receipts, ledgers, etc.), notifications or reports, and any other relevant documents. For each document submitted, indicate the paragraph number to which it responds.
3. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition for “image over text” to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
4. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel format, and not in image format. If Excel formats are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel.
5. Please submit your responses to the EPA electronically. You may submit your responses electronically using any of the following methods: a) via electronic mail sent to Robert Buettner at the following address: Buettner.Robert@epa.gov; b) by providing the EPA with a link to the file sharing service of your preference where we may download the documents; or c) by requesting a link from the EPA to our file sharing service where you may upload the documents. If the information requested is not in existence or is not available, submit a statement certifying that fact, along with an explanation supporting such certification.

6. Provide a table of contents for each file containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each file should be labeled appropriately (e.g., Company Name, 1 of 4 for Information Request Response, Date of Response).
7. Documents claimed as confidential business information (CBI) must be submitted separately from the non-confidential information, such as via a separate email or in an electronic folder or zip file labeled as containing CBI. This will facilitate appropriate records management and appropriate handling and protection of the CBI.
8. Certify that the attached files have been scanned for viruses and indicate what program was used.
9. If you have no information or documents responsive to a request, please so state in your response.
10. Where documents or information necessary for a response are neither in your possession nor available to you, indicate in your response why such documents or information are not available or in your possession and identify any source that either possesses or is likely to possess such information.
11. To the extent that a document is responsive to more than one request, please so state and provide only one copy of the document.

Part II: Definitions

All terms used in this Information Request shall have their ordinary meaning unless such terms are defined in the Act, 42 U.S.C. §§ 7401 *et seq.*, or its implementing regulations. Where reference is made to the EPA regulatory provisions, you should also apply the applicable federally-approved state provisions when appropriate. Additional terms are defined as follows:

- A. The terms “document” and “documents” shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these.
- B. The term “Facility” or “Schnitzer Salinas” shall mean Schnitzer Salinas, the scrapyard facility located at PR-3, Km. 156.4, Aguirre Ward, Salinas, Puerto Rico.
- C. The terms “you,” “your,” or “SPR” mean the following: the addressee of this Information Request, Schnitzer Puerto Rico, Inc.

Part III: Specific Information Request

Information Request

SPR must respond to this Information Request pursuant to Section 114 of the Clean Air Act. SPR must provide the following information regarding its shredder and for each stationary internal combustion engine that Schnitzer Salinas operates at PR-3, Km. 156.4, Aguirre Ward, Salinas, Puerto Rico, no later than thirty (30) calendar days after receipt of this request.

1. Identify the person(s) responsible for answering each question set forth below in this Information Request. Include with your answer each person's name, job position/title, and a description of the person's responsibilities. Also state how long each person has been in that position, and if less than three years, what other positions each held in the three-year period prior to receipt of this Information Request.
2. Provide the name(s) of the legal owner(s) and operator(s) of the metal shredding operation located at Schnitzer Salinas.
3. Identify all entities affiliated with SPR, such as parent, subsidiary, and sibling corporations. Explain the ownership relationship between Schnitzer Salinas and these entities.
4. Identify the person(s) responsible for environmental compliance at Schnitzer Salinas identified above.
5. Provide a comprehensive description of the operations conducted at Schnitzer Salinas, including but not limited to brief descriptions of how Schnitzer Salinas:
 - i. obtains metal scrap materials from its upstream suppliers, including a description of private and commercial sources of metal scrap materials received on-site and from off-site sources;
 - ii. processes metal scrap materials at its facility;
 - iii. transports its processed scrap metal from the site, including a brief description of the types of companies or entities that utilize its processed scrap metal.
6. Provide copies of a technical information drawing(s) or layout(s) of Schnitzer Salinas, that include detailed depictions of the hammermill shredder in both plan and section view.
7. Provide a list of all major operational equipment related to the shredding process, including all heavy-duty equipment and heavy machinery upstream and downstream of

the hammermill shredder, used at Schnitzer Salinas. Please include a brief description of each item listed and its application.

8. Provide the installation date, startup date, and manufacturer's rated capacity (in horsepower) of the motor used at Schnitzer Salinas to operate its hammermill shredder. Include the name of the manufacturer, model number, and the motor type (i.e., electric or diesel). Provide this same information for any backup motor(s) at Schnitzer Salinas or owned by SPR but stored elsewhere.
9. Provide the installation date, startup date, and the manufacturer's maximum design operational capacity (in gross tons per hour) of the hammermill shredder used at Schnitzer Salinas. Include the name of the manufacturer, the model number, size of the actual shredder box (in inches), and the number of hammers used in the shredder box. Provide this information for any backup shredder boxes owned by SPR.
10. For calendar years 2021, 2022 and 2023 indicate, on a monthly basis, how many motor vehicles were received and processed at Schnitzer Salinas and, separately, how much non-motor vehicle material was received for shredding and processed at Schnitzer Salinas.
11. Provide a general description of any depolluting processes and residual liquid removal measures used at Schnitzer Salinas. Include any standard operating procedures, employee training materials, presentations, and training schedules, detailing the process of how the facility drains or removes fluids (e.g., oils, fuels, anti-freeze) from motor vehicles and other types of scrap prior to shredding/crushing at Schnitzer Salinas.
12. Provide a general description of any depolluting processes and residual liquid removal measures that Schnitzer Salinas requires by any or all of its upstream scrap suppliers prior to acceptance of their scrap metal by Schnitzer Salinas. Include a description of how Schnitzer Salinas verifies that the depolluting and residual liquid removal measures have been taken by upstream scrap suppliers.
13. Provide a general description of any air emission control equipment or process controls currently owned and/or in operation at Schnitzer Salinas. Include any operating parameter(s) of this control equipment that is monitored to ensure proper operation, if applicable.
14. Provide scrap metal data for calendar years 2021, 2022 and 2023 for the total quantity of scrap metal processed by the hammermill shredder (in gross tons/month) at Schnitzer Salinas. Provide this data for both scrap metal input to the hammermill shredder and scrap metal output from the hammermill shredder, if available.

15. Provide the total hours of operation per month for each month in calendar years 2021, 2022 and 2023 for the hammermill shredder at Schnitzer Salinas.
16. Provide the percentage of automobiles versus non-automobiles processed by the hammermill shredder at Schnitzer Salinas for calendar years 2021, 2022 and 2023, along with an explanation of the data.
17. Provide example copies of any representative contracts or written agreements required of upstream scrap suppliers regarding acceptance of motor vehicles and other types of scrap at Schnitzer Salinas.
18. State whether Schnitzer Salinas has an Environmental Management System (EMS) plan pertaining to its shredder facility. If yes, submit a copy of its plan. An EMS plan is a set of processes and practices that enable an organization to reduce its environmental impacts and increase its operating efficiency. Information about EMS plans can be found on EPA's website, at <https://www.epa.gov/ems>.
19. Provide copies of any and all Puerto Rico Department of Natural and Environmental Resources (PRDNER) air permits, air permit applications and/or air registrations to operate Schnitzer Salinas.
20. Provide the basis for any emission limit(s) that apply to the hammermill shredder in any of Schnitzer Salinas's air permits, air permits applications and/or air registrations with PRDNER.
21. Provide all available air emission calculations (e.g., particulate matter, lead, volatile organic compounds, other hazardous air pollutants) for Schnitzer Salinas for calendar years 2021, 2022 and 2023.
22. Please identify all emergency and non-emergency stationary source engines located at Schnitzer Salinas or owned by SPR.
23. For **each** engine identified in question 22, provide:
 - a. Whether the engine is an emergency engine according to the definition of emergency stationary RICE under 40 C.F.R. § 63.6675;
 - b. the purpose of the engine (i.e., the equipment powered by the engine);
 - c. the maximum capacity of the engine (in MMBTU/hr and horsepower);
 - d. the maximum manufacturer-rated power output;
 - e. the type of fuel used by the engine;
 - f. the manufacturer, model number, and serial number of the engine;
 - g. the month, day, and year the engine was manufactured;
 - h. the annual hours of operation of the engine from the past 5 years;

- i. For the calendar years 2021, 2022, and 2023, the breakdown of emergency hours of operation, nonemergency hours of operation, and what classified the operation as emergency;
 - j. the date the engine was removed from the Facility, if applicable; and
 - k. If the engine has a certificate of conformity, provide a copy.
- 24. For each engine identified in response to question 22 that is equipped with an emissions control system, describe the control system, and indicate when it was installed.
- 25. For each engine identified in response to question 22 that has been tested subsequent to 2020, provide the date the testing took place and a copy of the final test report.
- 26. Provide copies of the following documents you may have prepared for each engine identified in response to question 22, and identify to which government agencies (ex: EPA, Puerto Rico Department of Natural and Environmental Resources) the document has been submitted, if any:
 - a. Initial notification under 40 C.F.R. Part 63 Subpart ZZZZ or 40 C.F.R. Part 60 Subpart IIII;
 - b. Notification of compliance status report;
 - c. Written percent load report;
 - d. Site specific monitoring plan;
 - e. Semiannual or annual compliance reports; and
 - f. Records of maintenance conducted in the past 5 years.
- 27. Indicate whether any engine at Schnitzer Salinas operates as a peak shaver or as a non-emergency demand response engine to generate income for the Facility, or to otherwise supply power as part of a financial arrangement with another entity. If Schnitzer Salinas participates in a demand response program, indicate the number of hours that each engine maintained for such use must be available to run and provide a copy of the related contract.

ATTACHMENT TO ENCLOSURE 1

CERTIFICATION OF RESPONSE

State of _____:

County of _____:

I certify, under penalty of law, that I have personally examined and am familiar with the information submitted in response to the Information Request Letter and all documents submitted with this response, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted with this response are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that for one year from the date of the Information Request Letter, I am under an obligation to supplement my response to the Information Request Letter if any additional information relevant to the matters should become known or available to me.

NAME (print or type)

TITLE (print or type)

SIGNATURE

Sworn to before me this ____ day of _____, 2024

Notary Public