



EPA REGION 2
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION

June 11, 2024

VIA EMAIL

Mr. Victor Vega
Plant Manager
Aluminios de PR LLC
PR-3 Km 77.4 Barrio Rio Abajo, Solar 5
Humacao, Puerto Rico 00791
info@aluminiospr.com

RE: RCRA § 3007 – REQUEST FOR INFORMATION, CEPD-RCRA-24-3007-0000-010

Dear Mr. Vega:

Greetings from the Caribbean Environmental Protection Division (CEPD) of the US Environmental Protection Agency (EPA) Region 2.

The EPA is charged with the protection of human health and the environment under Section 3008 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HWSA) of 1984, 42 U.S.C. § 6901, 6928.

This request for information is made pursuant to the provisions of Section 3007 of RCRA, 42 U.S.C. § 6927, which requires that you provide the information requested in Enclosure 1 to this letter using the instructions and definitions included in Enclosure 2. This information is required to evaluate the full regulatory and compliance status of the Aluminios de PR LLC facility located at PR-3 Km 77.4 Barrio Rio Abajo Solar 5, Humacao, Puerto Rico. The information requested in Enclosure 1 must be submitted no later than thirty (30) calendar days from receipt of this letter. Requests for additional time to provide the information requested in Enclosure 1 must be justified and made in writing within ten (10) calendar days of receipt of this letter. The response must be signed by a responsible official or agent of your facility, using the form in Enclosure 3 to this letter.

Failure to respond to this letter truthfully and accurately within the time provided may subject you to sanctions authorized by federal law, including but not limited to a potential enforcement action pursuant to Section 3008 of RCRA, 42 U.S.C. § 6928, including the assessment of a monetary penalty. Please also note that all information you provide may be used in an administrative, civil judicial or criminal action. This information request is not subject to the requirements of the Paperwork Reduction Act as amended, 44 U.S.C. § 3501 et seq.

You may, if you desire, assert a business confidentiality claim covering all or part of the information herein requested. This claim may be asserted by placing on (or attaching to) the information at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as “trade secret”, “proprietary”, or “company confidential”. The claim should set forth the information requested in 40 C.F.R. § 2.204(e)(4). Information covered by such a claim will be disclosed by EPA only to the extent permitted by, and by means of procedures set forth in 40 C.F.R. Part 2. EPA will review the information to determine the extent of confidentiality of the information, and may, at its discretion challenge the confidentiality claim pursuant to the procedures set forth at 40 C.F.R. Part 2. If no such claim accompanies the information when it is received by EPA, it may be available to the public by EPA without further notice you.

The responses to the information request in Enclosure 1 must be provided either by email or by mail to the following address:

Carlos J. Colombani, Enforcement Officer
Response and Remediation Branch
U.S. Environmental Protection Agency - Region 2
Caribbean Environmental Protection Division
City View Plaza II, Suite 7000
#48 PR-165 km 1.2
Guaynabo, PR 00968-8069

If you have any questions or need any additional information, please contact me at 787-977-5865 or guerrero.carmen@epa.gov or have your staff contact Carlos J. Colombani, Enforcement Officer at colombani.carlos@epa.gov or (787) 977-8562.

Sincerely,

CARMEN

GUERRERO PEREZ

Carmen R. Guerrero Pérez
Director

Digitally signed by CARMEN
GUERRERO PEREZ
Date: 2024.06.11 22:12:13 -04'00'

ENCLOSURES

1. Request for Information
2. Instructions and Definitions
3. Certification of Answers

cc: Lorna Rodriguez, Chief PRDNER, lornadrodriguez@drna.pr.gov
David N. Cuevas Miranda, Supervisor USEPA, cuevas.david@epa.gov

ENCLOSURE I – RCRA § 3007 Request for Information

Facility Name: Aluminios de PR LLC

EPA ID No.: PRR000026443

On or about April 24, 2024, a duly authorized representative of EPA conducted a RCRA Hazardous Waste Compliance Evaluation Inspection of the Aluminios de PR LLC (the Facility) at PR-3 Km 77.4 Barrio Rio Abajo Solar 5, Humacao, Puerto Rico, pursuant to Section 3007 of RCRA, 42 U.S.C. § 6927. Based on the information obtained during the inspection, EPA determined that the following information is required to determine the compliance status of the Facility.

1. General Information

- a. Provide the full legal name of Aluminios de PR LLC. If the company has used any other names, please provide them.
- b. Provide the management structure of the company (President/Owner, Partners, General Manager, etc.). If the company is a subsidiary, indicate the parent company.
- c. Provide the type of company (corporation, partnership, etc.), employer identification number, Department of State certificate number, DUNS number, and business licenses, if any.
- d. Besides the EPA inspection performed on or about April 24, 2024, please provide information about any other inspection conducted by any other State or Federal agency, since 2019.
- e. Do you have any knowledge of any State or Federal agency (EPA, Department of Justice, Puerto Rico Department of Natural and Environmental Resources, etc.) actions (complaints, suits, investigations, etc.) against Aluminios de PR LLC? If yes, explain and elaborate your answers.
- f. Please certify if Aluminios de PR LLC has filed for bankruptcy at any time under its current or any previous name.

2. Specific Information

- a. Preparedness and Prevention
 - i. Please provide a list of all personnel that served as the Facility's primary emergency coordinator and when such responsibility/role started.
- b. Contingency Planning
 - i. Provide the Facility's Contingency Plan.

- ii. Provide the Facility's Quick Reference Guide and evidence it was submitted to local response agencies.

- c. Personnel Training
 - i. Provide a list of personnel associated with the hazardous waste generated at the Facility.
 - ii. For the list of personnel, provide the date when the employee(s) started working at the Facility, and when did the employee (s) began managing hazardous waste.
 - iii. For the list of personnel, when applicable, provide RCRA personnel training records for calendar years 2021, 2022, and 2023. Note, including current, former employees, initial and recurrent training.
 - iv. Provide the RCRA hazardous waste training documents/modules that are used to train employees.
 - v. Provide specific job titles, and names of persons filling the positions.
 - vi. Provide a description of skills, education or qualification, and duties associated with each job title, and the amount of introductory and continuing training required.

- d. Required Response Equipment
 - i. In case of an emergency at the CAA, describe its access to adequate water supply and pressure for fire control equipment.

- e. Central Accumulation Area (CAA)
 - i. Provide the CAA weekly inspection logs from January 2024 through April 2024.

ENCLOSURE II – Instructions and Definitions

In responding to this Request for Information, apply the following instructions and definitions:

1. The signatory should be an officer or agent who is authorized to respond on behalf of the company or facility. The signatory must complete and return the attached Certification of Answers to Responses (ENCLOSURE III).
2. A complete response must be made to each individual question in this Request for Information. Identify each answer with the number of the question to which it is addressed.
3. In preparing your response to each question, consult with all present and former employees and agents of the company or facility who you have reason to believe may be familiar with the matter to which the question pertains.
4. In answering each question, identify all contributing sources of information.
5. If you are unable to answer a question in a detailed and complete manner or if you are unable to provide any of the information or documents requested, indicate the reason for your inability to do so. If you have reason to believe that there is an individual who may be able to provide more detail or documentation in response to any question, state that person's name and last known address and phone number and the reasons for your belief.
6. If you cannot provide a precise answer to any question, please approximate and state the reason for your inability to be specific.
7. For each document produced in response to this Request for Information, indicate on the document or in some other reasonable manner, the number of the question to which it applies.
8. If anything is deleted from a document produced in response to this Request for Information, state the reason for and the subject matter of the deletion.
9. If a document is requested but is not available, state the reason for its unavailability. In addition, identify any such document by author, date, subject matter, number of pages, and all recipients and their addresses.
10. The company and/or facility for the purposes of this Request for Information is Aluminios de PR LLC at PR-3 Km 77.4 Barrio Rio Abajo Solar 5, Humacao, Puerto Rico.

11. A *hazardous waste generator* is defined, for the purposes of this Request for Information, as any person (which includes this facility), by site, whose act or process produces hazardous waste or whose act first causes a hazardous waste to become subject to regulation.
12. *Hazardous waste* is defined, for the purposes of this Request for Information, as it is defined in Section 1004(5) of RCRA, as amended, 42 USC 6903(5).
13. *Manage* is defined, for the purposes of this Request for Information, as: to market, generate, treat, store, dispose, or otherwise handle.
14. *Hazardous Constituents* is defined, for the purposes of this Request for Information, as those substances listed in 40 CFR 261 Appendix VIII.
15. The term *Solid Waste Management Unit (SWMU)* is defined, for the purposes of this Request for Information, as any landfill, surface impoundment, land application area, waste pile, incinerator, tank, injection well, transfer station, waste recycling operation, tank, or container storage area that currently or formerly was used to manage a solid waste.
16. Used oil shall be defined for the purposes of this Request for Information as any oil that has been refined from crude oil, or any synthetic oil, that has been used and as a result of such use is contaminated by physical or chemical impurities.

ENCLOSURE III – Certification of Answers to Responses

I certify, under penalty of law, that I have personally examined and am familiar with the information submitted in response to EPA’s Request for Information, and all documents submitted herewith; that the submitted information is true, accurate, and complete; and that all documents submitted herewith 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.

Name (Print or Type)

Title (Print or Type)

Signature

Date (Print or Type)

Facility Name: Aluminios de PR LLC

EPA ID: PRR000026443