



EPA REGION 2
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION

September 18, 2024

Via Electronic Mail (Delivery Receipt and Read Receipt Requested)

Alex Saldaña
Facility Manager
Safetech Corporation
Lot #30, Santana Industrial Park
Arecibo, PR 00634
alex.saldana@safetechcorp.com

Re: **Information Request, Reference Number: CAA-02-2024-1411**

Dear Mr. Saldaña:

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 to, among other things, assess compliance with the Act and regulations promulgated pursuant to the Act. This Information Request requires Safetech Corporation ("Safetech") to submit information related to compliance with applicable CAA requirements at the facility owned and operated by Safetech Corporation located at Lot #30, Santana Industrial Park, Arecibo, Puerto Rico 00634 (the "Facility").

Pursuant to Section 114 of the Act, this Information Request requires Safetech to submit all of 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 an 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 a criminal action. Safetech owns and operates emission sources at the Facility. 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. 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 enclosed with the document,

with language such as “trade secret,” “proprietary,” or “company confidential.” Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. To facilitate identification and handling by EPA, please submit your response so that all non-confidential information, including any redacted versions of documents, are grouped together in one folder and all materials that you assert are entitled to confidential treatment are grouped in a separate, clearly labeled, folder. 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, the 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. Please include the above-cited Reference No. CAA-02-2024-1411 in any and all of your response(s) to this Information Request. Your responses to the questions in Enclosure 1, including all supporting documents and the Certification of Response, must be submitted by email to Ms. Nancy Rodríguez of the EPA, in accordance with the schedule and instructions set forth in Enclosure 1, at her email address below:

Ms. Nancy Rodríguez, Supervisor
Multimedia Permits and Compliance Branch
U.S. Environmental Protection Agency, Region 2
rodriguez.nancy@epa.gov

with copies sent to:

Alex Rivera
rivera.alex@epa.gov

Gloria Diaz-Galarza
diaz-galarza.gloria@epa.gov

The requested information shall be submitted to EPA within the timelines indicated for the specific requests in Part III of Enclosure 1. You may request an extension of any timeline to respond by email to Ms. Rodríguez at her email address above. Please include the reason(s) for the delay in responding and a proposed response date. 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.

You should be aware that EPA may require the submittal of additional information after receiving the

information required by this Information Request. Subsequent additional requests for information will be considered part of this original request and subject to the aforementioned requirements. 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 Mr. Alex Rivera in the EPA Region 2 Multimedia Permits and Compliance Branch Air Protection Team at rivera.alex@epa.gov or by phone at 787-977-5845, or your attorney can contact Sara Amri, Assistant Regional Counsel, at amri.sara@epa.gov or 212-637-3167. We appreciate and look forward to your prompt response.

Sincerely,

HECTOR
VELEZ-CRUZ

Digitally signed by
HECTOR VELEZ-CRUZ
Date: 2024.09.18
12:17:39 -04'00'

Carmen R. Guerrero Pérez

Director

Caribbean Environmental Protection Division

Enclosures

cc: César Rodríguez, Department of Natural and Environmental Resources (DNER), Air Quality Area (AQA) Acting Manager, cesarrodriguez@drna.pr.gov

DNER AQA, aire@drna.pr.gov

ENCLOSURE 1

INFORMATION REQUEST PURSUANT TO SECTION 114 OF THE CLEAN AIR ACT

The U.S. Environmental Protection Agency (“EPA”) requires the submittal of information regarding operations and compliance of Safetech Corporation located a Lot #30, Santana Industrial Park Arecibo, Puerto Rico 00634 (the “Facility”).

Part I: Instructions

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

1. A complete and separate response must be provided for each number information request paragraph identified in Part III of this Enclosure. Identify each response with the same paragraph number to which it responds.
2. 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 (“OCR”) 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.
3. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information as an unlocked Microsoft Excel file, and not in image format. If Microsoft Excel formats are not available, then the format should allow for data to be imported and used in calculations by a standard spreadsheet program such as Microsoft Excel.
4. Please submit all responses electronically via GoAnywhere secure managed file transfer system. A link to access the GoAnywhere platform will be provided by EPA upon request.
5. Provide a table of contents for your submission so that each document can be accurately identified in relation to your response to the specific questions set forth in Part III of this Enclosure. We recommend the use of electronic file folders organized by question number and facility name.
6. Emission data obtained through Section 114 of the CAA is **not** considered confidential business information (“CBI”), pursuant to 42 U.S.C. § 7414(c) and 40 C.F.R. § 2.301(a)(2)(i). Any information claimed as CBI must be submitted in a separate folder apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI.

7. Certify that the attached files have been scanned for viruses and indicate what program was used.
8. In response to each question set forth in Part III of this Enclosure, please provide, in detail, all relevant information. Provide as precise and complete a response as possible, even if the information sought was never documented in writing or if the written documents are no longer available. Consult with all present and past employees and agents whom you or other employees or officers have reason to believe may be familiar with the matter to which the question pertains. Provide the name of each person responding to each information request paragraph, along with the names of all persons consulted in the preparation of each response.
9. If the requested information or documentation cannot be made available, state the reason(s) why it cannot be made available, and provide all information that could lead to obtaining it. If you cannot provide a precise answer to a question, please approximate but, in any such instance, state the reason for your inability to be specific. 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.
10. To the extent that a document is responsive to more than one request, please so state and provide only one copy of the document.
11. Pursuant to Section 114 of the Clean Air Act, Safetech must supply the requested information. The requested information must be submitted within thirty (30) calendar days of receipt of this Information Request, unless EPA grants, in writing, an extension of time to respond.

Part II: Definitions

All terms used in this Information Request will have their ordinary meaning unless such terms are defined in the Act, 42 U.S.C. § 7401, *et seq.*, or are defined in the applicable regulations implementing the Act, including any state regulations that are federally enforceable under the Act, in which case the statutory or regulatory definitions shall apply. Specific terms are defined as follows:

1. 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.
2. The term “Facility” means the facility owned by Safetech Corporation located a Lot #30, Santana Industrial Park, Arecibo, Puerto Rico 00634.
3. The term “person” shall include any individual, firm, unincorporated association, partnership, corporation, trust, sole proprietorship association, State, municipality, political subdivision of a State, and any agency, department, or instrumentality of the United States and any officer, agent, or employee thereof, or other entity.
4. The term “identify” means to provide the person’s full name, address, and affiliation with the individual and/or Company to whom this request is addressed.
5. The term “you” shall include any officers, managers, employees, contractors, trustees, successors, assignees, and agents with knowledge of your Facility.
6. The terms “relate to” and/or “pertain to” (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.

Part III: Specific Information Requested

Except when specifically required below, please provide the following information regarding the Facility **within thirty (30) calendar days** from the receipt of this Information Request. Unless otherwise stated, the information requested below shall be submitted in Microsoft Excel, Microsoft Word, or optical character recognition (“OCR”) Adobe Acrobat PDF format, depending on the information requested.

Sections identified in specific items below are from Safetech’s Title V Operating Permit (PFE-TV-4953-07-1003-0001), issued by the Puerto Rico Environmental Quality Board (now Department of Natural and Environmental Resources) (“DNER”) on November 30, 2010, and with an expiration date of November 30, 2015.

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 (3) years, what other positions each person held in the three-year period prior to receipt of this Information Request.
2. Provide the name(s) of all legal owner(s) and operator(s) of the Facility.
3. Provide an email and telephone number for the Facility’s:
 - a. Current owner(s) and responsible officer(s) thereof;
 - b. Current operator(s) and responsible officer(s) thereof.
4. Identify all entities affiliated with Safetech, if any, such as parent, subsidiary, and sibling corporations. Explain the ownership relationship between Safetech and these entities.
5. Identify all person(s) responsible for environmental compliance at the Facility. Include their names, specific job titles, mailing addresses, phone numbers, and e-mail addresses.
6. Provide a detailed description of the Facility operations, including its hours of operation and the facility’s process diagram.
7. Provide the Facility’s construction date.
8. Provide the number of employees currently employed at the Facility.
9. Provide a detailed list of the current Facility air emission sources and control devices (if applicable), including a description of each emission source, providing relevant information such as capacity, fuel consumption, date of construction, brand, and serial and model numbers.
10. For all emission control devices, provide the following:
 - a. Date of construction;
 - b. Manufacturer’s specifications;

- c. Operational and maintenance procedures;
 - d. Evidence of required inspections of emission control equipment to corroborate operational parameters as established by the manufacturer from January 1, 2020 through the present date; and
 - e. Records indicating the date of any required inspections, the parameters verified, and the operational ranges recommended by the manufacturer from January 1, 2020 through the present date
11. For all fuel products, provide copies of all quality analysis certificates and purchase receipts from January 1, 2020 through the present date.
12. Provide copies of all semi-annual reports sent to DNER (Section III – General Permit Conditions, Condition 14) from January 1, 2020 through the present date.
13. Provide copies of all emission calculations submitted to DNER (Section III – General Permit Conditions, Condition 38) from January 1, 2020 through the present date.
14. Provide copies of all performance test (stack analysis) reports (Section V – Specific Permit Conditions, E. Performance Testing) from January 1, 2020 through the present date.
15. Provide copies of all records of materials burned (identifying the types of material and amounts of material) (Section V – Specific Permit Conditions, G. Recordkeeping and Reporting Requirements, Condition 1.m.) from January 1, 2020 through the present date.
16. Provide copies of all propane/fuel reports regarding fuel consumption and fuel sulfur content in percent by weight (Section V – Specific Permit Conditions, A. Emission Unit: EU-1 (Commercial and Industrial Solid Waste Incinerator (“CISWI”) unit) – Incinerator Ducon HC96-10P, Condition 7 [Rule 410 of the RCAP]) from January 1, 2020 through the present date.
17. Provide a copy of the Facility’s current Waste Management Plan (Section V – Specific Permit Conditions, D. Waste Management Plan).
18. Provide copies of all facility air emission source construction and operating permits, including any permit modifications, pending permit applications, or permit renewal applications under evaluation by DNER. Also, provide evidence of any Title V permit shield issued to the Facility by DNER.
19. For all emergency power engines and fire control pumps, provide the following:
- a. A detailed inventory, including engine brand, model number, series number, manufacturer’s specifications, manufacturing date, engine power, fuel type, and type of operation (emergency/non-emergency). The inventory should also include the annual hours of operation and monthly fuel consumption from January 1, 2020 through the present date.
 - b. Copies of required annual reports and evidence of submittals to DNER indicating hours of operation, monthly fuel consumption and fuel sulfur content in percent by weight for all emergency engines from year January 1, 2020 through the present date.

20. Provide a copy of all incinerator startup, shutdown, and malfunction procedures.
21. Provide a copy of all maintenance procedures for the CISWI unit and the wet scrubber.
22. Provide evidence of all CISWI unit operator trainings and refreshers provided by Safetech pursuant to Rule 405(c)(3) of the RCAP (Section V – Specific Permit Conditions, C. Requirements for Operators Training and Qualification) from January 1, 2020 through the present date.
23. Provide copies of all records of dates and times when monitoring systems used to monitor operating limits were inoperative, inactive, malfunctioning, or out of control (Section V – Specific Permit Conditions, G. Recordkeeping and Reporting Requirements, Condition 1.c.) from January 1, 2020 through the present date.
24. Provide all wet scrubber monitoring records (Section V – Specific Permit Conditions, F. Monitoring Requirements and G. Recordkeeping and Reporting, Condition 1) from January 1, 2020 through the present date.
25. Provide copies of all records of deviations from operating limits and emission limits applicable to the CISWI unit and the wet scrubber (Section V – Specific Permit Conditions, G. Recordkeeping and Reporting) from January 1, 2020 through the present date.
26. Provide copies of all equipment vendor specifications and related operations and maintenance requirements for the incinerator, emission controls, and monitoring equipment (Section V – Specific Permit Conditions, G. Recordkeeping and Reporting, Condition 1.k).

ATTACHMENT 1 TO ENCLOSURE 1

CERTIFICATION OF RESPONSE

State/Territory 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 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, I am under an obligation to supplement my response to the Information Request 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