



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION
CITY VIEW PLAZA II BUILDING, 7TH FLOOR
ROUTE 165 GUAYNABO, PUERTO RICO 00968

ENCLOSURE I – RCRA § 3007 Request for Information

Aguada Gas Station Corp
EPA ID No. PRR000000570

On or about October 13, 2022, a duly authorized representative of EPA conducted a RCRA Hazardous Waste Compliance Evaluation Inspection of the Aguada Gas Station Corp (AGSC) at Calle Colón 316, Aguada, 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 AGSC.

1. General Information

- a. Provide the full legal name of AGSC. 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 number of employees of AGSC and copies of any environmental training records that they have taken in the past, if applicable.
- d. Provide the type of company (corporation, partnership, etc.), employer identification number, Department of State certificate number, DUNS number, and business licenses, if any.
- e. Besides the EPA inspection performed on October 13, 2022, please provide information about any other inspection conducted by any other state or federal agency, since 2016-2022.
- f. 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 AGSC? If yes, explain and elaborate your answers.
- g. Please certify if AGSC has filed for bankruptcy at any time under its current or any previous name.

2. Specific Information

- a. Waste Generation

- i. Please describe each activity conducted at AGSC that has generated solid and/or hazardous wastes (as defined in 40 C.F.R. Part 261) since 2016 to the present.
- ii. Please list the solid, universal, and/or hazardous wastes generated from each activity indicated in response to Question 2.a.i above (i.e., spent solvent, leftover chemical mixtures, discarded and/or expired chemical products, discarded laboratory reagents, used oil, used oil filters, used oil impacted materials, spent lead-acid batteries, spent paint brushes/rolls, spent rags impregnated with paints/solvents, spent lacquer thinner, spent diesel, spent fluorescent light bulbs, etc.). Please indicate the monthly quantity of each such waste in kilograms generated since 2016 to the present.
- iii. Please provide the manifests generated as part of the hazardous waste storage, handling, and/or disposal activities at AGSC since 2016 to the present.

b. Waste Determination

- i. For each waste indicated in response to Question 2.a.ii above, that was determined to be a hazardous waste, please indicate the EPA and/or Commonwealth of Puerto Rico hazardous waste number and describe how the waste was determined to be a hazardous waste. For each such waste please include copies of all analytical results and/or documentation used in determining that the waste was a hazardous waste. If generator knowledge of the waste(s) was used to determine that the waste was a hazardous waste, please provide a narrative which details the knowledge employed in such determination.
- ii. For each waste indicated in response to Question 2.a.ii above, that was determined not to be a hazardous waste, please describe how the waste was determined not to be a hazardous waste. For each such waste please include copies of all analytical results and/or documentation used in determining that the waste was not a hazardous waste. If generator knowledge of the waste(s) was used to determine that the waste was not a hazardous waste, please provide a narrative which details the knowledge employed in such determination.
- iii. Provide copies of the Safety Data Sheet of the chemicals used at the facility.
- iv. For each hazardous and each non-hazardous waste described in response to Question 2.b.i and 2.b.ii above, please provide copies of any documentation of the treatment or disposal of such waste since 2016 to present, including copies of hazardous waste manifests used. If no such documentation is available, please provide the name, address, and representative, if known, for each corporate or municipal entity involved in the disposal of the waste.
- v. Please provide a description of the process (preparing batch products, dispensing of the product, management of leftover product, etc.) performed at the facility. Indicate in which part of the process waste is generated and what type of waste it is.

- vi. During the inspection conducted at your facility, conflicting information related to the storage, handling, and disposal activities related to the fluorescent lamps generated was gathered. Please provide information related to the fluorescent lamps used at the facility and if such item is considered a hazardous waste, if applicable. If considered a hazardous waste, please provide a description of how the facility is storing, handling, and disposing of such waste since 2016 to present and include documents that support these related activities. Please also include information related to the hauler company or municipal entity involved in the disposal of the waste. If the facility is considering fluorescent lamps as non-hazardous waste, please provide information and supportive documents that explain how the facility conducted such determination. In addition, please provide a description of how the facility is storing, handling, and disposing of such fluorescent lamps since 2016 to present and include documents that support these related activities. Please also include information related to the hauler company or municipal entity involved in the disposal of the waste.
- vii. During the inspection conducted at your facility, contradictory information related to the storage, handling, and disposal activities related to the used oil generated was gathered. Please provide a description of how the facility is storing, handling, and disposing of such used oil since 2016 to present and include documents that support these related activities. Please also include information related to the lack of container labeling and information related to the hauler company or municipal entity involved in the disposal of the waste.
- viii. During the inspection conducted at your facility, a Partially Closed Subarea was identified. Please provide additional information about this Subarea, such as but not limited to the time or how long the contents observed have been placed at this location, information related to how they inherited the contents observed, information related to the fluorescent lamps and the fluorescent lamps casings observed, information related to the 5-gallon propane gas containers observed. In addition, please provide information related to the observations made related to the corroded/rusted containers, liquid that appears to be water accumulated at the lid of the containers, how long the corroded/rusted containers have been at this location, information related to the lack of container's labeling and information related to the 5-gallon propane gas containers observed.
- ix. During the inspection conducted at your facility, information related to a Gasoline (Premium) Spill event that occurred approximately three (3) years prior to our inspection conducted in 2022 was shared. Please provide additional information such as, but not limited to a detailed narrative of what occurred during and after the spill event, the date of the event, the length of the event, the Agencies that provide support during this event, the length of the spill and the response activities, if communication with the National Response Center (NRC) occurred, if an NRC number was provided for such event, storing, handling, and disposal activities related to this event, and information related to the hauler company or municipal entity involved in the disposal of the waste. In addition, if an

investigation related to this event was conducted, please provide the results and/or conclusions of such event. Also, please provide information related to how the facility improve protocols, and/or implemented best management practices (BMPs) and how these would help to minimize and/or avoid future spill events in the facility.

- x. EPA has reason to believe that Aguada Gas Station Corp. is a generator of hazardous waste. Based on EPA's review of eManifest(s), Aguada Gas Station Corp. generates hazardous waste in quantities between 100 kilograms and 1,000 kilograms per calendar month, making Aguada Gas Station Corp. a "small quantity generator" as defined by 40 CFR 260.10 and 40 CFR Part 262. See Table 1 (Chart Identifying eManifests and Related Information).

Table 1

Manifest Number	Date	Waste Codes	Quantity (kg)
012288000JJK	4/26/2019	D001 D018	3,755.8

As a generator of hazardous waste, Aguada Gas Station Corp. is subject to Sections 3002 and 3010 of RCRA, 42 U.S.C. §§ 6922 and 6930, and the regulations set forth at 40 C.F.R. Parts 262 and/or 270. Generators of hazardous waste may be exempt from hazardous waste permitting requirements for onsite storage of hazardous waste provided they comply with certain regulatory requirements which govern the management of hazardous waste from the point of generation at the facility until the waste is properly manifested off-site for treatment and/or disposal. Generators that fail to meet these requirements may be subject to more extensive regulatory requirements.

At a minimum, EPA has reason to believe that Aguada Gas Station Corp. failed to comply with RCRA notification requirements set forth in RCRA § 3010(a), 42 U.S.C. § 6930(a). Please provide information regarding the above referenced manifest, and to ensure that Aguada Gas Station Corp. is in compliance with other applicable hazardous waste regulations.

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 violation, 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 Aguada Gas Station Corp at Calle Colón 316, Aguada, Puerto Rico.
11. A generator of hazardous waste for the purposes of this Request for Information shall be defined 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. Solid waste shall be defined for the purposes of this Request for Information as that term is defined in Section 1004(27) of RCRA, as amended, 42 U.S.C. Part 6903(27).

13. Hazardous waste shall be defined for the purposes of this Request for Information as that term is defined in Section 1004(5) of RCRA, as amended, 42 U.S.C. Part 6903(5).
14. Manage shall be defined for the purposes of this Request for Information as to market, generate, treat, store, dispose or otherwise handle.
15. 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 this document (response to EPA Request for Information CEPD-RCRA-23-3007-0000-001) 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)

Aguada Gas Station Corp.

EPA ID: PRR000000570