



REGION 2 CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION

GUAYNABO, PR 00968

January 8, 2025

VIA EMAIL TO: jvazquez@conwastepr.com

READ RECEIPT REQUESTED

Javier J. Vázquez Bravo, Esq.
Vice President
Landfill Technologies of Arecibo, LLC

Re: Information Request, Reference Number: CAA-02-2025-1407

Dear Mr. Vázquez:

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 the submittal of information to, among other things, assess compliance with the Act and regulations promulgated pursuant to the Act. This Information Request requires Landfill Technologies of Arecibo, LLC ("LTA") to submit information related to compliance with applicable CAA requirements at the Municipality of Arecibo Landfill ("MAL") located in Arecibo, Puerto Rico.

Pursuant to Section 114 of the Act, this Information Request requires LTA to submit all of the information described in Part III of 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.

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 1 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-02-2025-1407 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 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

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 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-02-2025-1407 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 calendar days after such information becomes available.

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 to Carolina Jordán García, Assistant Regional Counsel, at jordan-garcia.carolina@epa.gov or 787-977-5834. We appreciate and look forward to your prompt response.

Sincerely,

HECTOR
VELEZ-CRUZ

Digitally signed by
HECTOR VELEZ-CRUZ
Date: 2025.01.08
14:41:25 -04'00'

Carmen R. Guerrero Pérez
Director
Caribbean Environmental Protection
Division

Enclosures

cc: Cynthia B. Otero, Conwaste Environmental Compliance Division,
cotero@conwastepr.com;

Hérmes Camis, Operations Manager, hcamis@conwastepr.com

Carlos López, Municipality of Arecibo Outside Counsel carlos@cwlllegal.com

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

REPORTING REQUIREMENT 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 the Landfill Technologies of Arecibo LLC (“LTA”) facility Municipality of Arecibo Landfill (“MAL”) located at PR-682 Interior, Bo. Factor, Garrochales Sector, Arecibo, Puerto Rico.

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 below. 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 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. All responses shall be submitted electronically via EPA’s GoAnywhere secure managed file transfer system. When ready to submit the documents, LTA must request EPA to provide access to the GoAnywhere platform.
5. Provide a table of contents for your submission 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 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 on separate

disks/drives 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 below, 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. Under Section 114 of the Clean Air Act (the Act), LTA must supply the requested information. The requested information must be submitted in accordance with the schedules in Part III: Specific 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 Municipality of Arecibo Landfill facility located at PR-682 Interior, Bo. Factor, Garrochales Sector, Arecibo, Puerto Rico.
3. The term “Operator” means Landfill Technologies of Arecibo, LLC.
4. With respect to a corporation, partnership, business trust, association, Commonwealth, municipality, political subdivision of a Commonwealth, and any agency, department, or instrumentality of the United States, or other association or business entity (including a sole proprietorship), the term “identify” means to provide its full name, address, and affiliation with the individual and/or entity associated with the Facility to whom this request is addressed.
5. 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.
6. 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.
7. The term “you” shall include any officers, managers, employees, contractors, trustees, successors, assignees, and agents with knowledge of your Facility.
8. 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

Provide the following information regarding the Facility within **30 days** from the receipt of this Information Request. Unless otherwise stated, this information shall be submitted in Microsoft Excel, Microsoft Word, or optical character recognition Adobe Acrobat PDF format, depending on the information requested.

On September 19, 2024, LTA sent a letter addressing the findings made by EPA during the April 30, 2024 CAA Inspection (“the September 19, 2024 letter”). Questions 1 to 11 of this Part address the additional information and clarification requested by EPA for the statements provided in your September 19, 2024 letter.

1. In the September 19, 2024 letter, you state in your answer to item 1 that: “[t]he GCCS wells were verified. The uncapped wellheads observed were reinstalled.” Regarding your statement, please provide:
 - a. date(s) when the GCCS wellheads were verified;
 - b. all documents produced during such verification;
 - c. names of the LTA employees or contractors who conducted the verification;
 - d. a list with the location of all GCCS wellheads found uncapped at the time of LTA’s inspection(s); and
 - e. dates when each of the GCCS wellheads found uncapped were reinstalled.
2. In the September 19, 2024 letter, you state in your answer to item 2 that: “[d]ue [to] the continuous works in the landfill [...] some wells are disconnected but reconnected in an acceptable time. Unexpectedly during the inspection, [EPA] observed some wells disconnected. The offline wells were reconnected.” With regards to this statement, please provide:
 - a. a list of all the wells that were reconnected by LTA after April 30, 2024;
 - b. specific dates when each offline well was reconnected; and
 - c. the dates when each well was initially disconnected.
3. In the September 19, 2024 letter, you state in your answer to item 3 that: “[f]or the exceedances detected during the EPA monitoring, corrective actions were taken. The inspection was after and during rain events, where the cover could have been impacted. Corrective actions were implemented for the exceedances detected. As part of corrective actions, LTAL increases its inventory and availability of PVC membrane wellbore seals, and soil, for future reparations, around the wells and cover integrity.” Regarding this statement, please provide:

- a. a description of all the corrective actions taken by LTA and/or its contractors to address the exceedances detected during the EPA monitoring. The description shall include but not be limited to the date the actions were taken, the specific tasks performed, and identification of the SEM Point ID being corrected by each action;
 - b. a description of all measures taken to avoid the impact to cover from rain events;
 - c. regarding the “future reparations, around the wells and cover integrity;” mentioned in your answer, please clarify whether the reparations related to “PVC membrane, wellbore seals, and soil” were already conducted. If not, please provide an inventory of “PVC membrane, wellbore seals, and soil” available at the facility and your proposed timeframe to perform these corrective actions; and
 - d. provide documentation evidencing the implementation of a monthly program to monitor cover integrity and implement cover repairs. If available, please provide copy of LTA’s plan for implementing this program.

- 4. In the September 19, 2024 letter, you state in your answer to item 4 that: “[l]eachate breakouts observed during inspection were repaired. Soil areas were stabilized by adding more cover material in these areas to control leachate puddles.” In addition to the attachment offered as evidence, please provide in support of this statement:
 - a. A description of all the corrective actions taken to fix leachate breakouts. Please include as part of the description:
 - i. specific location of each leachate breakout; and
 - ii. date(s) when each leachate breakout was corrected.

- 5. In the September 19, 2024 letter, you state in your answer to item 5 that: “[o]n the north side of the landfill, where they observed vegetation growth, the area was cleaned, and soil areas were stabilized.” In addition to the attachment offered in support of your statement, please provide:
 - a. a description of how vegetation growth was addressed. Please include in your description the dates when vegetation was “cleaned;” and
 - b. state whether there is a plan for vegetation maintenance. If so, please provide a copy of such plan and its vegetation maintenance schedule.

- 6. In the September 19, 2024 letter, you state in your answer to item 6 that: “[t]he gas wells at the Arecibo Landfill are monitored monthly. As part of the monitoring, LTAL evaluated the compliance parameters of the wells. The GCCS wells and the components such as lateral pipes and header were verified. A short section of the lateral pipe was

identified to be repaired. The repair was completed.” Regarding those statements, please provide:

- a. A description of all corrective actions taken by LTA and/or its contractors to address the exceedances detected during the EPA monitoring. The description shall include but not be limited to the date the actions were taken, specific tasks performed, and identification of the SEM Point ID that is being corrected by each action.
 - b. Your answer states that “[t]he EPA’s inspection was after and during rain events, where the cover could have been impacted.” Regarding this statement, please provide:
 - i. A detailed explanation of how rain events are impacting the GCCS capabilities at the landfill; and
 - ii. Your plan to minimize and/or avoid impact to the GCCS from rain events.
7. In the September 19, 2024 letter, you state in your answer to item 7 that: “[o]ur Gases Technician in Arecibo Landfill, Mr. Carlos Fernández, has been receiving training and refresher of GCCS. LTAL will be reinforcing any technical situation. It is our interest to have more staff but has been difficult getting employees.” Regarding that statement, please provide:
- a. a list of all relevant trainings taken by Mr. Carlos Fernández during the last two years;
 - b. a list of all employees who have taken training to conduct SEM and properly operate Arecibo Landfill’s GCCS;
 - c. a copy of the training schedule for the next year, if available; and
 - d. in addition to Mr. Carlos Fernández, please provide the names and positions of all employees performing tasks related to SEM and GCCS operation.
8. In the September 19, 2024 letter, you state in your answer to item 8 that: “[d]ue to rain events previous days of inspection, the regular operation of maintenance of the landfill, was affected. For this reason, in the moment of inspection was observed exposed waste, lack of cover concerns. As mentioned during the inspection, the use of hydroseeding at several areas to improve the cover issues was implemented.” Regarding this statement, please provide:
- a. the type of hydroseeding used;
 - b. if there is a plan for monitoring and maintenance of the hydroseeding to ensure that it effectively improves the landfill cover integrity, please provide a copy;
 - c. the date(s) when hydroseeding was applied; and
 - d. identify the specific areas where hydroseeding was applied.

9. In the September 19, 2024 letter, you state in your answer to item 9: “[t]he exceedances detected around the wells. These areas were repaired and covered with soil.” In support of this statement, your Exhibit B offers information pertaining to the following points: A3, A8, A9, A10, A11, A15, A17, A18, A21, A45, A47, A49, B10, B12, and B14. Regarding the aforementioned statement, please answer the following:
- a. Appendix A of EPA’s Inspection Report includes 74 different points where methane surface concentration readings were above 500 ppm. Exhibit B provided as part of your answer includes only 15 points where corrective actions were taken and re-monitoring was done. Please provide a detailed explanation as to why you provided evidence of corrections for 15 points only, when EPA found 74 points with concentration readings above 500 ppm.
 - b. For all the points addressed in Appendix A of EPA’s Inspection Report that are not addressed in Exhibit B of your September 19, 2024 letter, provide:
 - i. a list of all the areas/wells that were repaired and/or covered with soil;
 - ii. the monitoring and re-monitoring schedule, as required pursuant to 40 C.F.R. § 63.1960(c)(4); and
 - iii. if the additional points addressed in Appendix A of EPA’s Inspection Report have not been subject to corrective actions, please provide a detailed explanation as to why and inform when these points are going to be investigated, corrected and re-monitored.
 - c. You also state in your answer to item 9 that: “[s]ome gas wells were installed with PVC wellbore.” Your document titled “Exhibit B” identifies two wells that had PVC wellbores installed. Please provide:
 - i. the PVC membrane material specifications for wells #44 and #52 (points A21 and B12);
 - ii. additional gas wells, if any, for which a PVC membrane wellbore seal was installed; and
 - iii. the dates when these installations took place.
10. In the September 19, 2024 letter, you state in your answer to item 10 that: “A short section of the lateral pipe was identified to be repaired. The repair was completed.” Regarding that statement, please provide:
- a. a description of the corrective actions taken. Please include as part of your description:
 - i. the section of the lateral pipe that was repaired;
 - ii. date(s) when each corrective action was taken; and
 - iii. date when corrective actions were completed.

- b. Provide a detailed description of the actions taken to address the specific conditions found at wellhead #20, and the date when the corrective action was started and completed.
- 11. In the September 19, 2024 letter, you state in your answer to item 11 that: “[t]he gas volume is approximately 360 scfm. LTAL constantly is evaluating the gas wells performance. The conditions of the gas collection will be verified in case any increase of suction pressure can be made.”
 - a. Provide an update on LTA’s evaluation of the gas collection suction pressure and inform if any changes were conducted after the evaluation.
 - i. If changes to the facility flares were made after the evaluation, please provide the date(s) and explain the changes in as much detail as possible. If changes were conducted, determine current gas flow rate.
 - ii. If no changes to the facility flares were done, please explain in as much detail as possible why.
- 12. As required by the Facility Title V Permit PFE-TV-4953-07-1101-2475, please provide the following:
 - a. Annual emissions calculations from 2023 (Section III.37);
 - b. Annual compliance certifications from 2023 (Section III.7);
 - c. Annual emission fees payments from 2023 (Section III.38);
 - d. Monthly well monitoring records from May 2023 through November 2024 (Section V.C.20);
 - e. Semi-annual compliance reports from 2023 and the first half of 2024 (Section III.14);
 - f. Copies of daily visible emissions observations from June 2023 through November 2024;¹
 - g. Dust suppression truck records from June 2023 through November 2024;²
 - h. Enclosed flare flow meter calibration records for each flare from 2023 through November 2024 (Section V.C.26);
- 13. Provide the enclosed flare system shutdown data sheet, inspection log and daily inspection forms corresponding to the months of June 2023 through November 2024.

¹ Section V.B.2 of the Facility TV permit PFE-TV-4953-07-1101-2475 issued on June 16, 2016 requires MAL to perform visible daily observations during the operation of the sanitary landfill system to determine compliance with the visible emission limit mentioned in Section V.B.1, which requires MAL not to cause or permit the discharge of visible emissions of fugitive dust beyond the boundary line of the property on which the emissions originate (Rule 404(B) of the PR Regulations for the Control of Atmospheric Pollution). This section also requires MAL to conduct dust suppression measures and record daily use of dust suppression equipment.

14. Provide the enclosed flare temperature data from 2023 through November 2024.
15. In electronic spreadsheet format, where applicable, provide all information related to the following types of monitoring activities since June 2023 through November 2024. For each, include date(s) and description(s) of all monitoring activity and corrective actions taken as a result of monitoring and also all calibration data on instrumentation:
 - a. GCCS wellhead monitoring data including gas quality (methane, oxygen, and nitrogen), temperature, and pressure;
 - b. Surface Emission Monitoring (“SEM”) data, including but not limited to all methane exceedances, follow-up monitoring from exceedances, corrective actions performed, any surface monitoring done outside of the required monthly monitoring (including follow-up and corrective actions), and any global positioning system tracks recorded, all SEM readings retained, including date/time/location as applicable; and
 - c. Control device monitoring data, including but not limited to temperature or heat sensing data and gas flow rate (provide total gas flow rate and individual flow rates if more than one control device or a bypass is present).
16. Provide the facility-wide power generating engines’ operating hours from January 2023 through November 2024.
17. In electronic spreadsheet format, provide the monthly quantity (tons) of waste accepted at the Facility since June 2023 through November 2024. Include a breakdown by type of waste (*i.e.*, municipal solid waste, construction and demolition, asbestos, sludge, etc.) and specify the Landfill location(s) or cell(s) in which each type of waste was placed.
18. In electronic spreadsheet format, provide a list of all gas wells that were out of compliance for wellhead monitoring standards (oxygen/nitrogen, temperature, and pressure) since June 2023 through November 2024 and what action was taken to resolve each exceedance.

ATTACHMENT 1 TO ENCLOSURE 1

CERTIFICATION OF RESPONSE

State/Territory of _____:

Municipality 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 _____, 2025

Notary Public