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COMMONWEALTH OF PUERTO RICO

HON. ANÍBAL JOSÉ TORRES
CHIEF OF STAFF

AB

Steinberg
Callahan
Serrano
Carro
cc: Laposta/Action
Miguelan
Foderberg
Schopf

Response due
3/15/06

Direct Reply

February 28, 2006

Mr. Alan Steinberg
Regional Administrator
United States Environmental Protection Agency
Region 2
290 Broadway
New York, NY 10007-1866

Dear Mr. Steinberg:

On behalf of Governor Aníbal Acevedo Vilá, we are responding to issues that were brought to our attention during our last meeting held on February 8, 2006. As agreed, this is our response to the letter sent on October 20, 2005 relating to the EPA concerns in various important environmental issues in Puerto Rico.

As you know, one of the most important issues currently pending by the Solid Waste Management Authority (SWMA) is the implementation of the Solid Waste Management Plan for Puerto Rico. This document was developed in Spanish, thus the Executive Director of SWMA, Dr. Javier Quintana, is making the last arrangements to send the final English version on March 1st, 2006.

Another important issue mentioned in the letter was the "Outreach on Solid Waste Management Plan". Concerning this issue, we will be sending the aforementioned plan and we would like to receive your comments, so that we may continue to assign the distribution of said document.

In addition, the Environmental Quality Board (EQB) is in the process of translating the Non-Hazardous Solid Waste Management Regulation, which

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will also be submitted during the month of March. As discussed in the meeting by Carlos López Freytes, Chairman of EQB, any EPA comments to this regulation will be evaluated so that any new changes can be incorporated during the review process.

Finally, the last three outstanding issues are related to the proposed closure by EPA of the landfills that allegedly are causing severe environmental impacts, and the assurance that the landfills will achieve environmental compliance in their operations.

The Operation Compliance Program was developed with the intention of making possible that the dumps that are currently active, 31 in total, fully comply with the environmental regulations. Working in unison for this endeavor is the Office of the Commissioner of Municipal Affairs, and SWMA, EQB, each Municipality along with the private operators of the landfills. This group is working towards achieving an adequate operation and use of its lands and is firmly committed to the protection of public health and the environment.

At this time, the EQB is in the process of finalizing Six (6) Consent Orders for the Operation Compliance Program, as agreed with EPA. Out of these six, three have been duly signed, and the additional three will be readily available for public comment. These Consent Orders establish the legal document where all parties assure that environmental compliance of the landfills will be achieved, thus any violations to these orders can be pursued aggressively by the EQB. Any additional concerns regarding the requested closure of the Santa Isabel and Florida dumps will be directly addressed by EQB during the next month.

I hope this letter clarifies any questions or concerns.

Respectfully,



Anibal José Torres