

Energy Answers confident of federal approval

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*E*PA decision near on first WTE plant proposed for Puerto Rico

Despite a broken deadline by the Environmental Protection Agency (EPA) to make a final determination on Puerto Rico's first proposed waste-to-energy (WTE) facility, the project's developer remains confident it will shortly win federal approval.

EPA was tied to an Oct. 31, 2011 deadline to issue a final determination on Energy Answers' proposed \$500 million WTE facility in Arecibo's Cambalache sector, which officials say will have the capacity to process more than 2,000 tons of trash daily, producing some 80 megawatts of energy at the same time. Some 3,800 jobs would be created during its construction phase and 150 permanent jobs once the plant is in operation, the developer indicated.

EPA officials, however, have cited an extended public-comment period and the large number of comments received, among other reasons, for taking longer for its final review than its rules allow.

"We spoke to EPA and they informed us of the issues that were causing the delay, and said they were continuing to work on the application. We feel they are sincerely working to complete the process as quickly as they can," said Energy Answers Project Manager Mark Green.

Regulations call for EPA to deliver a final determination, without exceptions, within one year of an application being completed, a timeframe that lapsed Oct. 31, 2011. However, the remedy for the developer—taking EPA to court to force it to make a determination—would likely be lengthier and more complicated than simply allowing EPA to wrap up its review, Green said.

"We remain confident we will get the permit. The number of questions that have been posed, during the one-year review and the two years before that, covered everything. It's one of those situations where it's torturous going through the process, but we have answered every question that has been posed," he added.

EPA officials extended the public-comment period for two months after they were forced to abruptly end a public hearing in Arecibo when project opponents protested an EPA decision to limit the time each speaker would be allotted



Energy Answers Project Manager Mark Green expressed confidence the proposed WTE facility in Arecibo will win EPA approval.

to ensure all would have a chance to speak. Another three-day round of public hearings was also rescheduled.

Some 1,000 letters were sent to EPA, and translating and commenting on them is a time-consuming process, Green acknowledged. EPA was also bogged down by Hurricane Sandy, which knocked its regional headquarters in New York City out of business for two weeks because of a loss of power.

Green said EPA has been in contact with the developer during the process because the federal agency has been asking the company for additional information as questions arose during the public-comment period.

"The number of questions has slowed. We have answered a lot of questions, so I get the sense we are nearing the end of the process," he added.

While the administration of Gov. Alejandro García Padilla hasn't taken a strong public stand on the project, Green said the Energy Answers project fulfills the criteria established by WTE projects in the Popular Democratic Party governing platform.

"This is a new technology, and with something new, there are always some concerns. That is why we are very understanding of it being a very thorough review by the past administration, the EPA and the new administration," Green said.

"The proposed project has the highest materials- recovery rates and one of the highest energy-recovery rates in the industry. On top of that, we are actively working with local recycling firms to ensure we can further reduce materials from the waste stream. And there is no question that we have the most stringent air-quality standards of any facility in the country," he added.

Project opponents have cited concerns the project would cause air pollution and would charge municipalities more than they currently pay for waste removal. They have also worried the WTE facility will undercut efforts to increase recycling on the island. Those opponents include EPA Regional Administrator Judith Enck, who has argued against the establishment of WTE in Puerto Rico, even though EPA policy says it is a preferable waste-disposal alternative to landfills.

Green, however, said the facility can help efforts to bolster recycling in the area by providing raw materials to recycling firms. He also said the facility would allow for the shutdown of several noncompliant landfills that are posing a threat to human health.

"There are a lot of noncompliant landfills that day in and day out are contaminating groundwater and putting the environment at risk. That is all part of what has to be managed, not just this one new project," Green said.

By October 2014, most of the island's landfills could be shuttered, with only a few able to meet federal operating standards expected to remain open, according to an order issued last year by the Puerto Rico Environmental Quality

Board. The government's current waste-management plan envisions the use of WTE along with increased recycling for future waste management.

After months of review, EPA issued a tentative endorsement of the project last May but still must emit a final determination. The preliminary finding concluded the facility wouldn't cause any health standards to be exceeded or that any communities would be disproportionately or adversely affected.

