



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION  
CITY VIEW PLAZA II, SUITE 7000  
GUAYNABO, PUERTO RICO 00968-8069

**692616**

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Mr. Radames Torres Ayala  
President  
**RTA Construction Group, LLC.**  
HC 1 Box 4871-7  
Naguabo, Puerto Rico 00718

**Re: Docket No. CWA-02-2016-3356**  
**Las Ramblas Housing Development Phase II**  
**NPDES 2012 CGP Tracking Number PRR12A821**

Dear Mr. Torres Ayala:

Enclosed is a copy of the signed Expedited Settlement Offer ("ESO") Agreement entered as part of the Consent Agreement and Final Order ("CAFO") issued to you. This serves as your notification that the ESO Agreement is effective ("SO ORDERED"). Please note that this settles any civil penalties claims against you for the Clean Water Act violations issued in the CAFO.

Within ten (10) days from receipt of this letter you must send a check for the amount of \$8,000.00 and a copy of the Agreement, via certified mail, to:

Regional Hearing Clerk  
U.S. EPA, Region 2  
In the matter of RTA Construction Group, LLC.  
Docket No.: CWA-02-2016-3356  
Fines and Penalties  
Cincinnati Finance Center  
PO Box 979077  
St. Louis, MO 63197-9000

The payment for the penalty amount must be in the form of a bank, cashiers or certified check payable to the "Treasurer, United States of America" with EPA's Docket Number of the Expedited Settlement Agreement written on the check.

U.S. Environmental  
Protection Agency  
2016 SEP 23 PM 12:31  
REGIONAL HEARING  
CLERK

A copy of the check payment of the penalty amount must be sent via certified mail to EPA's Caribbean Environmental Protection Division for our records. If you have any questions concerning the above, please contact Mr. Jaime Lopez at (787) 977-5851.

Sincerely,

3:49:20



Carmen R. Guerrero-Perez  
Director  
Caribbean Environmental  
Protection Division

cc: Wanda Garcia, EQB

U.S. Environmental Protection Agency - Region 2  
Caribbean Environmental Protection Division  
City View Plaza II - Suite 417  
#48 165 RD. Km. 1.2  
Guaynabo, Puerto Rico 00968-8069

2016 SEP 28 PM 12:31  
REGIONAL HEARINGS CLERK

**EXPEDITED STORM WATER SETTLEMENT AGREEMENT**  
**RTA Construction Group, LLC.**  
**Docket Number: CWA-02-2016-3356**

**RTA Construction Group, LLC.** (herein the "Respondent") is a "person," within the meaning of § 502(5) of the Clean Water Act ("the Act" or "CWA"), 33 U.S.C. § 1362(5), and 40 C.F.R. § 122.2.

Attached is an "Expedited Settlement Offer Deficiencies Form" (herein the "Form"), which is hereby incorporated by reference. By its signature, Complainant ("EPA") finds that Respondent is responsible for the deficiencies specified in the Form.

Respondent operated in violation of Section 301(a) of the Act, 33 U.S.C. §1311, and failed to comply with the National Pollutant Discharge Elimination System ("NPDES") storm water permit (2012 CGP) authorized under Section 402 of the Act, 33 U.S.C. § 1342, as noted on the attached Form.

EPA finds, and Respondent admits, that Respondent is subject to Section 301(a) of the Act, 33 U.S.C. § 1311, and that EPA has jurisdiction over the allegations and any "person" who "discharges pollutants" from a "point source" to "waters of the United States". Respondent neither admits nor denies the allegation(s) specified in the Form.

EPA is authorized to enter into this Consent Agreement and Final Order ("Agreement") under the authority vested in the Administrator of EPA by Section 309(g)(2)(A) of the Act, 33 U.S.C. §1319(g)(2)(A), and by 40 C.F.R. § 22.13(b). The parties enter into this Agreement in order to settle the civil violation(s) specified in the Form for a penalty of **\$8,000.00**. Respondent consents to the assessment of this penalty, and waives the right to: (1) contest the finding(s); (2) a hearing pursuant to Section 309(g)(2) of the Act, 33 U.S.C. §1319(g)(2); and (3) appeal pursuant to Section 309(g)(8) of the Act, 33 U.S.C. §1319(g)(8).

Additionally, Respondent certifies, subject to civil and criminal penalties for making a false statement to the United States Government, that it has corrected any deficiencies identified in the Form, and to the best of its knowledge, is in compliance with the NPDES permitting program.

Respondent certifies that within 10 days of receiving notice from EPA that the Agreement is effective ("SO ORDERED") it will send a bank, cashiers or certified check for the amount specified above, payable to the "Treasurer, United States of America" to:


**Regional Hearing Clerk**  
**U.S. EPA, Region 2**  
**In the Matter of RTA Construction Group, LLC.**  
**Docket No.: CWA-02-2016-3356**  
**Fines and Penalties**  
**Cincinnati Finance Center**  
**PO Box 979077**  
**St. Louis, MO 63197-9000**

This Agreement settles EPA's civil penalty claims against Respondent for the CWA violation(s) specified in this Agreement. However, EPA does not waive its rights to take any enforcement action against Respondent for any other past, present, or future civil or criminal violation of the Act or of any other federal statute or regulation. EPA does not waive its right to issue a compliance order for any uncorrected deficiencies or violation(s) described in the Form. EPA has determined this Agreement to be in the public interest.

This Agreement is binding on the parties signing below and effective thirty (30) days from the date it is signed ("APPROVED") by the Director of the Caribbean Environmental Protection Division unless a petition to set aside the Order is filed by a commenter pursuant to § 309(g)(4)(C) of the Act, 33 U.S.C. § 1319(g)(4)(C) and Part 22.

If Respondent does not sign and return this Agreement as presented within 30 days of the date of its receipt, the proposed Agreement is withdrawn without prejudice to EPA's ability to issue any order or file any enforcement action for the violation(s) identified in the Form.

APPROVED BY EPA:

  
Jose C. Font  
Director (acting)  
Caribbean Environmental Protection Division

Date: Sept 26, 2016

APPROVED BY RESPONDENT:

Name (print): Rodriguez Torres


Title (print): Owner

Signature:  Date: 9/26/2016

More than 40 days have elapsed since the issuance of public notice pursuant to Section 309(g)(4)(A) of the Act, 33 U.S.C. §1319(g)(4)(A), and EPA has received no comments concerning this matter.

Having determined that this CAFO is authorized by law and is in the public interest,

IT IS SO ORDERED:

  
Jose C. Font  
Director (acting)  
Caribbean Environmental Protection Division

Date: Sept 26, 2016