

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG.11
2012 NOV -9 P 2:56
REGIONAL HEARING
CLERK

In Re:

CONDADO PALM LLC

GB PROJECT MANAGEMENT LLC

Respondents

Index No. CAA-02-2012-1224

**PROCEEDING PURSUANT TO
SECTION 113(d) OF THE CLEAN AIR
ACT, 42 USC § 7413(d)**

**MOTION REQUESTING EXTENSION OF TIME TO FILE RESPONSIVE PLEADINGS
OR OTHERWISE PLEAD**

TO THE HONORABLE PRESIDING OFFICER:

COME NOW, respondents, Condado Palm LLC (CP) and GB Project Management LLC (GB), by and through the undersigned attorneys, and very respectfully inform, state and pray as follow:

1. On or about October 1, 2012, the US Environmental Protection Agency (EPA) notified upon CP and GB, via certified mail/return receipt, the complaint in the instant case, purportedly pursuant to the pertinent provisions of Section 113(d) of the Clean Air Act, 42 USC § 7413(d).
2. The undersigned have been retained by CP and GB to represent them in this case.
3. At this time, CP, GB and the undersigned are in the process of evaluating the factual contentions and claims set forth in the complaint, in order to be in position to responsibly file their respective responsive pleadings.
4. In view of the above-stated, CP, GB and the undersigned need, and very respectfully request, an extension of term, that is, until November 30, 2012, for CP and GB to file their responsive pleadings.

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5. In addition, CP and GB respectfully inform the Honorable Presiding Officer that they will also utilize the extension of term requested herein to engage in discussions with the EPA to explore the possibility of settling the instant case.

6. In view of the foregoing, and considering that there is no undue delay, bad faith or dilatory motive, CP and GB respectfully request the Honorable Presiding Officer to grant the extension of term requested herein, that is, until November 30, 2012, for CP and GB to file their responsive pleadings in the instant case.

7. The foregoing request for extension of term has been discussed with counsel for the EPA and he has no objection to same.

WHEREFORE, CP and GB very respectfully request the Honorable Presiding Officer to take notice of the aforementioned and, consequently, grant the extension of time requested herein above, that is, until November 30, 2012, for CP and GB to file their responsive pleadings in the instant case.

RESPECTFULLY SUBMITTED.

WE HEREBY CERTIFY: That on this same date, a true and exact copy of the foregoing document was sent, through certified mail – return receipt and electronic mail to: **Atty. Héctor L. Vélez-Cruz**, Office of Regional Counsel, U.S. Environmental Protection Agency, Region 2, City View Plaza II, Suite 7000, 48 Road 165, Guaynabo, PR 00968-8069

In San Juan, Puerto Rico, this 26th day of October 2012.

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CARLOS J. GROVAS-PORRATA

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CERTIFICATE OF SERVICE

We hereby certify that on this same date the foregoing document, dated October 26, 2012, and bearing the above-referenced docket number, was notified in the following manner to the respective addressees below:

Original and copy by facsimile, **Overnight Mail** to:

Karen Maples
Regional Hearing Clerk
Region II
U.S. Environmental Protection Agency
290 Broadway, 16th Floor
New York, NY 10007-1866
Fax (212) 637-3202

Copy by electronic mail and **Certified Mail/Return Receipt** to:

Attorney for EPA:
Héctor L. Vélez-Cruz, Esq.
US Environmental Protection Agency, R2
City View Plaza II, Suite 7000
48 Road 165
Guaynabo, PR 00968-8069
(787) 729-7748

Date: October 26, 2012



Name: Carlos J. Grovas-Porrata