



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

MAR 16 2007

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Article Number: 7005 3110 0000 5971 3860

Mark Gonzalez, President  
Caram Construction Corp.

Mr. Jose F. Padilla, President  
Rio Piedras Housing Management and Construction Corp.  
P.O. Box 8140  
San Juan, Puerto Rico 00910

Re: Docket No. CWA-02-2007-3325  
Extention Alturas de Hato Nuevo, PR-944 Km 2.6, Gurabo, Puerto Rico  
NPDES Storm Water Construction General Permit Tracking No. PRR10B394  
ICIS No. 7378230

Dear Messrs. Gonzalez and Padilla:

Enclosed is a copy of the signed Expedited Settlement Offer ("ESO") Agreement entered into as part of the Consent Agreement and Final Order ("CAFO").

As you agreed to in this Expedited Storm Water Settlement Agreement, you must pay the settlement penalty amount (\$14,600) within ten (10) days from the date of receipt of this letter, which contains the agreement which has been "So Ordered" and is effective. You must send your original check and a copy of the Agreement, via certified mail, to:

Regional Hearing Clerk  
U.S. EPA, Region 2  
In the Matter of Rio Piedras Housing Management and Construction Corp.  
Docket No.: CWA-02-2007-3325  
P.O. Box 360188M  
Pittsburgh, PA 15251

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 and the Docket Number of the Expedited Settlement Agreement written on the check.

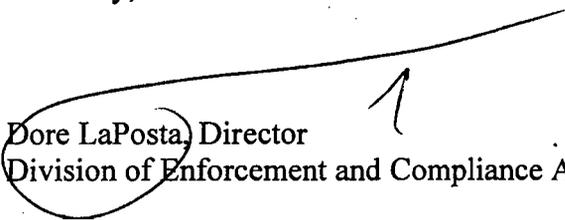
A copy of the check payment of the penalty amount must also be sent via certified mail, express mail or equivalent to Henry Mazzucca, P.E. Chief, Compliance Section, Water Compliance Branch, 290 Broadway, 20<sup>th</sup> Floor, New York, NY 10007 for our records.

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG.11  
2007 MAR 21 PM 2:25  
REGIONAL HEARING  
CLERK

Please note that once full payment is made this settles all civil penalties claims against you for the Clean Water Act violations issued in the CAFO.

If you have any questions concerning the above, please contact Mr. Murray Lantner, P.E., Environmental Engineer at (212) 637-3976.

Sincerely,

  
Dore LaPosta, Director  
Division of Enforcement and Compliance Assistance

Enclosure

cc: Wanda E. García Hernández, Director, PREQB (w/enclosure)  
Jennifer Mayo, Esq.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY – REGION 2  
Division of Enforcement and Compliance Assistance  
290 Broadway  
New York, New York 10007-1866  
**EXPEDITED STORM WATER SETTLEMENT AGREEMENT**  
Docket Number: CWA-02-2007-3325, NPDES No. PRR10B394

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. II  
2007 MAR 21 PM 2:25  
REGIONAL HEARINGS  
CLERK

**Caram Construction Corp./Rio Piedras Housing Management and Construction Corp.** (“Respondent”) is a “person,” within the meaning of Section 502(5) of the Clean Water Act (“Act”), 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 incorporated by reference. By its signature, Complainant (“EPA”) finds that Respondent is responsible for the deficiencies specified in the Form.

Respondent failed to comply with its National Pollutant Discharge Elimination System (“NPDES”) storm water permit issued under Section 402 of the Act, 33 U.S.C. § 1342., as described in the attached table.

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) alleged in this Agreement for a penalty of **\$14,600**. 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), 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 ten (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,” via certified mail, to:

Regional Hearing Clerk  
U.S. EPA, Region 2

In the Matter of Caram Construction Corp./Rio Piedras Housing Management and Construction Corp.  
Docket No.: CWA-02-2007-3325  
P.O. Box 360188M, Pittsburgh, PA 15251

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 appropriate.

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 Division of Enforcement and Compliance Assistance unless a petition to set aside the Order is filed by a commenter pursuant to Section 309(g)(4)(C) of the Act, 33 U.S.C. §1319(g)(4)(C), and Part 22.

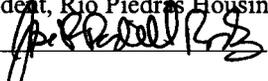
APPROVED BY EPA:

  
Date: 2/1/07  
Dore LaPosta, Director  
Division of Enforcement and Compliance Assistance

APPROVED BY RESPONDENT in accordance with 40 C.F.R. §122.22:

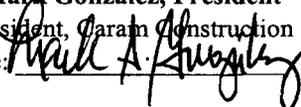
**Name: Jose F. Padilla**

Title: President, Rio Piedras Housing Management and Construction Corp. (Owner/Operator)

Signature:  Date: 17-Jan-07

**Name: Mark Gonzalez, President**

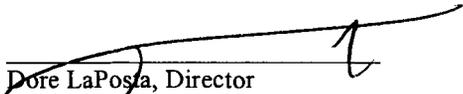
Title: President, Caran Construction Corp. (Owner/Operator)

Signature:  Date: 18-JAN-07

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:

  
Date: MARCH 16, 2007  
Dore LaPosta, Director  
Division of Enforcement and Compliance Assistance

In the Matter of Rio Piedras Housing Management and Construction Corp.  
Docket No. CWA-02-2007-3325

**CERTIFICATE OF SERVICE**

I certify that I have this day caused to be sent the foregoing fully executed CONSENT AGREEMENT and FINAL ORDER, bearing the above-referenced docket number, in the following manner to the respective addresses below:

Original and One Copy  
BY Hand:

Office of Regional Hearing Clerk  
U.S. Environmental Protection  
Agency - Region 2  
290 Broadway, 16th Floor  
New York, New York 10007-1866

Copy by Certified Mail,  
Return Receipt Requested:

Mr. Jose F. Padilla, President  
Rio Piedras Housing Management and Construction Corp.  
P.O. Box 8140  
San Juan, Puerto Rico 00910

Dated: 3/21/07  
New York, New York

Marie St. Germon