



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

U.S. ENVIRONMENTAL PROTECTION AGENCY-REG.11 2012 JAN 11 P 3 23 REGIONAL HEARING CLERK

In the Matter of:)
TAPI Puerto Rico, Inc.,)
Respondent.)
Docket No. CAA-02-2011-1204

ORDER ON MOTION REQUESTING EXTENSION OF TIME TO FILE COMPLAINANT'S PREHEARING EXCHANGE

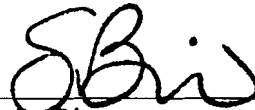
This action was initiated on September 13, 2011, by the United States Environmental Protection Agency, Region 2, Caribbean Environmental Protection Division ("Complainant" or "EPA"), filing an Administrative Complaint against Respondent, TAPI Puerto Rico, Inc., under Section 113(d) of the Clean Air Act ("CAA"), 42 U.S.C. § 7413(d). By Order dated November 14, 2011, the undersigned was designated to preside over this proceeding. By Prehearing Order dated November 29, 2011, Complainant was ordered to file a Consent Agreement and Final Order ("CAFO") or its Initial Prehearing Exchange no later than January 6, 2012.

On January 5, 2012, Complainant submitted a Motion Requesting Extension of Time to File its Prehearing Exchange ("Motion") until January 11, 2012. Complainant states in its Motion that Respondent had raised some arguments and factual issues during a December 28, 2011 conference call that have a bearing on Complainant's Prehearing Exchange. Mot. ¶¶ 2, 5. Complainant further states that the arguments and factual issues need to be further investigated, analyzed and discussed with Complainant's enforcement officer who is on vacation until January 10, 2012. Mot. ¶¶ 3, 4. Finally, Complainant states that the attorney for Respondent agreed to the filing of this Motion. Mot. ¶ 8.

Section 22.7(b) of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (40 C.F.R. § 22.7(b)) provides that the Presiding Officer may grant an extension of time for filing any document upon timely motion of a party to the proceeding, for good cause shown, and after consideration of prejudice to other parties.

The Motion is hereby **GRANTED** for good cause. Accordingly, Complainant shall file its Initial Prehearing Exchange on or before **January 11, 2012.**

SO ORDERED.



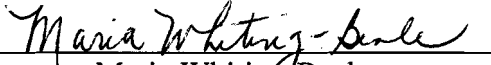
Susan L. Biro
Chief Administrative Law Judge

Dated: January 6, 2012
Washington, D.C.

In the Matter of TAPI Puerto Rico, Inc., Respondent
Docket No.CAA-02-2011-1204

CERTIFICATE OF SERVICE

I certify that the foregoing **Order On Motion Requesting Extension Of Time To File Complainant's Prehearing Exchange**, dated January 6, 2012, was sent this day in the following manner to the addressees listed below.



Maria Whiting-Beale
Staff Assistant

Dated: January 6, 2012

Original And One Copy By Regular Mail To:

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