

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 2**

IN THE MATTER OF

Municipality of Toa Baja
Respondent

Docket No. RCRA-02-2009-7111

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2010 APR 26 AM 11:36
REGIONAL HEARINGS
CLERK


STATUS REPORT

To the Honorable Susan L. Biro:

COMES NOW Complainant through the undersigned attorney and very respectfully avers and prays as follows:

1. On April 15, 2010, this Court issued a Prehearing Order, requesting that no later than April 30th, 2010, Complainant file a status report regarding settlement of the above case.
2. The parties have reached a settlement in the present administrative complaint and have discussed, and agreed on the contents of the Consent Agreement and Final Order (CA/FO).
3. The undersigned attorney sent the Consent Agreement and Final Order to Respondent's counsel, in order to get Respondent's approval and signature of the agreement.
4. Respondent's counsel informed us that the Mayor of Toa Baja was out of the island and would return next week. He added that he would meet with the Mayor as soon as he gets back to Puerto Rico, and obtain his signature.
5. Once Complainant receives Respondent's signed page of the CA/FO, we will place the document into concurrence and will send the fully executed copy to the Presiding Judge in matter, once it is approved and signed by the Regional Presiding Officer.

Respectfully submitted in San Juan, Puerto Rico, April 22,
2010.

A handwritten signature in cursive script, reading "Lourdes del Carmen Rodríguez". The signature is written in black ink and is positioned above a horizontal line.

Lourdes del Carmen Rodríguez
Assistant Regional Counsel
Office of Regional Counsel
U.S. EPA, Region 2
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CERTIFICATE OF SERVICE

This is to certify that I have on this day caused to be mailed a copy of the foregoing Status Report, bearing docket number RCRA-02-2009-7111, as follows:

Copy by Overnight Mail:

Copy by Certified Mail:

Hon. Susan L. Biro
Office of the Administrative Law Judges
U.S. EPA
1099 14th Street, N.W., Suite 350
Washington, DC 20005
Phone (202) 564-6291

Braulio Garcia, Esq.
Torres & Garcia, P.S.C.
Attorneys and Counselors at Law
P.O. Box 19539
San Juan, PR 00910-1539

Original and a copy of the Consent Agreement and Final order for filing by Overnight Mail:

Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 2,
290 Broadway, 16th floor,
New York, New York 10007-1866
Phone: (212) 637-3247

Dated:

April 22, 2010


ORC-CT, San Juan, Puerto Rico