

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

In the Matter of :

U.S. Department of Veterans Affairs
Caribbean Healthcare System
Respondent

Proceeding under Section 9006
Of the Solid Waste Disposal Act,
as amended

Docket No. RCRA-02-2008-7507

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2009 JAN 27 PM 4: 03
REGIONAL HEARING
CLERK

Motion Requesting Extension of Time

TO:

Honorable RJO Helen Ferrara.

USEPA Region 2

Via:

Ms. Karen Maples
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 2
290 Broadway, 17th Floor
New York, New York 10007-1866

COMES NOW,

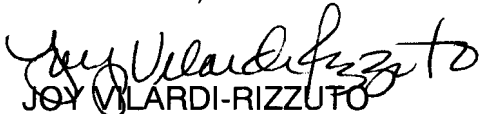
U.S. Department of Veterans Affairs, Caribbean Healthcare System,
(hereinafter VACHS or Respondent) and respectfully states and requests:

1. The undersigned is the legal representative of the VACHS.
2. In discussions with the EPA attorney assigned to the present matter Ms. Karen L. Taylor, Esq. the Respondent had agreed with her to enter into settlement discussions regarding this Complaint. (Attachment)
3. The date was set for December 4, 2008.
4. The VACHS was advised on November 25, 2008 by Ms. Taylor she was assigned new functions and no longer represents the EPA in this case, that the settlement conference was cancelled and that a new attorney would be assigned.
5. Today, January 20, 2008 the VACHS was advised for the first time that the new attorney assuming representation in the present case is attorney Carl Howard who is also willing to engage in settlement negotiations
6. Attorney Howard was consulted and is in agreement to request an additional ninety days to engage in these negotiations.

WHEREFORE, VACHS respectfully requests that the Honorable Administrative Judge grant an extension of **an additional 90 days, until May 11, 2009, for the Agency to file its answer to complaint in the above-captioned matter**

RESPECTFULLY SUBMITTED

In San Juan, Puerto Rico this 20th day of January, 2009


JOY VILARDI-RIZZUTO
Agency Representative
Office of Regional Counsel (672/02)
VA Caribbean Healthcare System
10 Casia Street
San Juan, Puerto Rico
Telephone: (787)641-4350
Fax: (787) 641-4573

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have copy sent of this document

Via certified mail to:

Complainant
through its representative:

Carl Howard, Esq.
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor
New York, New York 10007-1866

1/20/09
Date


JOY VILARDI RIZZUTO, Esq.
Agency Representative

Attachment 1

-----Original Message-----

From: Taylor.Karen@epamail.epa.gov
[mailto:Taylor.Karen@epamail.epa.gov]
Sent: Tuesday, November 25, 2008 1:27 PM
To: Vilardi-Rizzuto, Joy C.
Subject: EPA-VA PR settlement conference on 12/4 - postponed

This case is being re-assigned to another EPA attorney, because I will be taking on new responsibilities this month.

You can reschedule the conference call with the new attorney.

Regards,

Karen L. Taylor, Esq.
Office of Regional Counsel
USEPA - Region 2
290 Broadway, 16th floor
New York, New York 10007-1866
212-637-3637
taylor.karen@epa.gov

----- Forwarded by Karen Taylor/R2/USEPA/US on 11/25/2008 01:23 PM -----

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Karen Taylor/R2/USEPA/ US		To
11/24/2008 08:47 AM	"Vilardi-Rizzuto, Joy C." <Joy.VilardiRizzuto@va.gov>	cc
		Subject
	Re: EPA-VA PR settlement conference on 12/4	

I'm assuming that you mean 10:00 New York time / 11:00 Puerto Rico time.

This should be fine. I'll check with Charles Zafonte and confirm.

Regards,
Karen L. Taylor, Esq.