

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2012 MAY 22 P 3:57
REGIONAL HEARING
CLERK

IN THE MATTER OF:

TAPI Puerto Rico, Inc.

Proceeding under Section 113
of the Clean Air Act, 42 U.S.C. § 7413

DOCKET NUMBER CAA-02-2011-1204

JOINT MOTION REQUESTING EXTENSION OF TIME TO FILE CONSENT

AGREEMENT AND FINAL ORDER

COMES NOW, Complainant, the Environmental Protection Agency (“EPA”) and Respondent, TAPI Puerto Rico, Inc. (“TAPI”), through the undersigned attorneys, and very respectfully inform, state and pray as follows:

1. On April 23, 2012, the Honorable Chief Administrative Law Judge issued an *Order on Motion Requesting Stay and Order to Show Cause* to allow for the completion of the process to submit the duly executed consent agreement and final order (“CA/FO”) relative to the case.

2. The parties have continued to work diligently in order to comply with the schedule set in the Order. However, as part of the process of concurrence and review, disagreement has arose regarding the inclusion of specific language as suggested by Respondent in its proposed changes to the CA/FO.

3. The Parties have explained their respective positions and continue to further collaborate in order to agree on a language that will allow both EPA and TAPI to concur on a final version that will be approved at all levels of the concurrence process.

4. The Parties understand that ten (10) additional days would be sufficient to finalize the CA/FO and the concurrences associated theretofore.

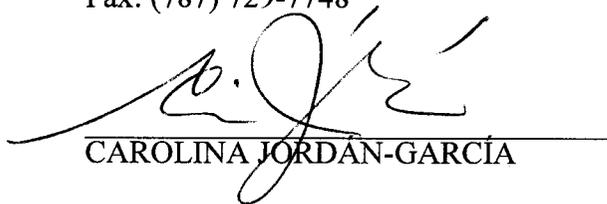
5. The Parties further understand that there is no bad faith, undue delay, or dilatory motive that can affect the Parties' rights under law, and there is no prejudice or additional burden as a result of the stay in the proceedings herein requested.

6. In light of the above, and that there is no undue delay, bad faith or dilatory motive that can affect the Parties' rights under law, and there is no prejudice or additional burden to Respondent, the Parties request the Honorable Chief Administrative Law Judge to grant ten (10) additional days to submit the CA/FO.

7. This Motion was discussed today, May 21, 2012, with Gretchen Méndez-Vilella, Esq., attorney for Respondent, who agreed to the filing of this motion.

Respectfully submitted, in San Juan, Puerto Rico, this 21st day of May, 2012.

**UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY**
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GRETCHEN MENDEZ-VILELLA
USDC No. 207904

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

IN THE MATTER OF:

TAPI Puerto Rico, Inc.

DOCKET NUMBER CAA-02-2011-1204

RESPONDENT

Proceeding under Section 113
of the Clean Air Act, 42 U.S.C. § 7413

CERTIFICATE OF SERVICE

I certify that I have this day caused to be sent the foregoing *MOTION REQUESTING EXTENSION OF TIME*, dated May 21, 2012, and bearing the above-referenced docket number, 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 facsimile, **Overnight Mail** to:

Attorney for Respondent:
Gretchen Méndez-Vilella, Esq.
Goldman Antonetti & Córdova, P.S.C.
American International Plaza, 14th Floor
250 Muñoz Rivera Avenue
San Juan, P.R. 00918
Telephone 787-759-8000
Fax 787-474-2407

Copy by facsimile, **Overnight Mail** to:

Chief Administrative Law Judge
Honorable Susan L. Biro
Office of Administrative Law Judges,
U.S. Environmental Protection Agency
1099 14th Street, N.W., Suite 350, Washington, D.C. 20005
Fax (202) 565-0044.

Date

May 21, 2012

Name

