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U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. II  
2009 DEC -1 PM 4:47  
REGIONAL HEARING  
CLERK

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November 30, 2009

**ORIGINAL AND COPIES  
VIA UPS MAIL SERVICE**

Ms. Karen Maples  
Regional Hearing Clerk  
U.S. Environmental Protection Agency  
Region 2  
290 Broadway, 16th Floor  
New York, NY 10007-1866

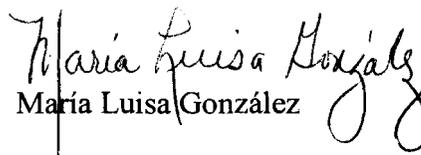
**RE: Index No. CAA-02-2009-1220**

Dear Ms. Maples:

Enclosed please find original and two copies of Informative Motion. Please file the original and one copy, and return stamped copy to undersigned in the enveloped included.

Thank you.

Sincerely,

  
Maria Luisa González

tvv

Enclosure

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. 2  
2009 DEC -1 PM 4:47  
REGIONAL HEARING  
CLERK

IN THE MATTER OF:

Bacardi Corporation  
P.O. Box 363549  
San Juan, Puerto Rico 00936-3549

Respondent

In a proceeding under  
Section 113(d) of the Clean Air Act  
42 U.S.C. § 7413(d)

COMPLAINT  
and  
NOTICE OF OPPORTUNITY  
TO REQUEST A HEARING

Index No. CAA-02-2009-1220

**INFORMATIVE MOTION**

**TO: Honorable Susan L. Biro  
Chief Administrative Law Judge  
United States Environmental Protection Agency  
Office of Administrative Law Judges  
1099 14th Street, N.W., Suite 350  
Washington, D.C. 20005**

**COMES NOW**, BACARDI CORPORATION (the "Respondent") through its undersigned attorneys and respectfully states as follows:

1) On November 12, 2009, Respondent held an Informal Settlement Conference (the "Conference") with Mr. Héctor L. Vélez Cruz, Esquire, from the Office of Regional Counsel of the United States Environmental Protection Agency (the "USEPA"), and Mr. Francisco Claudio, from USEPA Region 2 Caribbean Office, collectively referred to as USEPA.

2) As a result of this Conference and further communications, Respondent and USEPA have agreed to enter into a settlement agreement to resolve any and all issues contained in the above referenced Complaint and Notice of Opportunity to Request a Hearing (the "Complaint") in an expeditious, satisfactory and cost effective manner.

3) A draft settlement agreement is being prepared by USEPA and will be submitted to Respondent for discussions. Respondent and USEPA will notify Honorable Susan L. Biro, Chief Administrative Law Judge, as soon as the settlement is entered into and signed by the Parties.

4) Respondent and USEPA expect to finalize and subscribe the settlement on or before the end of the month of December, 2009.

5) This Informative Motion was discussed on November 25, 2009, with Héctor L. Vélez, Esquire, counsel for USEPA, who agreed to the filing of this Motion.

Respectfully submitted.

In San Juan, Puerto Rico, this 30th day of November, 2009.

#### **CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on this same date, November 30, 2009, original and a copy of this Informative Motion dated November 30th 2009, was mailed by the UPS service mail to Ms. Karen Maples, Regional Hearing Clerk, U.S. Environmental Protection Agency, 290 Broadway, 16th Floor, New York, N.Y. 10007-1866; and by certified mail to Héctor L. Vélez Cruz, Esq., Assistant Regional Counsel, Office of Regional Counsel, Caribbean Team, U.S. Environmental Protection Agency, Region 2, Centro Europa Building, Suite 417, 1492 Ponce de León Avenue, San Juan, P.R. 00907.

BACARDI CORPORATION  
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By:

  
MARIA LUÍSA GONZÁLEZ