

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

April 11, 2024 @ 7:42 pm
USEPA – Region II
Regional Hearing Clerk

In the Matter of:

HÉCTOR RODRÍGUEZ VALLE

and

TRANSPORTE RODRIGUEZ ASFALTO, INC.

TRA RECYCLING PLANT CONSTRUCTION PROJECT

PR-419 Road, Km. 11.05
Intersection with Road PR-2, Km. 139.7
Cerro Gordo Ward, Aguada, Puerto Rico

RESPONDENTS

**DOCKET NUMBER
CWA-02-2024-3451**

Proceeding pursuant to Section
309(g)(2)(B) of the Clean Water Act, 33
U.S.C. § 1319(g)(2)(B), to assess a Class
II Civil Penalty

INFORMATIVE MOTION

TO THE HONORABLE REGIONAL JUDICIAL OFFICER:

COMES NOW, Complainant, United States Environmental Protection Agency, Region II (“Complainant” or “USEPA”) and through the undersigned counsel, respectfully state, allege and pray as follows:

1. On February 15, 2024, USEPA issued an Administrative Complaint against the Respondents pursuant to Section 309(g)(2)(B) of the Clean Water Act, 33 U.S.C. § 1319(g)(2)(B).
2. The Administrative Complaint was served to Respondent Héctor Rodríguez Valle on February 26, 2024, through certified mail, return receipt requested (7015 0920 0000 8689 4650).

3. On April 2, 2024, the parties held an informal settlement conference in which the Respondents brought to the Complainant's attention the omission of an individual service to Respondent Transporte Rodriguez Asfalto, Inc., whose president is Respondent Héctor Rodríguez Valle. In attention to this, on April 10, 2024, Complainant mailed the Administrative Complaint to Respondent Transporte Rodriguez Asfalto, Inc. through certified mail, return receipt requested (7015 0920 0000 8689 4698). Please see attached copy of the certificate of service and envelope addressed to Respondent Transporte Rodriguez Asfalto, Inc.

RESPECTFULLY SUBMITTED.

In Guaynabo, Puerto Rico, this 11th day of April 2024.

I HEREBY CERTIFY that on this same date, pursuant to *“Standing Order: Authorization of EPA Region 2 Electronic Filing System for Filing and Serving Documents Electronically in Proceedings Governed by 40 C.F.R. Part 22”*, I have filed and served electronically this Informative Motion to: the **Regional Judicial Officer**, Ms. Helen Ferrara, ferrara.helen@epa.gov; the **Regional Hearing Clerk**, Ms. Karen Maples, maples.karen@epa.gov; **Edwin A. Aviles Pérez, Esq.**, Counsel for Respondent Héctor Rodríguez Valle, eaviles@avilescruz.com; **Karin G. Diaz Toro, Esq.**, Counsel for Respondent Transporte Rodriguez Asfalto, Inc., kdiaz@dnlawpr.com.

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