

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION II

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. II  
2011 MAR 28 A 11:02  
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In the Matter of:

**MUNICIPALITY OF AGUAS BUENAS**

**RESPONDENT**

STATUS REPORT

DOCKET NUMBER CWA-02-2010-3455

**Status Report and Request for Extension of Time to File Executed  
Consent Agreement and Final Order**

COMES NOW Complainant, the U.S. Environmental Protection Agency ("EPA" or "Complainant") through the undersigned attorney, and respectfully alleges, prays and requests as follows:

Pursuant to the February 24, 2011 Prehearing Order issued by the Administrative Law Judge, Honorable Barbara A. Gunning, Counsel for Complainant submits the following status report in the above captioned matter.

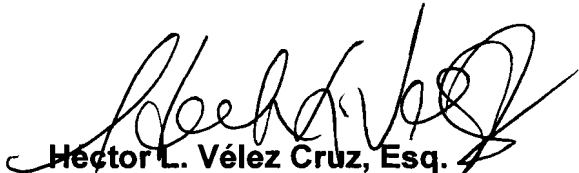
On March 11, 2011, the Complainant and the Municipality of Aguas Buenas (Respondent) (herein together the "Parties") reached an agreement in principle dispositive of all matters asserted in the Administrative Complaint, including a penalty and a Supplemental Environmental Project (SEP).

The Parties are engaged in settlement discussions in order to reach an agreement as to the final language and terms of the Consent Agreement and Final Order (CA/FO). Once the CA/FO is finalized it will be placed into concurrence within several EPA officers located in Region 2's San Juan and New York offices for their review and concurrence. Also, in order to file a duly executed CA/FO, the signature of the Respondent and the signature of the Regional Administrator are required. Once this process concludes, the fully executed CA/FO will immediately be filed.

This Motion has been filed today in order to have the Administrative Law Judge, Honorable Barbara A. Gunning, take notice of the agreement reached by the Parties and of the progress made in formalizing this agreement in a fully executed CA/FO. Due to the complexity of the review and concurrence process within the Agency and between the Parties in order to finalize a fully executed CA/FO, the Parties request the Honorable Presiding Officer sixty (60) days, until May 25, 2011, in order to file the duly executed CA/FO and notify its execution to the Presiding Officer.

This Motion was discussed today, March 25, 2011, with Raúl Negrón Casasnovas, Esq., attorney for the Respondent, who agreed to the filing of this motion.

Respectfully submitted, in San Juan, Puerto Rico, this 25<sup>th</sup> day of March, 2011.



**Héctor L. Vélez Cruz, Esq.**  
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US Environmental Protection Agency, R2  
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San Juan, PR 00907  
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CERTIFICATE OF SERVICE

I certify that I have this day caused to be sent the foregoing *Status Report and Request for Extension of Time to File Executed Consent Agreement and Final Order*, dated March 25, 2011, 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, 16<sup>th</sup> Floor  
New York, NY 10007-1866  
Fax (212) 637-3202.

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

Attorney for Respondent:  
**Raúl Negrón-Casasnovas, Esq.**  
P. O. Box 19539  
San Juan, P.R. 00910-1539  
Tel: (787) 721-8220  
Fax: (787) 721-8223  
[rnegron@environlawpr.com](mailto:rnegron@environlawpr.com)

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

Administrative Law Judge  
**Honorable Barbara A. Gunning**  
Office of Administrative Law Judges  
U.S. Environmental Protection Agency  
1099 14<sup>th</sup> Street, N.W., Suite 350  
Washington, D.C. 20005  
Fax (202) 565-0044.

Date 3/25/2011

  
Name