

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 BROADWAY NEW  
YORK, NY 10007-866**

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In the Matter of	:	
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Edwin Andújar Bermúdez dba	:	
Truly Nolen Pest Control De Caguas,	:	
	:	Docket No. FIFRA-02-2017-5302
Respondent	:	

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**ORDER EXTENDING COMPLAINANT’S TIME TO FILE MOTION FOR PENALTY**

By Order dated September 14, 2017, the Undersigned granted Complainant’s Motion for Default Judgment on Liability, and ordered Complainant to file and service, on or before October 30, 2017, the Motion for Penalty providing factual grounds for the proposed penalty against Respondent in this matter.

On September 28, 2017, Complainant’s Attorney filed, for good cause shown, a *Motion for Extension of Time*, requesting an additional six months (one-hundred and eighty days) to file and serve the Motion for Penalty. Based on the information provided by Complainant, an extension of time through April 30, 2018 for Complainant to file and serve a Motion for Penalty was granted by Order dated October 5, 2017.

On April 19, 2018, Complainant’s Attorney filed, for good cause shown, a second *Motion for Extension of Time*, requesting an additional four months (one-hundred and twenty days) to file and serve the Motion for Penalty. The reasons cited for this request was that the impact of the widespread destruction and damage caused by Hurricanes Irma and Maria was still being felt on the island of Puerto Rico, many people there remain without power or a

steady supply of power, and there is a lack of functional and steady telecommunications still affecting various businesses. More specifically, inquiries by EPA appear to show that regular business operations of Respondent may not yet be fully reestablished. Finally, there was some confusion as to whether Respondent continued to be represented by counsel, further justifying a continuation of a temporary stay on further filings.

**ORDER**

**Based on the information provided by Complainant, an extension of time through August 28, 2018 for Complainant to file and serve a Motion for Penalty is hereby granted.**

**The Respondent shall file any response to the Motion for Penalty within fifteen (15) days of service of the Complainant's motion.**

**Effective Date**

**The effective date of this Order shall be the date it is signed by the Regional Judicial Officer, below.**

Date: April 23, 2018



Helen Ferrara  
Presiding Officer

**CERTIFICATE OF SERVICE**

I hereby certify that the **Order Extending Complainant's Time To File Motion For Penalty** by Regional Judicial Officer Helen Ferrara in the matter of **Edwin Andujar Bermudez dba Truly Nolen Pest Control De Caguas, Docket No. FIFRA-02-2016-5302**, is being served on the parties as indicated below:

First Class Mail -

Edwin Andujar Bermudez dba  
Truly Nolen Pest Control De Caguas  
P.O. Box 7155  
Caguas, Puerto Rico 00726

Edwin Andujar Bermudez dba  
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Inter Office Mail -

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USEPA - Region II  
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New York, New York 10007-1866



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Karen Maples  
Regional Hearing Clerk  
USEPA - Region II

Dated: April 25, 2018