

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2**

In the Matter of:

MUNICIPALITY OF LAS PIEDRAS
P.O. Box 68
Las Piedras, Puerto Rico 00771

RESPONDENT

Proceeding pursuant to Section 309(g)(2)(B)
the Clean Water Act, 33 U.S.C. § 1319(g)

**PROCEEDING TO ASSESS A
CLASS II CIVIL PENALTY**

**DOCKET NUMBER:
CWA-02-2009-3456**

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REGION 2
2010 MAR -3 AM 9:18
REGIONAL HEARING
CLERK

MOTION TO SHOW CAUSE

TO THE HONORABLE ADMINISTRATIVE COURT:

COMES NOW the Municipality of Las Piedras through the undersigned attorney and very respectfully avers and pray as follows:

1. On February 15, 2010 we received an Order to Show Cause signed by Judge Barbara A. Gunning, Administrative Law Judge. In this motion requests explanation of the reasons why the Municipality of Las Piedras has failed to comply with the administrative process before the U.S. Environmental Protection Agency.

2. We request apologies from the Honorable Administrative Law Judge and Roberto M. Durango, Esq., legal representative of the U.S. Environmental Protection Agency. The illness of our mother (Pancreatic Cancer) and death (September, 2009) significantly affected our practice since we have also taken over the care of our elderly father.

3. In a responsible effort of the Municipality of Las Piedras to comply with the administrative procedure, an engineer was hired by the name of Robert Stevenson and his company (Essayon Design and Mangement Solutions, Inc.), who have the skills and expertise in this area .

4. Therefore, we respectfully request the release of liability to the Municipality of Las Piedras and be granted a time extension to submit proper documentation. I respectfully ask for it a final term of thirty (30) days.

5. On our behalf, we promise to send all documents received so far to the engineer Roberto Soto today.

For all these reasons, we respectfully request the Honorable Administrative Forum in place to declare this motion, excuse the Municipality of Las Piedras and granted the requested extension of term..

WHEREFORE it is respectfully requested that the Court declare this motion in favor, excuse the Municipality of Las Piedras and grant the requested extension of term.

Respectfully submitted, in San Juan, Puerto Rico this 24th day of February 2010.



Edgar E. Gonzalez Milan, Esq.
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of Las Piedras
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CERTIFICATE OF SERVICE

I hereby certify that on this day I have caused to be sent the foregoing **Motion to Show Cause**, dated February 24, 2010, and bearing the above-referenced docket number, in the following manner to the respective addressees below:

Original by **FEDERAL EXPRESS** to:

Judge Barbara A. Gunning
Administrative Law Judge
Office of Administrative Law Judges
U.S. Environmental Protection Agency
Franklin Court Building
1099 14th Street, N.W. Suite 350
Washington, D.C. 20460
Ph: (202) 564-6291 / Fax: (202) 565-0044

Original and copy by **FEDERAL EXPRESS** to:

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

Copy by **REGULAR MAIL** to:

Roberto M. Durango, Esq.
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