

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

In the Matter of:

MUNICIPALITY OF LOÍZA
P. O. Box 508
Loíza, Puerto Rico 00772-0508

RESPONDENT

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

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

**DOCKET NUMBER
CWA-02-2009-3457**

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2010 APR 26 AM 11:36
REGIONAL HEARING
CLERK

JOINT STATUS REPORT

To the Honorable Presiding Officer:

COME NOW Complainant and Respondent to the instant matter (collectively, the Parties), and very respectfully aver and pray as follows:

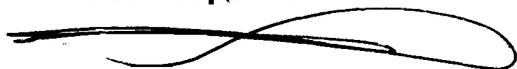
1. Pursuant to the Presiding Officer's Order Staying the Default Proceeding and Directing the Parties to File a Joint Status Report, dated March 24, 2010, the Parties to the above-captioned matter were directed to engage in settlement discussions and to file a Joint Status Report on the progress of settlement by April 23, 2010.
2. That on Thursday, April 15, 2010, the Parties engaged in an in-person settlement conference.
3. That during the settlement conference, the Parties discussed the elements of the Administrative Compliance Order (ACO) that Respondent needed to complete in order to come into compliance with the ordered provisions of the ACO.

4. That during the settlement conference, Respondent agreed to comply with ACO within fifteen (15) days of the meeting—on or before April 30, 2010.
5. That during the settlement conference, the Parties discussed various settlement options, including Respondent's inquiries about the possibility of performing a Supplemental Environmental Project (SEP).
6. That during the settlement conference, Respondent requested thirty (30) days, until May 15, 2010, to fully-explore settlement options, including a potential SEP proposal.
7. That during the settlement conference, the Parties agreed to request that the Presiding Officer stay the proceeding for an additional sixty (60) days, until June 15, 2010, in order to allow the Parties time to explore settlement options and to file a Consent Agreement and Final Order (CA/FO).

WHEREFORE, the Parties respectfully request an additional sixty (60) days, until June 15, 2010, to submit a fully-executed CA/FO.

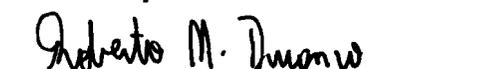
RESPECTFULLY SUBMITTED in San Juan, Puerto Rico, this 21st day of April, 2010.

For Respondent:



Raul Santiago Perez, Esq.
RSP & Associates
Counsel, Municipality of Loíza
Centro Internacional de Mercadeo
100 Carr. PR-165, Suite 409
Guaynabo, PR 00968-8048
Tel. 787-273-7625

For Complainant:



Roberto M. Durango, Esq.
Assistant Regional Counsel
Office of Regional Counsel
Centro Europa Building, Ste. 407
1492 Ponce de León
San Juan, PR 00907
Tel. 787-977-5822

CERTIFICATE OF SERVICE

I hereby certify that on this day I have caused to be sent the foregoing **Joint Status Report**, dated April 21, 2010, and bearing the above-referenced docket number, in the following manner to the respective addressees below:

Original **Federal Express** to:

Helen S. Ferrara
Regional Judicial Officer
U.S. EPA, Region 2
290 Broadway - Room 1626
New York, NY 10007-1866
Ph: 212-637-3233; Fax: 212-637-3199

Original and copy by **Federal Express** to:

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

Copy by **Certified Mail** to:

Raúl Santiago-Pérez, Esq.
Santiago-Pérez y Asociados
Counsel, Municipality of Loíza
100 Carretera PR 165, Suite 409
Guaynabo, PR 00968-8048
Tel:787.273.7625

Date: 4/22/10


Aileen Sanchez
Office of Regional Counsel