

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2**

IN THE MATTER OF:

Mr. Juan Benet
Playa Clara, S.E.
P.O. Box 789
Culebra, Puerto Rico 00775

Playa Clara Lot Development
NPDES Number **PRU202015**

Respondent.

DOCKET NUMBER CWA-02-2008-3358

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

U.S. ENVIRONMENTAL
PROTECTION AGENCY REGION 2
2009 JAN 20 PM 4: 16
REGIONAL HEARING
CLERK

MOTION INFORMING REMOVAL AS COUNSEL OF RECORD

COME NOW the undersigned attorney who respectfully prays and requests as follows:

1. On January 2, 2009, the Governor of Puerto Rico, Luis G. Fortuño, nominated the undersigned, Pedro J. Nieves-Miranda, as a member of the Governor's Cabinet to act as President of the Environmental Quality Board ("Board").
2. The above nomination was made effective on January 7, 2009, when the Government of Puerto Rico and the Environmental Protection Agency executed an agreement under the spirit of cooperation and the provisions of the Intergovernmental Personnel Act Mobility Program, 5 U.S.C. §§3371 through 3375.
3. Based on the foregoing, and in accordance with the "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits" ("CROP"), 40 CFR Part 22 (2001), I hereby inform and respectfully request the Honorable Court to remove me as counsel of record for Complainant, the U.S. Environmental Protection Agency ("EPA"), in the referenced case.

Motion Informing Removal as Counsel of Record

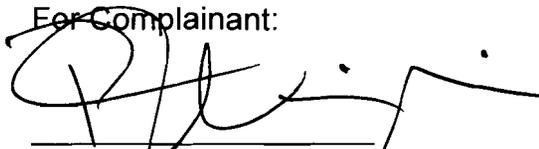
4. All subsequent documents filed in this action shall be sent to:

Silvia Carreño Coll, Esq.
Associate Regional Counsel
Office of Regional Counsel
Caribbean Environmental Protection Division
U.S. Environmental Protection Agency, Region 2
Centro Europa Building – Suite 217
1492 Ponce de Leon Avenue
San Juan, Puerto Rico 00907
Telephone (787) 977-5818
Fax (787) 729-7748

WHEREFORE, the undersigned respectfully requests the Honorable Court to take notice of the above.

RESPECTFULLY SUBMITTED, IN SAN JUAN, PUERTO RICO THIS 7TH OF JANUARY OF 2009.

For Complainant:



Pedro J. Nieves-Miranda
US Environmental Protection Agency
Region 2, ORC-Caribbean Team
Centro Europa Building, Ste. 407
1492 Ponce de León
San Juan, PR 00907
Tel. 787-977-5822
Fax. 787-729-7748
Nieves.Pedro@epamail.epa.gov

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

IN THE MATTER OF:

Mr. Juan Benet
Playa Clara, S.E.
P.O. Box 789
Culebra, Puerto Rico 00775

Playa Clara Lot Development
NPDES Number **PRU202015**

Respondents

DOCKET NUMBER CWA-02-2008-3358

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

CERTIFICATE OF SERVICE

I certify that I have this day caused to be sent this Motion Informing Removal As
Counsel of Record in the following manner to the respective addressees below:

Original and copy by Overnight Mail to:

Karen Maples
Regional Hearing Clerk
Region II
U.S. Environmental Protection Agency
290 Broadway, 16th Floor
New York, NY 10007-1866
Office (212) 637-3247.

&

Helen Ferraras
Presiding Officer
U.S. Environmental Protection Agency
290 Broadway – 16th Floor
New York, NY 10007-1866

Copy by Certified Mail/Return Receipt to:

Mr. Juan Benet
Playa Clara
P.O. Box 789
Culebra, Puerto Rico 00775

&

Wanda Garcia
Director
PR Environmental Quality Board
P.O. Box 11488
San Juan, PR 00910

1/16/09
Date


Name