

UNITED STATES ENVIRONMENTAL AGENCY
Region 2

IN THE MATTER OF:

Municipality of Aguadilla
Respondent

Proceeding under Section 3008 of the
Solid Waste Disposal Act, as amended,
42 U.S.C. §6928

Docket no. RCRA-02-2009-7-02

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2009 MAY -8 AM 11:14
REGIONAL HEARING
CLERK

**REQUEST FOR SECOND EXTENSION OF TIME
TO FILE ANSWER TO COMPLAINT**

Respondent, **Municipality of Aguadilla**, hereby requests from Environmental Protection Agency, Region 2, through its Regional Judicial Officer, the following:

1. That it grant an extension of time of an additional thirty (30) days to file its *Answer* to the *Complaint* in the above referenced matter, which was set to expire on May 13, 2009.

2. Respondent, **Municipality of Aguadilla** seeks this additional time until June 15, 2009 for the Parties to continue the informal settlement discussions in progress, and try and resolve this matter, thus avoiding a protracted litigation. The parties had a very productive settlement conference on May 5, 2009 and are scheduling a follow-up conference for the next few days.

3. The appearing counsel discussed this request of additional time with Ms. Melva J. Hayden, Esq. Assistant Regional Counsel for the EPA and the agency concurs on Respondent's request for an additional 30-day extension of time from April 13, 2009, for the reasons stated above.

4. As previously stated, the Respondent **Municipality of Aguadilla**, however, expressly reserves its right to request a formal hearing pursuant to 40 C.F.R. §22.15(c), if necessary, when it files its formal *Answer* to the Complaint.

For the reasons set forth above, Respondent **Municipality of Aguadilla** very respectfully requests that an additional extension of thirty (30) days, until June 15, 2009 be granted to formally file its *Answer* to the instant *Complaint*.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 6th day of May, 2009.

I HEREBY CERTIFY that on this same date, a true and exact copy of this motion has been mailed to Melva J. Hayden, Esq., Assistant Regional Counsel, Office of Regional Counsel, U.S. Environmental Protection Agency, Region 2, 290 Broadway – 16th Floor, New York, New York, 10007-1866.



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