

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

<hr/>	:	
IN THE MATTER OF:	:	
	:	
HÉCTOR RODRÍGUEZ VALLE	:	Docket No. CWA-02-2024-3451
	:	
And	:	
	:	
TRANSPORTE RODRÍGUEZ ASFALTO, INC. (“TRA”)	:	
	:	
TRA RECYCLING PLANT CONSTRUCTION PROJECT	:	
	:	
<hr/> RESPONDENTS <hr/>	:	

**ORDER GRANTING AN EXTENSION OF TIME TO FILE AN ANSWER
TO COMPLAINT AND A STAY ON THE MOTION FOR DISMISSAL OF
COMPLAINT FILED BY CO-RESPONDENT HÉCTOR ROGRIGUEZ VALLE**

On May 21, 2024, Complainant filed a Motion for Extension of Time to File a Response to “Motion for Dismiss of the Co-Respondent Héctor Rodríguez Valle” (“HRV’s Motion to Dismiss”). Pursuant to 40 C.F.R. § 22.16(b), Complainant’s response to HRV’s Motion to Dismiss, which was filed on May 6th, was due on May 21, 2024. The Undersigned granted Complainant’s Motion by Order effective May 23, 2024 (“May 23rd Order”), granting Complainant an extension through June 5, 2024, to file its response to HRV’s Motion to Dismiss.

On May 23, 2024, and subsequent to the filing of the Undersigned’s May 23rd Order, Co-Respondent Héctor Rodríguez Valle filed a Second Motion for Extension of Time to File an Answer to the Complaint (“HRV’s Second Motion”), requesting a sixty (60) day extension of time to answer and that HRV’s Motion to Dismiss be put “on hold” during that time period as well.

Based on the information set forth in HRV’s Second Motion, for good cause shown and with the concurrence of Complainant, the Undersigned grants Co-Respondents Héctor Rodríguez Valle and Transporte Rodríguez Asfalto, Inc. (“TRA”) extensions of time to file answers to the Complaint through July 22, 2024. During that time period, HRV’s Motion to Dismiss will be stayed, and therefore, any due dates for responses and replies to that Motion will be suspended as well.

This Order supersedes the Order issued by the Undersigned on May 23, 2024.

Effective Date

The effective date of this Order is the date it is signed, below.

Date: May 28, 2024

**HELEN
FERRARA**

Digitally signed by HELEN
FERRARA
Date: 2024.05.28 16:32:26
-04'00'

Helen S. Ferrara
Regional Judicial Officer
U.S. Environmental Protection Agency
290 Broadway, New York, N.Y. 10007-1866
ferrara.helen@epa.gov
(212) 637-3233

CERTIFICATE OF SERVICE

I Hereby certify that the **Order Granting An Extension Of Time To File An Answer To Complaint and a Stay on Motion For Dismissal of Complaint Filed by Co-Respondent Hector Rodriguez Valle** by Regional Judicial Officer Helen S. Ferrara in the matter of **Hector Rodriguez Valle and Transporte Rodriguez Asfalto , Inc. (“TRA”), TRA Recycling Plant Construction Project. Docket No. CWA-02-2024-3451**, was served on the parties as indicated below:

E-Mail - Karin G. Diaz-Toro, Esq.
Raul Negron-Casasnovas, Esq.
Diaz & Negron LLC
P.O. Box 363004
San Juan, Puerto Rico 00936-3004
kdiaz@dnlawpr.com
rnegron@dnlawpr.com

Edwin A. Aviles-Perez, Esq.
Aviles & Cruz Consultants
And Attorneys at Law
SA20 Bucare Street
Valle Hermoso Sur
Hormigueros, Puerto Rico 00660
eaviles@avilescruz.com

Suzette M. Melendez-Colon, Esq.
Office of Regional Counsel
USEPA – Region II
City View Plaza II, Suite 7000
#48 RD. 165 km 1.2
Guaynabo, Puerto Rico 00968-8069
Melemdez-colon.suzette@epa.gov

Karen Maples, Regional Hearing Clerk
USEPA – Region II
Maples.karen@epa.gov

Dated: May 29, 2024