

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 2

U.S. Environmental  
Protection Agency-Reg 2

2014 MAY 12 PM 4: 28

REGIONAL HEARING  
CLERK

IN THE MATTER OF:

Yabucoa Development, S.E.

Respondent

Docket No.  
CWA-02-2013-3357

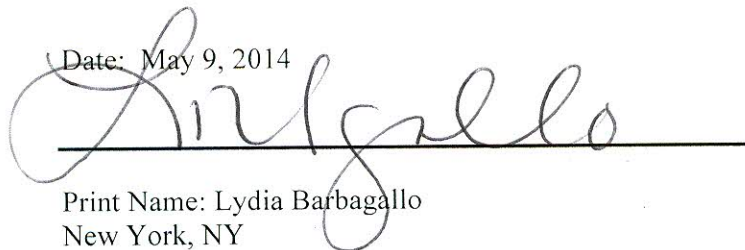
CERTIFICATE OF SERVICE

I hereby certify the Report Of Status Conference And Order by Regional Judicial Officer Helen Ferrera in the matter of Yabucoa Development, S.E., Docket No. CWA-02-2013-3357, was served on the parties as indicated below:

Yabucoa Development, S.E.  
c/o Wilfredo Soto-Suarez, Esq.  
Toro, ColOn, Mullet, Rivera, & Sifre, P.S.C.  
P.O. Box 195383  
San Juan, PR 00919

I sent by inter-office mail the original and a copy of the foregoing Report Of Status Conference And Order to the office of the Regional Hearing Clerk, United States Environmental Protection Agency, Region 2.

Date: May 9, 2014



Print Name: Lydia Barbagallo  
New York, NY

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION II

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Yabucoa Development, S.E.  
Respondent

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Docket No. CWA-02-2013-3357

**REPORT OF STATUS CONFERENCE AND ORDER**

The status teleconference in this matter was held on May 6, 2014. Participating were:

Presiding Officer:	Helen S. Ferrara
Respondent's Attorneys:	Wilfredo Soto-Suarez
Complainant's Attorney:	Evelyn Rivera-Ocasio

**Introduction:** The Presiding Officer established that the purpose of the teleconference was to assess the status of this matter.

**Status:** Complainant's attorney summarized the current status of the case. She stated that EPA has just received Respondent's counter offer, made in response to Complainant's March 24<sup>th</sup> counter offer, and she will share it with the Engineer on the case in order that he can review and provide input as to whether the matter could be settled based on the latest counter offer.

The Respondent's attorney explained that the delay in getting the counter offer in was because certain information was in the hands of third party contractors, and Respondent did not receive said information until last week. The information concerned in part improvements to the pump station, including the installation of an emergency generator and two heavy duty pumps.

Respondent's attorney stated that although the pump station is currently working, Respondent was taking these precautions to avoid future problems.

The Complainant's attorney assured the undersigned that she would review the counter offer this week and hold a quick teleconference with Respondent's attorney by the end of next week. Both parties appeared confident that this matter would be settled by the middle of June.

It was agreed it was in the best interest of both parties to schedule a follow up status teleconference.

**IT IS ORDERED:**

**The Presiding Officer is continuing this status teleconference until Tuesday, June 17, 2014, beginning at 11:00AM EST, or as soon thereafter as the Presiding Officer can make the necessary arrangements.**

**Additions or Corrections:** The attorneys for the Agency and Respondent may bring errors or omissions in this Report to the attention of the Presiding Officer no later than June 13, 2014, and a corrected report will be issued as appropriate.

Date: May 8, 2014



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Helen Ferrara  
Presiding Officer  
U.S. Environmental Protection Agency  
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