

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2

In the Matter of:

DESARROLLOS ALTAMIRA I, INC., and  
CIDRA EXCAVATION, S.E.,

RESPONDENTS

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

NOTICE OF SETTLEMENT

DOCKET NUMBER  
CWA-02-2009-3462

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG.11  
2010 OCT 21 A 11: 01  
REGIONAL HEARING  
CLERK

**NOTICE OF SETTLEMENT**  
**(DESARROLLOS ALTAMIRA I, INC. AND LAS QUINTAS 957, INC.)**

To the Honorable Court:

COMES NOW Complainant, the United States Environmental Protection Agency, by and through its counsel, pursuant to Rule 22.18(b) of the Consolidated Rules of Practice, 40 C.F.R. § 22.18(b), and very respectfully avers and prays as follows:

1. That Complainant reached an agreement in principle, dispositive of all matters asserted in the Complaint against Respondent, Desarrollos Altamira I, Inc. (DAI).
2. That on October 19, 2010, Respondent signed the Consent Agreement and Final Order (CA/FO), memorializing such agreement in principle. See Exhibit A.
3. That Complainant no longer intends to Amend the Complaint to join Las Quintas 957, Inc. (Las Quintas) to this matter, as any potential claims

against Las Quintas have been properly incorporated into the  
aforementioned CA/FO.

4. That the aforementioned CA/FO does not incorporate Respondent, Cidra Excavation, S.E.'s (Cidra), liability.
5. That, as of the date of this notice, Cidra remains liable for the remainder of the proposed penalty.
6. That the Complainant, DAI, and Las Quintas believe that settlement of the matter at hand promotes procedural economy, avoiding the delays and costs resulting from an administrative hearing.

WHEREFORE, Complainant to the instant matter respectfully provides notice of settlement with DAI and Las Quintas. Complainant expects to serve a fully-executed CA/FO on or before October 27, 2010.

RESPECTFULLY SUBMITTED in San Juan, Puerto Rico, this 20th day of October, 2010.

  
Roberto M. Durango, Esq.  
Office of Regional Counsel  
U.S. EPA, Region 2  
1492 Ponce de Leon Avenue, Suite 417  
San Juan, PR 00907  
Telephone (787) 977-5822  
Fax: (787) 729-7748

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **Notice of Settlement**, dated October 20, 2010, was sent in the following manner to the addresses listed below:

Original and Copy by **Overnight**:

Karen Maples  
Regional Hearing Clerk  
U.S. EPA, Region 2  
290 Broadway, 16<sup>th</sup> Floor  
New York, NY 10007-1866

Copy by **Overnight** and **Facsimile**:

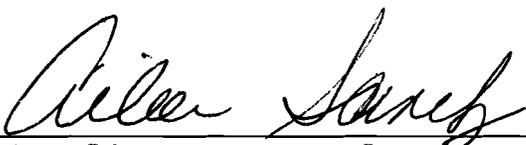
Honorable Susan L. Biro  
Chief Administrative Law Judge  
Environmental Protection Agency  
Office of Administrative Law Judges  
1099 14<sup>th</sup> Street, N.W., Suite 350  
Washington, D.C. 20005

Copy by **Certified Mail**:

Jose A. Hernandez Mayoral, Esq.  
Bufete Hernandez Mayoral CSP  
206 Tetuan Street, Suite 702  
San Juan, PR 00901

Patricio Martinez-Lorenzo, Esq.  
Martinez-Lorenzo Law Offices  
Union Plaza Building, Suite 1200  
416 Ponce de Leon Avenue  
San Juan, PR 00918-3424

Dated: 10/20/2010

  
\_\_\_\_\_  
Aileen Sánchez, Program Support Assistant  
EPA, Region 2, Office of Regional Counsel



FOR RESPONDENTS:

BY: *Rubén García Salgado*  
 Authorized Signature

NAME: *Rubén García Salgado*  
 Mr. Ramón Mac Branon  
 Desarrollos Altamira I, Inc.  
 P.O. Box 9021990, San Juan  
 Puerto Rico 00902-1990

TITLE: *DIRECTOR*  
 President ~~*Francisco Charles Gómez*~~

DATE: *OCT 19, 2010*

BY: *Francisco Charles Gómez*  
 Authorized Signature

NAME: *FRANCISCO CHARLES GÓMEZ*  
 Las Quintas 957, Inc.

TITLE: *ENGINEER-DIRECTOR*

DATE: *OCT 19, 2010*