

FIDDLER GONZALEZ & RODRIGUEZ, P.S.C.

ATTORNEYS AND COUNSELORS AT LAW

PO Box 363507

SAN JUAN, PR 00936-3507

TELEPHONE (787) 753-3113  
FAX (787) 759-3123

254 MUÑOZ RIVERA AVENUE  
CORNER CHARDÓN STREET  
6TH FLOOR  
HATO REY, PR 00918

November 10, 2009

**Via Electronic Mail**  
**whiting-beale.maria@epa.gov**  
**Facsimile Number (202) 565-0044**

Ms. María Whiting-Beale  
United States Environmental Protection Agency  
Office of Administrative Law Judges  
1099 14th Street, N.W., Suite 350  
Washington, D.C. 20005

**RE: In the Matter of Bacardi Corporation**  
**Docket No. CAA-02-2009-1220**

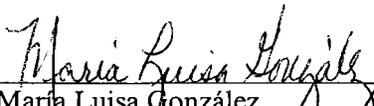
U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. 11  
2009 NOV 19 PM 3:02  
REGIONAL HEARING  
CLERK

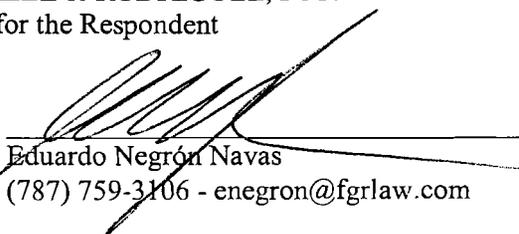
Dear Ms. Whiting-Beale:

On behalf of Bacardi Corporation (Bacardi), we are hereby notifying that Bacardi is interested in participating in the Alternative Dispute Resolution (ADR) process the Environmental Protection Agency Administrative Law Office offered in the October 27, 2009 communication of Honorable Susan L. Biro, Chief Administrative Law Judge. However, Bacardi and the Environmental Protection Agency Office of Regional Counsel (EPA-ORC) have agreed to meet and confer on Thursday November 12, 2009 to discuss a possible resolution to the case. Bacardi would like to have the opportunity to confer with EPA-ORC prior to continuing with other procedures in the hope of reaching a quick resolution to this matter. Bacardi would like to have available the opportunity to participate in the ADR process later if an agreement is not reached in the conferences it will be holding with EPA-ORC.

Very truly yours,

FIDDLER GONZALEZ & RODRIGUEZ, P.S.C.  
Counsel for the Respondent

  
\_\_\_\_\_  
María Luisa González  
(787) 759-3173 - mlgonzal@fglaw.com

  
\_\_\_\_\_  
Eduardo Negrón Navas  
(787) 759-3106 - enegron@fglaw.com

c: Ms. Karen Maples  
Regional Hearing Clerk  
Héctor L. Vélez Cruz, Esq.  
Counsel for Complainant