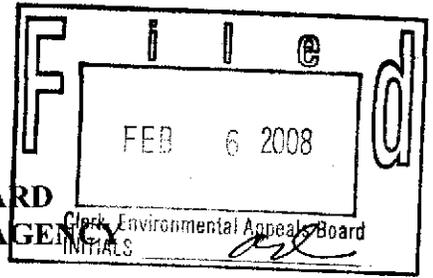


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



\_\_\_\_\_)  
In re: )  
)  
Essroc San Juan Inc. ) NPDES Appeal No. 07 – 20  
)  
)  
NPDES Permit No. PR0001163 )  
\_\_\_\_\_)

**ORDER GRANTING STAY PENDING SETTLEMENT DISCUSSIONS**

On November 20, 2007, U.S. Environmental Protection Agency, Region 2 (the "Region") issued a National Pollution Discharge Elimination System ("NPDES") permit, No. PR0001163 ("Permit") to Essroc San Juan Inc. ("Essroc"). On December 14, 2007, Essroc filed a petition requesting that the Environmental Appeals Board grant review of the Permit. On December 19, 2007, the Clerk of the Environmental Appeals Board issued a letter to the Region requesting that the Region respond to Essroc's petition for review on or before February 7, 2008. On January 18, 2006, the Region and Essroc filed a joint motion requesting a 60-day stay of this proceeding to allow the parties to focus their attention on settlement negotiations.

For good cause shown, this proceeding is hereby stayed for 60 days and, accordingly, the Region's time for responding to the petition is hereby extend until Monday, April 7, 2008. In the

event that the parties request an extension of the stay beyond April 7, 2008, the parties shall include in their motion a description of the status of their settlement discussions.<sup>1</sup>

So ordered.

ENVIRONMENTAL APPEALS BOARD

By: *Kathie A. Stein*  
Kathie A. Stein,  
Environmental Appeals Judge

Dated: *February 6, 2008*

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<sup>1</sup> The Board is prepared, upon the parties' request, to assist in facilitating settlement in this matter should the parties determine that such assistance would be beneficial.

## CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Stay Pending Settlement Discussions in the matter of Essroc San Juan Inc., NPDES Appeal No. 07-20, were sent to the following persons in the manner indicated:

Pouch Mail and fax:

Eduardo J. Gonzalez  
U.S. EPA  
290 Broadway, 16<sup>th</sup> Fl.  
New York, NY 10007  
Fax No. 212-637-3202

U.S. Mail and fax:

Eduardo Negron Navas  
Fiddler Gonzalez & Rodriguez, P.S.C.  
P.O. Box 363507  
San Juan, Puerto Rico 00936-3507  
Fax No. 787-753-4237

Dated: FEB -7 2008



\_\_\_\_\_  
Annette Duncan  
Secretary