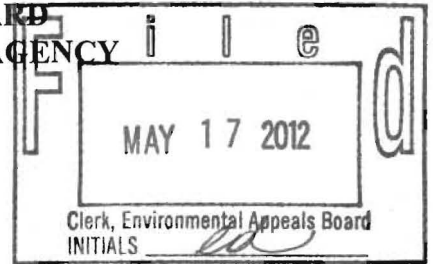


**BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.**



\_\_\_\_\_  
In re: )  
)  
)

Bacardi Corporation )

Permit No. PR0000591 )  
\_\_\_\_\_)

NPDES Appeal No. 11-07

**THIRD ORDER EXTENDING STAY  
TO CONTINUE ADR PROCESS**

By motion dated May 14, 2012, the parties in the above-captioned matter request a one-week extension of the existing stay, to May 21, 2012. Joint Motion for Limited Extension of Stay (May 14, 2012) ("Motion"). The parties have been actively participating in good faith in the Environmental Appeals Board's ("Board") Pilot Alternative Dispute Resolution program. The Board's March 19, 2012 order extended the then-existing stay to May 14, 2012, and the Board further expected petitioner Bacardi Corporation ("Bacardi") to either file a motion to dismiss the petition with prejudice by that date or, if further extension of the stay was needed, to file a joint report with U.S. Environmental Protection Agency, Region 2 ("Region"), explaining the status of their progress and providing justification for a further extension of the stay.

Bacardi now states that the comment period for an agreed-to permit modification ended on May 9, 2012, and no public comments were received. Motion at 2. According to Bacardi, the Region expects that the final permit modification will be signed and issued within one week. *Id.* Upon such issuance, Bacardi intends to seek withdrawal of its petition for review in this matter, with prejudice. *Id.*

Based these representations, the Board extends the stay in this matter until **May 21, 2012**.

The Board expects that Bacardi will file a motion to dismiss the petition with prejudice by that date.

So ordered.

Dated:

*May 17, 2012*

ENVIRONMENTAL APPEALS BOARD

By:

*Anna L. Wolgast*

Anna L. Wolgast

Environmental Appeals Judge

## CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Third Order Extending Stay to Continue ADR Process** in *In re Bacardí Corporation*, NPDES Appeal No. 11-07, were sent to the following persons in the manner indicated:

**By Facsimile & First Class U.S. Mail:**

Eduardo Negrón Navas  
Fiddler González & Rodríguez, P.S.C.  
P.O. Box 363507  
San Juan, PR 000936-3507  
facsimile: (787) 759-3108

John Fehrenbach  
Winston & Strawn LLP  
1700 K Street, N.W.  
Washington, D.C. 20006-3817  
facsimile: (202) 282-5100

**By Facsimile & EPA Pouch Mail:**

Eduardo González  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, 16<sup>th</sup> Floor  
New York, NY 10007-1866  
facsimile: (212) 637-3202

Date: MAY 17 2012

  
Annette Duncan  
Secretary