



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION
CENTRO EUROPA BUILDING, SUITE 417
1492 PONCE DE LEON AVENUE, STOP 22
SAN JUAN, PR 00907-4127

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG.11
2007 MAY 31 PM 3:16
REGIONAL HEARING
CLERK

MAY 29 2007

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Mr. Héctor M. Torres Zayas
President
HAL Development Corporation
P.O. Box 360417
San Juan, Puerto Rico 00936-0417

**Re: Issuance of the Expedited Settlement Agreement
Docket Number CWA-02-2007-3326
Campaña Court Apartments**

Dear Mr. Torres Zayas:

Please find enclosed a copy of the executed Expedited Settlement Agreement (“ESA”) between the United States Environmental Protection Agency (“EPA”) and HAL Development Corporation (“HAL”) concerning the above referenced matter.

Within ten (10) days of your receipt of this notification, HAL shall submit to the EPA, a bank, cashiers or certified check, with the case name and docket number noted, for the amount of twelve-thousand one-hundred twenty-one dollars (\$12,121.00) payable to the “**Treasurer, United States of America**”, via certified mail, at the following address:

**Regional Hearing Clerk
U.S. EPA, Region 2
In the Matter of HAL Development Corporation
Docket No.: CWA-02-2007-3336
P.O. Box 360188M
Pittsburgh, PA 15251**

A copy of the check shall also be sent via certified mail to the following address:

**Tere Rodríguez, Chief
Multi-Media Permits and Compliance Branch
Caribbean Environmental Protection Division
United States Environmental Protection Agency
Centro Europa Building, Suite 417
1492 Ponce de León Avenue
San Juan, Puerto Rico 00907-4127**

and

**Region Hearing Clerk
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor
New York, New York 10007.**

Please be advised that HAL's failure to pay the penalty in full according to the above payment deadline will result in a referral of this matter to the United States Department of Justice or the United States Department of the Treasury for collection.

If you have any questions concerning this matter, please contact Mr. José A. Rivera of the Multi-Media Permits and Compliance Branch at (787) 977-5842.

Sincerely,



Carl-Axel P. Soderberg
Director
Caribbean Environmental Protection Division

Enclosure

cc: Karen Maples, EPA Region 2 Hearing Clerk (w/ encl.)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION 2

290 Broadway
New York, New York 10007

U.S. ENVIRONMENTAL PROTECTION AGENCY-REG. II
2007 MAY 31 PM 3:16
REGIONAL HEARING CLERK

EXPEDITED SETTLEMENT AGREEMENT

Docket Number: CWA-02-2007-3326 3336

Hal Development Corporation ("Respondent") is a "person," within the meaning of Section 502(5) of the Clean Water Act ("Act"), 33 U.S.C. § 1362(5), and 40 C.F.R. § 122.2.

U.S. EPA
26 W. Martin Luther King Drive
Attention: Finance (MS: NWD)
Cincinnati, Ohio 45268.

Attached is an "Expedited Settlement Offer Deficiencies Form" ("Form"), which is incorporated by reference. By its signature, Complainant ("EPA") finds that Respondent is responsible for the deficiencies specified in the Form.

A copy of the check shall be sent to the EPA address above.

Respondent failed to apply for a National Pollutant Discharge Elimination System ("NPDES") storm water permit in violation of 40 CFR §122 and Section 308 of the Clean Water Act, 33 U.S.C. §§ 1318.

This Agreement settles EPA's civil penalty claims against Respondent for the Clean Water Act violation(s) specified in this Agreement. EPA does not waive its rights to take any enforcement action against Respondent for any other past, present, or future civil or criminal violation of the Act or of any other federal statute or regulation. EPA does not waive its right to issue a compliance order for any uncorrected deficiencies or violation(s) described in the Form. EPA has determined this Agreement to be appropriate.

EPA finds, and Respondent admits, that Respondent is subject to 40 C.F.R. §122 and Section 308 of the Act, 33 U.S.C. §1318, and that EPA has jurisdiction over any "person" who "discharges pollutants" from a "point source" to "waters of the United States." Respondent neither admits nor denies the deficiencies specified in the Form.

This Agreement is binding on the parties signing below and effective thirty (30) days from the date it is signed by the Presiding Officer unless a petition to set aside the Order is filed by a commenter pursuant to Section 309(g)(4)(C) of the Act, 33 U.S.C. § 1319(g)(4)(C), and 40 C.F.R. Part 22 or upon filing with the Regional Hearing Clerk.

EPA is authorized to enter into this Consent Agreement and Final Order ("Agreement") under the authority vested in the Administrator of EPA by Section 309(g)(2)(A) of the Act, 33 U.S.C. § 1319(g)(2)(A), and by 40 C.F.R. § 22.13(b). The parties enter into this Agreement in order to settle the civil violation(s) alleged in this Agreement for a penalty of \$12,121.00. Respondent consents to the assessment of this penalty, and waives the right to: (1) contest the finding(s) specified in the Form; (2) a hearing pursuant to Section 309(g)(2) of the Act, 33 U.S.C. § 1319(g)(2); and (3) appeal pursuant to Section 309(g)(8), 33 U.S.C. § 1319(g)(8).

APPROVED BY EPA:

[Signature]
Carl-Axel P. Soderberg
Director

Date: 05/29/07

USEPA Region 2, Caribbean Environmental Protection Div.

APPROVED BY RESPONDENT:

Name (print): Héctor M. Torres Zayas

Title (print): President

Signature: [Signature]

Date: Feb. 26, 2007

Additionally, Respondent certifies, subject to civil and criminal penalties for making a false statement to the United States Government, that any deficiencies identified in the Form have been corrected. Respondent shall submit a written report with this Agreement detailing the specific actions taken to correct the violations cited herein.

[More than 40 days have elapsed since the issuance of public notice pursuant to Section 309(g)(4)(A) of the Act, 33 U.S.C. §1319(g)(4)(A), and EPA has received no comments concerning this matter.]

Respondent certifies that, within ten (10) days of receiving notice from EPA that the Agreement is effective (thirty (30) days from the date it is signed by the EPA Official), Respondent shall submit a bank, cashiers or certified check, with case name and docket number noted, for the amount specified above payable to the "Treasurer, United States of America," via certified mail, to:

Having determined that this Agreement is authorized by law, IT IS SO ORDERED:

[Signature]
Carl-Axel P. Soderberg
Director

Date: 05/29/07

USEPA Region 2, Caribbean Environmental Protection Div.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION 2

290 Broadway
New York, New York 10007

EXPEDITED SETTLEMENT AGREEMENT

Docket Number: CWA-02-2007-3326- 3336

U.S. ENVIRONMENTAL PROTECTION AGENCY-REG. II
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U.S. EPA
26 W. Martin Luther King Drive
Attention: Finance (MS: NWD)
Cincinnati, Ohio 45268.

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APPROVED BY EPA:

[Signature]
Carl-Axel P. Soderberg
Director

Date: 05/29/07

USEPA Region 2, Caribbean Environmental Protection Div.

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APPROVED BY RESPONDENT:

Name (print): Hector M. Torres Zayas

Title (print): President

Signature: [Signature] Date: Feb. 26, 2007

[More than 40 days have elapsed since the issuance of public notice pursuant to Section 309(g)(4)(A) of the Act, 33 U.S.C. §1319(g)(4)(A), and EPA has received no comments concerning this matter.]

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Having determined that this Agreement is authorized by law, IT IS SO ORDERED:

[Signature]
Carl-Axel P. Soderberg
Director

Date: 05/29/07

USEPA Region 2, Caribbean Environmental Protection Div.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

In the Matter of:

HAL Development Corporation
P.O. Box 360417
San Juan, Puerto Rico 00936-0417

Respondent

**EXPEDITED SETTLEMENT
AGREEMENT**

**DOCKET NUMBER
CWA-02-2007-3336**

CERTIFICATE OF SERVICE

I certify that on the date noted below, I sent the original and one copy, by overnight mail, of the "Expedited Settlement Agreement" (the "Agreement"), bearing docket number CWA-02-2007-3336 to:

Karen Maples
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor
New York, New York 10007-1866

Also, I certify that on the date noted below, I sent a copy of the Agreement via certified mail - return receipt requested, to the following person:

Mr. Héctor M. Torres Zayas
President
HAL Development Corporation
P.O. Box 360417
San Juan, Puerto Rico 00936-0417

Dated: 5/29/07

Signed: _____


Edwin Marquez

Secretary

Multi-Media Permits and Compliance Branch