

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

IN THE MATTER OF:

The Battery Recycling Company, Inc.

RESPONDENT

DOCKET NUMBER EPCRA-02-2011-4301

MOTION FOR CONTINUANCE

TO THE REGIONAL JUDICIAL OFFICER:

COMES NOW Complainant, the United States Environmental Protection Agency (EPA), by and through the undersigned attorney and very respectfully avers and prays as follows:

1. That the Complaint in the above-captioned matter was issued on March 1, 2011, and received by Respondent on March 28, 2011.
2. That by its terms and conditions, the Complaint administratively extended, by ninety (90) days, until Monday, June 27, 2011, the time to Answer the Complaint.
3. That the Parties continue to make progress in their effort to reach an agreement in furtherance of settlement of the matter at hand.
4. That settlement of the matter at hand would promote procedural economy, avoiding the delays and costs resulting from the upcoming administrative hearing, in the interest of both Parties.

U.S. ENVIRONMENTAL
PROTECTION AGENCY
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REGIONAL HEARING
CLERK

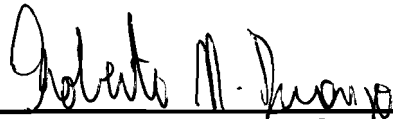
5. That the Parties desire to continue in good faith to negotiate a settlement of this matter in an attempt to reach an amicable resolution of the issues raised and believe that a period of ninety (90) days, until Monday, September 26, 2011, will be adequate to explore whether such a resolution can be reached.

WHEREFORE, Complainant requests a stay of the proceedings in this action for a period of ninety (90) days, until Monday, September 26, 2011, in order for the Parties to continue to pursue settlement negotiations.

RESPECTFULLY SUBMITTED in San Juan, Puerto Rico, this 21st day of June, 2011.

ATTORNEY FOR COMPLAINANT

Roberto M. Durango, Esq.
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RESPONDENT

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Motion for Continuance**, dated June 21, 2011, 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, 16th Floor
New York, NY 10007-1866

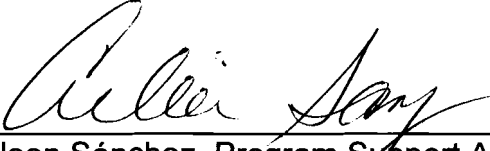
Copy by **Overnight**:

Helen S. Ferrara
Regional Judicial Officer
U.S. EPA, Region 2
290 Broadway - Room 1626
New York, NY 10007-1866

Copy by **Certified Mail**:

Carlos Colón-Franceschi, Esq.
Toro, Colón, Mullet, Rivera & Sifre, P.S.C.
Attorneys for Respondent,
The Battery Recycling Company, Inc.
416 Ponce de León Avenue
Union Plaza Suite 311
San Juan, Puerto Rico 00918

Dated: 6/21/2011



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