

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

In the Matter of:

A.B.E.F. Development Corporation

PMB 363/200 Ave. Rafael Cordero, Suite 140
Caguas, Puerto Rico 00725-3757

Herminio Cotto Construction Corporation

P.O. Box 1600, Suite 1008
Cidra, Puerto Rico 00739

Respondents

Proceeding pursuant to Section 309(g)(2)(A) of the
Clean Water Act, 33 U.S.C. § 1319(g)

DOCKET NUMBER
CWA-02-2010-3465

Motion Requesting Extension of Time to Comply with Order Directing
Complainant to Clarify Calculation of its Proposed Penalty

COMES NOW Complainant, the U.S. Environmental Protection Agency (“EPA” or “Complainant”) through the undersigned attorney, and respectfully alleges, prays and requests as follows:

1. On May 3, 2017, this Honorable Court issued an Order directing Complainant to clarify its calculation of the proposed penalty.
2. Complainant requests this Honorable Court to grant a 45-day extension to submit a clarification of the proposed penalty calculations.
3. The requested extension takes into consideration the fact that attorney for Complainant will be on vacation for a week within said period of time, as well as the need to allow counsel for Complainant the opportunity to confer with the enforcement officers in charge of the inspections, reports and calculations, and reexamine all relevant documentation.

4. In light of the above, and that there is no undue delay, bad faith or dilatory motive that can affect Respondents' rights under law, and that there is no prejudice or additional burden to Respondents, Complainant requests this Honorable Court to grant 45 additional days to comply with the May 3, 2017 Order.
5. The Order establishes May 23, 2017, as the deadline to file Complainant's clarifications of the calculations. For the reasons stated above, Complainant respectfully requests this Honorable Court to grant a 45-day extension of this deadline.

Certificate of Service

I hereby certify that a true copy of this Status Report was served to: Herminio Cotto Construction, Inc., P.O. Box 1600, Suite 1008, Cidra, Puerto Rico, 00739; and Louis Rosado-Viana, Metro Office Park #7, Suite 204, Metro Parque 7, Guaynabo, Puerto Rico 00968.

Respectfully submitted, in Guaynabo, Puerto Rico, this 23rd day of May, 2017.



Carolina Jordán-García, Esq.

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