

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

IN THE MATTER OF:

Félix Ayala and Silvette Ayala
d/b/a Cantera El Roble
State Road 827, Km 2.0
Piñas Ward
Toa Alta, PR 00953

Proceeding to Assess Class II Civil
Penalty Under Section 309(g)

DOCKET NUMBER
CWA-02-2009-3451

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REGION 2
2010 JUN 23 11:11:18
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REGIONAL HEARING
CLERK

RESPONDENTS

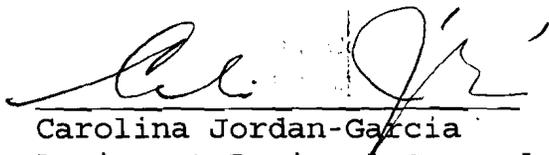
STATUS REPORT

COMES NOW Complainant through the undersigned attorney and very respectfully submit the following status report:

1. The parties in this case have been actively participating in good faith negotiations, including meetings and numerous conference calls in order to expedite a final settlement of this matter.
2. On June 18, 2010, the parties discussed a settlement proposal and are right now in the process of drafting the contents of the Consent Agreement and Final Order (CA/FO). The parties expect to finish this process during the first week of July.

Respectfully submitted in San Juan, Puerto Rico, June 23,

2010.



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CERTIFICATE OF SERVICE

This is to certify that I have on this day caused to be mailed a copy of the foregoing Status Report, bearing docket number CWA-02-2009-3451, as follows:

Copy by Facsimile and Overnight
Mail:

Copy by Certified Mail:

Hon. Barbara A. Gunning
Office of the Administrative Law Judges
U.S. EPA
1099 14th Street, N.W., Suite 350
Washington, DC 20005
Phone (202) 564-6281

Janelle Falcon, Esq.
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Toa Alta, PR 00953

Original and a copy of for filing by Overnight Mail:

Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 2,
290 Broadway, 16th floor,
New York, New York 10007-1866
Phone: (212) 637-3247

Dated:

June 23, 2010


ORC-CT, San Juan, Puerto Rico