

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

RESPONDENTS

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

DOCKET NUMBER
CWA-02-2009-3451

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. 2
2010 AUG -3 PM 3:21
REGIONAL HEARING
CLERK

Motion to Comply with Order

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

Complainant and Respondents Félix Ayala and Silvette Ayala (together, "the Parties") reached an agreement in principle dispositive of all matters asserted in the Administrative Complaint, including a penalty.

The Parties have reached an agreement as to the final language and terms of the Consent Agreement and Final Order (CA/FO). Once the CA/FO is finalized, it will be placed into concurrence within several EPA officers for their review and concurrence. Also, in order to file a duly executed CA/FO, the signature of the Respondents and the signature of EPA's Caribbean Environmental Protection Division Director are required. Thus, the fully executed CA/FO is expected to be filed within the next month.

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Certificate of Service

I certify that I have this day caused to be sent the foregoing *Motion in Compliance with Order*, dated July 30, 2010, and bearing the above-referenced docket number, in the following manner to the respective addressees below:

Original and copy, overnight mail via **UPS** to:

Karen Maples
Regional Hearing Clerk
Region II
U.S. Environmental Protection Agency
290 Broadway, 16th Floor
New York, NY 10007-1866
Fax (212) 637-3202.

Copy by **Regular Mail** to:

Attorney for Respondents:
Janelle Falcon, Esq.
Toa Alta Heights
18th Street, N19
Toa Alta, PR 00953
Tel: (787) 344-5315

Copy by facsimile, overnight mail via **UPS** to:

Administrative Law Judge:
Honorable Barbara A. Gunning
Office of Administrative Law Judges
U.S. Environmental Protection Agency
1099 14th Street, N.W., Suite 350
Washington, D.C. 20005
Fax (202) 565-0044.

7/30/2010
Date


Name