

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. II  
2010 MAR -9 AM 9:02  
REGIONAL HEARING  
CLERK

IN THE MATTER OF:

**CULEBRA RESORT ASSOCIATES**

P.O. Box 192336  
San Juan, Puerto Rico 00906

**RESPONDENT**

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

**MOTION**

**DOCKET NUMBER CWA-02-2008-3356**

***Informative Motion Requesting Extension of Time to File Executed Consent  
Agreement and Final Order***

COMES NOW Complainant, the U.S. Environmental Protection Agency, and respectfully alleges, prays and requests as follows:

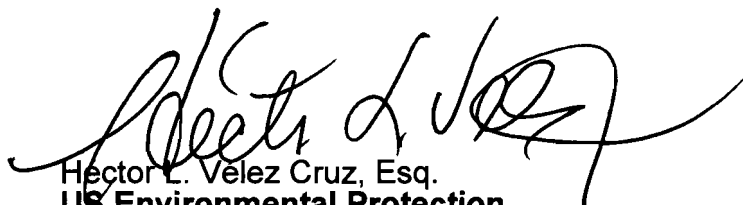
During the past months, Complainant and Respondent, Culebra Resort Associate, (together the "Parties"), have been actively participating in settlement negotiations in order to reach an agreement as to the final language and terms of the Consent Agreement and Final Order (CA/FO).

Once the CA/FO is finalized it will be placed into concurrence within several EPA officers located in Region 2's San Juan and New York offices for their review and concurrence. Also, in order to file a duly executed CA/FO, the signature of the Respondent and the signature of the Director of the Caribbean Environmental Protection Division are required. Once this process concludes, the fully executed CA/FO will immediately be filed.

This Motion has been filed today in order to have the Honorable Regional Judicial Officer, Helen S. Ferrara, take notice of the progress made in formalizing this agreement in a fully executed CA/FO. Due to the complexity of the review and concurrence process within the Agency and between the Parties, in order to finalize a fully executed CA/FO the Parties request the Honorable Regional Judicial Officer until April 1, 2010, in order to file the duly executed CA/FO and notify its execution to the Presiding Officer.

This Motion was discussed today with Rafael A. Toro Ramírez, Esq., counsel for Respondent, who agreed to the filing of this motion.

Respectfully submitted, in San Juan, Puerto Rico, this 1<sup>st</sup> day of March, 2010.



Hector L. Velez Cruz, Esq.  
**US Environmental Protection  
Agency, R2**  
Centro Europa Building, Suite 417  
1492 Ponce de León Ave.  
San Juan, PR 00907-4127  
Tel. 787-977-5850  
Fax. 787-729-7748  
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION II

IN THE MATTER OF:

**CULEBRA RESORT ASSOCIATES**

P.O. Box 192336  
San Juan, Puerto Rico 00906

**RESPONDENT**

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

**MOTION**

**DOCKET NUMBER CWA-02-2008-3356**

**CERTIFICATE OF SERVICE**

I certify that I have this day caused to be sent the foregoing *Informative Motion Requesting Extension of Time to File Executed Consent Agreement and Final Order*, dated March 1<sup>st</sup>, 2010, and bearing the above-referenced docket number, in the following manner to the respective addressees below:

Original and copy by facsimile, **Overnight Mail** to:

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

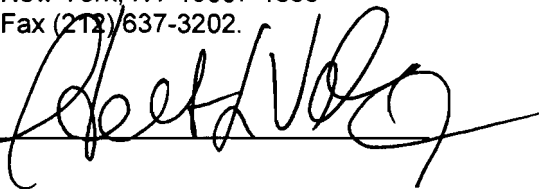
Copy by **Certified Mail, Return Receipt Requested** to:

**For Respondent:**  
Rafael A. Toro Ramirez, P.E., Esq.  
P.O. Box 11064  
San Juan, Puerto Rico 00922-1064  
Tel. (787) 783-8630 Fax (787) 783-7630  
toroars@caribe.net

Copy by facsimile, **Overnight Mail** to:

Hon. Helen S. Ferrara  
Presiding Officer  
Region II  
U.S. Environmental Protection Agency  
290 Broadway, 16<sup>th</sup> Floor  
New York, NY 10007-1866  
Fax (212) 637-3202.

Name: \_\_\_\_\_



Date: \_\_\_\_\_

