

**UNITED STATES OF AMERICA  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
REGIONAL HEARING CLERK  
290 Broadway, 16<sup>th</sup> Floor-Room 1631  
New York, New York 10007-1866**

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. II  
2007 OCT 29 PM 3:41  
REGIONAL HEARING  
CLERK

IN THE MATTER OF:

Municipality of San Juan,  
Dr. Javier J. Anton Hospital, San  
Juan Center for Diagnostic and  
Treatment

Respondent.

Docket No.  
**RCRA-02-2007-7112**

FORMAL HEARING REQUESTED

**MOTION REQUESTING AN INFORMAL SETTLEMENT CONFERENCE**

**TO THE HONORABLE ENVIRONMENTAL PROTECTION AGENCY:**

NOW COMES the respondent Municipality of San Juan through the undersigned attorney, and respectfully states, alleges and request as follows:

1. Pursuant to the "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits" ("CROP"), the parties may engage in any process, which may facilitate the settlement of the proceeding. 40 C.F.R. § 22.18 (b).
2. In accordance with the alternate procedure established by CROP, the appearing party respectfully requests the celebration of an Informal Hearing to comment on the charges made in the above captioned case.

3. On this same date, the appearing party requested an extension of time of sixty (60) days to file an answer to the complaint or otherwise plead.
4. We request that such meeting be ordered once the sixty (60) day extension period comes to an end in order for legal and environmental counsel for the Municipality to be adequately prepared and familiarized with the extensive facts alleged in the complaint, and thus, a more productive meeting between the parties can take place.
5. Pursuant to 40 C.F.R. § 22.21 (d), the appearing party respectfully requests that the Informal Hearing be held at the EPA office's located in San Juan, Puerto Rico.

WHEREFORE, Respondent prays from the Honorable EPA to order the parties to celebrate an Informal Settlement Conference after the sixty (60) day extension period expires at the Regional Offices of EPA located in San Juan, Puerto Rico.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico this 24<sup>th</sup> day of October, 2007.

I HEREBY CERTIFY: that on this date served copy of the foregoing pleading by United States mail, properly addressed, and first-class postage to Regional Hearing Clerk, U.S. Environmental Protection Agency, 290 Broadway, 16<sup>th</sup> Floor-Room 1631, New York, New York 10007-1866; Mrs. Lourdes del Carmen Rodriguez, Esq., Assistant Regional Counsel, U.S.E.P.A.—Region 2, Centro Europa Building, Suite 417, 1492 Ponce de Leon Avenue, San Juan, P.R. 00907

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