

**FERNANDO MOLINI-VIZCARRONDO LAW OFFICES, PSC
1782 GLASGOW AVENUE
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SAN JUAN, PUERTO RICO 00921
TEL. 787-765-2637**

December 21, 2016

Ms. Karen Maples
Regional Hearing Clerk
U.S. Environmental Protection Agency
290 Broadway, 16th Floor
New York, New York 10007-1866

RE: **NOTICE OF PROPOSED ASSESSMENT OF CIVIL PENALTY
DEL VALLE GROUP
DOCKET NUMBER CWA-02-2017-3451
SAN GERMAN SURF AND WATER FUN PARK PROJECT**

Dear Ms. Maples:

Please find enclosed a Consented-To Motion for Twenty Days Extension of Time prepared on behalf of Del Valle Group in the above referenced matter. Today I spoke with Attorney Evelyn Rivera-Ocasio and discussed the need for an extension of time. Ms. Rivera-Ocasio verbally, and later by email, consented to the extension of time and requested that I follow up with a motion for extension.

Please let me know if you have any questions.

Cordially,


Fernando Molini-Vizcarrondo

c: Atty. Evelyn Rivera-Ocasio

U.S. Environmental
Protection Agency-Reg C
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REGIONAL HEARING
CLERK

**U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY, 16TH FLOOR
NEW YORK, NEW YORK 1007-1866**

IN THE MATTER OF:

**DEL VALLE GROUP
PO BOX 2319
TOA BAJA, PR 00951-3114**

**San Germán Surf and Water Fun
Park Construction Project
Road PR-2, Km. 174
San Germán, PR 00683**

RESPONDENT

*** DOCKET NO. CWA-02-2017-3451**

*** Proceeding pursuant to Section**

*** 309(g) of the Clean Water Act,**

*** 33 U.S.C. §1319(g). to assess a**

*** Class II Civil Penalty**

CONSENTED-TO MOTION FOR TWENTY DAYS EXTENSION OF TIME

Respondent Del Valle Group ("Respondent"), by and through the undersigned counsel, moves for an extension of time to file an answer or otherwise to respond to the Administrative Complaint, Findings of Violation and Notice of Proposed Assessment of an Administrative Penalty, in the above-referenced matter pursuant to Rule 22.7 of the Consolidated Rules of Practice Governing the Administrative Assessment and Civil Penalties.

Counsel for Respondent has communicated with Counsel for Complaint U.S. Environmental Protection Agency, Evelyn Rivera-Ocasio, and has obtained consent for the requested extension of time from the present deadline to answer the Complaint. In support of this motion, Respondent states the following:

1. It is in the best interest of the parties and the process to: (a) avoid the likely unnecessary expense to Respondent of having to prepare and

Answer to the Complaint; (b) devote the parties' resources toward a negotiation and a potential settlement; and (c) allow for a minimal but sufficient time for Respondent to prepare and file an Answer to the Complaint in the event that the parties cannot reach a settlement.

2. Respondent requested that the deadline for submission of an Answer to the Complaint be extended to January 26, 2017.
3. Counsel for the U.S. EPA has consented to the requested extension of time.

WHEREFORE, Respondent respectfully that this tribunal extend the time allowed for answer or other response to the Administrative Complaint until January 26, 2017.

DATED: December 21, 2016.

Respectfully submitted,
DEL VALLE GROUP,
By their attorney,



Fernando Molini-Vizcarrondo
1782 Glasgow Avenue
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San Juan, PR 00921
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Fax. 787-294-1704
molinilawoffices@gmail.com

CERTIFICATE OF SERVICE

I certify that I have this day caused to be sent the foregoing **CONSENTED-TO MOTION FOR TWENTY DAYS EXTENSION OF TIME**, dated December 21, 2016, and bearing the above-reference docket number, in the following manner to the respective addressee below:

CONSENTED-TO MOTION FOR TWENTY DAYS EXTENSION OF TIME sent by U.S. Mail to:

Karen Maples
Regional Hearing Clerk
U.S. Environmental Protection Agency
Region 2
290 Broadway, 16th Floor
New York, New York 10007-1866

Evelyn Rivera-Ocasio
Assistant Regional Counsel
Office of Regional Counsel-Caribbean Team
U.S. Environmental Protection Agency
City View Plaza II, Suite 7000
#48, Road 165, Km. 1.2
Guaynabo, PR 00968-8069



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Dec. 21, 2016
Date