

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 2**

In the matter of:

TAPI Puerto Rico, Inc.
Highway 3, Km. 76.3
C Street, Humacao Industrial Park
Humacao, PR 00791

Respondent

Docket No. CAA-02-2011-2012

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG.11
2012 JAN 30 P 2:29
REGIONAL HEARING
CLERK

**MOTION REQUESTING EXTENSION OF TIME TO FILE
RESPONDENT'S PREHEARING EXCHANGE**

TO THE HONORABLE PRESIDING OFFICER:

COMES NOW, respondent, TAPI Puerto Rico, Inc. ("TAPI"), through the undersigned attorneys, and very respectfully informs states and prays as follows:

1. The Prehearing Order ("Order") issued by Honorable Susan L. Biro, Administrative Law Judge for the case at bar, establishes the schedule by which the Parties should file the Prehearing Exchange. According to the Order, the Complainant was required to file its Prehearing Exchange by January 6, 2012. Twenty one (21) days later (i.e., January 27, 2012) TAPI is required to submit its Prehearing Exchange.

2. On January 5, 2012, Complainant filed a motion for extension of time to file the Prehearing Exchange, which we discussed with counsel for the Complainant and confirmed we had no objection to the same. Such motion was granted on January 6, 2012.

3. On January 11, 2012, Complainant filed its Prehearing Exchange. A copy was sent to the undersigned by ordinary certified mail only which was received on January 19, 2012.

4. On January 12, 2012, the undersigned, for reasons beyond her control, suffered a serious accident which required urgent medical care, immobilization and home confinement for a period of two (2) weeks. Today, the undersigned, who is the only attorney in the firm familiar with the case and able to prepare TAPI's Prehearing Exchange, was able to come to work for a limited time only, as per medical instructions.

5. In view of the foregoing, and considering that there is no undue delay, bad faith or dilatory motive, TAPI requests the Honorable Administrative Law Judge to grant TAPI twenty one (21) additional days from this date to file its Prehearing Exchange.

6. We contacted Complainant's attorney by electronic correspondence and she confirmed she has no objection to the present motion.

WHEREFORE, TAPI respectfully requests this Honorable Presiding Officer to take notice of the aforementioned and, consequently, grant the extension of time requested herein above, that is, until February 17, 2012 to file its Prehearing Exchange.

RESPECTFULLY SUBMITTED.

I HEREBY CERTIFY: That on this same date, a true and exact copy of the foregoing document was sent, through regular mail and facsimile, to: Carolina Jordán-García, Office of Regional Counsel, U.S. Environmental Protection Agency, Region 2, 1492 Ponce de León Ave., Suite 417, Santurce, Puerto Rico 00907-4127.

In San Juan, Puerto Rico, this 27th day of January, 2012.

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