

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2**

IN THE MATTER OF:

**USVI Department of Health - Division of  
Environmental Health -St. Thomas & St.  
Croix**

Respondent

Proceeding under Section 3008 of the  
Solid Waste Disposal Act, as amended,  
42 U.S.C. § 6928

**COMPLAINT, COMPLIANCE ORDER,  
AND NOTICE OF OPPORTUNITY FOR  
HEARING**

Docket No. RCRA-02-2010-7111

REGIONAL HEARING  
CLERK

2011 FEB 28 A 11:09

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. II

**STATUS REPORT**

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

Pursuant to the January 19, 2011 Prehearing Order issued by the Administrative Law Judge, Honorable Barbara A. Gunning, counsel for Complainant submits the following status report in the above captioned matter.

The Complainant and the USVI Department of Health, Division of Environmental Health (Respondent) (herein together the "Parties") have been actively participating in good faith negotiations. On January 14, 2011, the Parties held a conference call in which all the requirements of the Compliance Order were discussed and March 18, 2011, was set as the deadline to submit all responses, documentation, and evidence in response to

the Compliance Order. The Parties agreed to meet after the submittal of the totality of the documents in order to present each other with settlement proposals.

Certificate of Service

I hereby certify that a true copy of this Status Report was served to: Pamela R. Tepper, Esq., VI Department of Justice, 34-38 Kronprindsens Gade, GERS Building, 2<sup>nd</sup> Floor, St. Thomas, VI, 00802.

Respectfully submitted, in San Juan, Puerto Rico, this 25<sup>th</sup> day of February, 2011.



**Carolina Jordán-García, Esq.**  
US Environmental Protection Agency, R2  
Centro Europa Building, 417  
1492 Ponce de Leon  
San Juan, PR 00907  
Tel. 787-977-5834  
Fax. 787-729-7748  
[jordan-garcia.carolina@epamail.epa.gov](mailto:jordan-garcia.carolina@epamail.epa.gov)

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2**

IN THE MATTER OF:

**USVI Department of Health - Division of  
Environmental Health -St. Thomas & St.  
Croix**

Respondent

Proceeding under Section 3008 of the Solid  
Waste Disposal Act, as amended,  
42 U.S.C. § 6928

**COMPLAINT, COMPLIANCE ORDER,  
AND NOTICE OF OPPORTUNITY FOR  
HEARING**

Docket No. RCRA-02-2010-7111

**CERTIFICATE OF SERVICE**

I certify that, on the date noted below, I caused to be mailed the foregoing Status Report to the following persons, at the addresses listed below and in the following manner:

**Original and Copy by overnight mail to:**

Karen Maples  
Regional Hearing Clerk  
Region 2  
290 Broadway, 16th Floor  
New York, NY 1007-1866  
Fax (212) 637-3202

**Copy by Facsimile and overnight mail to:**

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

**Copy by email and Regular Mail:**

Pamela R. Tepper, Esq.  
VI Department of Justice  
34-38 Kronprindsens Gade  
GERS Building, 2nd Floor  
St. Thomas, VI, 00802  
Fax (340) 774-9710

Date: 2/25/11

  
San Juan, Puerto Rico  
Office of Regional Counsel - CT