

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2**

In the Matter of:

MUNICIPALITY OF RÍO GRANDE
P. O. BOX 847
RÍO GRANDE, PUERTO RICO 00745

RESPONDENT

Proceeding pursuant to Section 309(g)(2)(B) of
the Clean Water Act, 33 U.S.C. § 1319(g)

**PROCEEDING TO ASSESS A
CLASS II CIVIL PENALTY**

**DOCKET NUMBER
CWA-02-2009-3458**

STATUS REPORT

To the Honorable Court:

COMES NOW the Complainant to the instant action and very respectfully avers
and prays as follows:

1. Pursuant to this Honorable Court's Order on Joint Motion for Stay, dated January 13, 2010, Complainant in the above-captioned matter was directed to file a Status Report on the progress of settlement during the week of February 2, 2010.

2. That on Friday, January 29, 2010, Respondent submitted three Supplemental Environmental Project (SEP) proposal options, for Complainant to evaluate, in furtherance of the Parties' good-faith efforts to reach a prompt, amicable resolution matter.

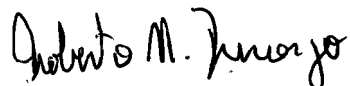
U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
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REGIONAL HEARING
CLERK

3. That the Parties have arranged to visit the project sites, during the week of February 8, 2010, to evaluate whether a proposed project qualifies under EPA's SEP Policy.

4. Complainant was ordered to file a status report regarding progress of settlement of this matter during the week of February 2, 2010.

WHEREFORE it is respectfully requested that the Court take notice of the status of the instant case.

Respectfully submitted in San Juan, Puerto Rico, on this 4th day of February, 2010.



Roberto M. Durango, Esq.
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Status Report** was sent in the following manner to the addresses listed below:

Copy by **Overnight** and
Facsimile:

Honorable Susan L. Biro
Chief Administrative Law Judge
U.S. Environmental Protection Agency
Office of Administrative Law Judges
1099 14th Street, N.W., Suite 350
Washington, D.C. 20005

Original and
Copy by **Overnight:**

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

Copy by **Certified Mail:**

Alejandro Carrasco-Castillo, Esq.
Legal Counsel
Parana 1684
Urb. El Cerezal
San Juan, Puerto Rico 00926-3144

Date:

2/4/2010



Aileen Sánchez, Program Support Assistant
Office of Regional Counsel, Caribbean Team