



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BEFORE THE ADMINISTRATOR

U.S. ENVIRONMENTAL PROTECTION AGENCY-REG.11 2011 MAR -3 P 3:27 REGIONAL HEARING CLERK

IN THE MATTER OF:)
DESTILERIA SERRALLES, INC.,) DOCKET NO. CAA-02-2010-1233
RESPONDENT)

ORDER ON JOINT MOTION TO SET ASIDE PREHEARING EXCHANGE ORDER AND REQUESTING 60 DAYS TO FILE CONSENT AGREEMENT AND FINAL ORDER

On December 14, 2010, the undersigned issued a Prehearing Order in this case. Pursuant to that Order, Complainant was required to file its Initial Prehearing Exchange by February 28, 2011, and Respondent was required to file its Prehearing Exchange by March 28, 2011.

On February 28, 2011, Complainant filed a Joint Motion to Set Aside Prehearing Exchange Order and Requesting 60 Days to File Consent Agreement and Final Order ("Motion"). In the Motion, Complainant relates that, on February 25, 2011, the parties reached a settlement agreement in principle that is dispositive of all matters set forth in the Complaint. In order to provide the parties an opportunity to record this agreement in a Consent Agreement and Final Order ("CAFO"), Complainant requests that the undersigned set aside the deadlines established by the Prehearing Order and impose a 60 day deadline for filing a fully executed CAFO. Complainant represents that Respondent agrees to this request.

For good cause shown, the Motion is GRANTED. Accordingly, the deadlines established by the Prehearing Order for the filing of the parties' prehearing exchanges are hereby vacated, and the parties are directed to file a fully executed CAFO no later than May 3, 2011.

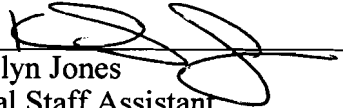
Barbara A. Gunning Administrative Law Judge

Dated: March 2, 2011 Washington, DC

In the Matter of Destileria Serralles, Inc., Respondent.
Docket No. CAA-02-2010-1233

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order on Joint Motion to Set Aside Prehearing Exchange Order and Requesting 60 Days to File Consent Agreement and Final Order**, dated March 2, 2011, was sent this day in the following manner to the addressees listed below.



Knolyn Jones
Legal Staff Assistant

Original and One Copy by Pouch Mail to:

Karen Maples
Regional Hearing Clerk
US EPA, Region II
290 Broadway, 16th Floor
New York, NY 10007-1866

Copy by Pouch Mail to:

Carolina Jordan-Garcia, Esq.
Office of Regional Counsel
ORC, US EPA, Reg. II, Caribbean Field Div.
Centro Europa Building, Ste. 417
1492 Ponce de Leon Avenue
San Juan, PR 00907-4127

Copy by Regular Mail to:

Francis Torres-Fernandez, Esq.
Torres & Garcia, PSC
Attorneys for Destileria Serrales, Inc.
P.O. Box 19539
San Juan, PR 00910-1539

Dated: March 2, 2011
Washington, DC