

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II

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REGIONAL HEARING
CLERK

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

In the Matter of:

DESARROLLOS ALTAMIRA I, INC., and
CIDRA EXCAVATION, S.E.,

RESPONDENTS

DOCKET NUMBER
CWA-02-2009-3462

JOINT MOTION FOR EXTENSION TO FILE JOINT SET OF STIPULATED FACTS,
EXHIBITS, AND TESTIMONY

To the Honorable Court:

COME NOW the Parties to the instant action, through the undersigned attorneys and very respectfully aver and pray as follows:

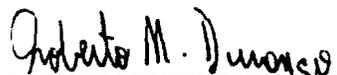
1. Pursuant to this Honorable Court's Order Scheduling Hearing (Order), dated June 1, 2010, the Parties were directed to file a Joint Set of Stipulated Facts, Exhibits, and Testimony (Joint Set of Stipulations) on or before August 20, 2010.
2. That on June 30, 2010, Respondent, Cidra Excavation S.E. (Cidra), filed a Motion for Partial Accelerated Decision or Dismissal (Motion).
3. That on August 11, 2010, Complainant filed a Response to Cidra's Motion.
4. That on August 19, 2010, Cidra notified Complainant that it intended to file a Reply to Complainant's Response.
5. That Respondent Desarrollos Altamira I, Inc. and Complainant have reached an agreement in principle and anticipate filing a fully-executed Consent Agreement and Final Order (CA/FO) within thirty days.

6 That the Parties believe that although a preliminary Joint Set of Stipulations could be produced in compliance with the Order, a more complete and accurate Joint Set of Stipulations can be produced after the aforementioned CA/FO is filed and after this Honorable Court rules on the Motions before it.

WHEREFORE the Parties respectfully request, for all of the foregoing reasons, that this Honorable Court grant the Parties an extension of thirty days—after a decision is rendered on the pending motions—to file the Joint Set of Stipulations and the prehearing motions due on August 31, 2010.

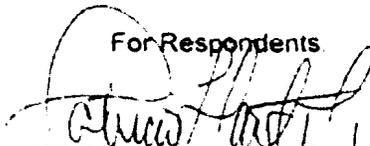
Respectfully submitted in San Juan, Puerto Rico, on August 19, 2010.

For Complainant



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For Respondents



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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Motion for Extension to File Joint Set of Stipulated Facts, Exhibits, and Testimony**, dated August 19, 2010, was sent in the following manner to the addresses listed below:

Original and Copy by Overnight:

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

Copy by Overnight:

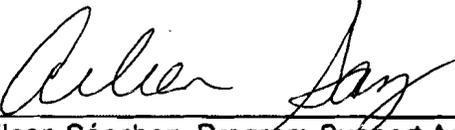
The Honorable Susan L. Biro
Chief Administrative Law Judge
Environmental Protection Agency
Office of Administrative Law Judges
1099 14th Street, N.W., Suite 350
Washington, D.C. 20005

Copy by Certified Mail:

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Dated: 8/19/10


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