

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. 2  
2008 JUN 11 PM 4:13  
REGIONAL HEARING  
CLERK

IN THE MATTER OF:

Quality Engineers and  
Contractors, Inc., and

Cidra Excavation, Inc.,

**RESPONDENTS**

**DOCKET NUMBER CWA-02-2007- 3411**

PROCEEDING PURSUANT TO SECTION 309(G)  
OF THE CLEAN WATER ACT, 33 U.S.C. § 1319(),  
TO ASSESS CLASS II CIVIL PENALTY

**STATUS REPORT**

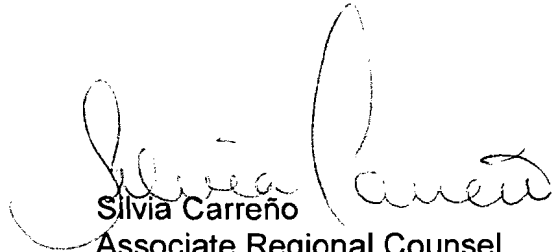
To the Honorable Court:

Comes now the Complainant to the instant action and very respectfully avers and prays as follows:

1. In Compliance with the PreHearing Order dated March 14, 2008, the parties to this action met on May 28, 2008 and held a settlement conference.
2. The Complainant respectfully submits a status report regarding such conference and the status of settlement.
3. The attorney for Respondents has advised that he intends to contest the jurisdictional basis on which this action is grounded.
4. Respondents' counsel further stated that he will file either a motion to dismiss or a motion for accelerated decision
5. No settlement is foreseeable on this matter at this juncture.

WHEREFORE the Complainant respectfully informs the Court of the Status of negotiations in this case.

Respectfully submitted, In San Juan, Puerto Rico on this 9<sup>th</sup> day of June.



Silvia Carreño  
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Office of Regional Counsel  
U.S. Environmental Protection Agency,  
Region 2  
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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:

Barbara A. Gunning  
Administrative Law Judge  
Office of Administrative Law Judges  
1099 14th Street, N.W., Suite 350, Franklin  
Court, Washington, D.C. 20005  
(202) 565-0044

Original and  
Copy by Overnight:

Karen Maples  
Regional Hearing Clerk  
U.S. Environmental Protection Agency,  
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