

0

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 Broadway
New York, New York 10007**

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2009 NOV 17 PM 4: 34
REGIONAL HEARING
CLERK

IN THE MATTER OF

**PRADERAS DEL MAR, INC.
AGUADA, PUERTO RICO**

**Proceeding pursuant to §309(g) of the
Clean Water Act, 33 USC §1319(g)**

Proceeding to Assess Class I
Civil Penalty Under Section
309(g) of the Clean Water Act
Docket No. CWA-02-2009-3602

INFORMATIVE MOTION

TO THE AGENCY:

Comes now, Respondent, Praderas del Mar, Inc. ("hereinafter referred to as "Praderas") through the undersigned attorney, and very respectfully states and prays:

1. A Compliant was filed against Respondent. Said Complaint was received on October 5, 2009.

2. Though the "Consolidated Rules of Practice Governing The Administrative Assessment Of civil Penalties And The Revocation/Termination Or Suspension Of Permits" ("CROP"), establishes a thirty (30) day period in order for a Answer To Complaint to be answered, because of the nature of the case, the facts alleged in the Complaint, and the need for Respondent to retain counsel and for said

counsel to familiarize itself with the facts, Respondent is filing its Answer To Complaint and its request for hearing after the thirty (30) day period.


3. Respondent respectfully requests that due to the fact that the thirty (30) period has just recently expired and because there is due cause for Respondent to be filing its Answer to Complaint at this time, that this Honorable Agency accept Respondent's Answer to Complaint and its request for hearing.

4. Respondent also informs that together with the present motion, Respondent is including its Answer to the Request for Information with copy of all pertinent documents.

WHEREFORE, Respondent respectfully request that this Honorable Agency take notice of the above; and accept its Answer to Complaint and request for hearing, as well as its Answer to the Request for Information.

I CERTIFY that a copy of the present document has been sent to all parties involved.

In Aguada, Puerto Rico, this 11th day of November, 2009.


Heriberto Güivas-Lorenzo, Esq.
Attorneys for Respondent
GÜIVAS & QUIÑONES LAW OFFICES, PSC
HC-03 Box 39605
Aguada, Puerto Rico 00602
Tel. (787) 868-4920
Fax. (787) 868-4921
E-mail: guivasquinoneslaw@yahoo.com