

UNITED STATES ENVIRONMENTAL AGENCY  
Region 2

IN THE MATTER OF:

**Municipality of Aguadilla**  
Respondent

Proceeding under Section 3008 of the  
Solid Waste Disposal Act, as amended,  
42 U.S.C. §6928

Docket no. RCRA-02-2009-7102

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. 2  
2009 AUG 25 PM 12:04  
REGIONAL HEARING  
CLERK

**REQUEST FOR EXTENSION OF TIME  
TO FILE ANSWER TO COMPLAINT**

Respondent, **Municipality of Aguadilla**, hereby requests from Environmental Protection Agency, Region 2, through its Regional Judicial Officer, the following:

1. That it grant an extension of time of an additional forty five (45) days to file its *Answer* to the *Complaint* in the above referenced matter.
2. Respondent, **Municipality of Aguadilla** seeks this additional time until October 6, 2009 for the Parties to finalize the informal settlement discussions in progress and try and resolve this matter, thus avoiding a protracted litigation. The parties have had several productive settlement conferences and have reached a settlement in principle, but still need the requested extension of time to finalize the same.
3. The appearing counsel discussed this request of additional time with Ms. Melva J. Hayden, Esq. Assistant Regional Counsel for the EPA and the agency concurs on Respondent's request for an additional 45-day extension of time until October 6, 2009, for the reasons stated above.

4. As previously stated, the Respondent **Municipality of Aguadilla**, however, expressly reserves its right to request a formal hearing pursuant to 40 C.F.R. §22.15(c), if necessary, when it files its formal *Answer* to the Complaint.

For the reasons set forth above, Respondent **Municipality of Aguadilla** very respectfully requests that an additional extension of forty-five (45) days, until October 6, 2009 be granted to formally file its *Answer* to the instant *Complaint*.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 20<sup>th</sup> day of August, 2009.

**I HEREBY CERTIFY** that on this same date, a true and exact copy of this motion has been mailed to Melva J. Hayden, Esq., Assistant Regional Counsel, Office of Regional Counsel, U.S. Environmental Protection Agency, Region 2, 290 Broadway – 16<sup>th</sup> Floor, New York, New York, 10007-1866.



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