

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 2

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2012 FEB 10 A 11: 53
REGIONAL HEARING
CLERK

In the matter of:

Pan American Grain Co, Inc.
9 Claudia St.
Amelia Industrial Park
Guaynabo, Puerto Rico 00968

NPDES MSGP Number PRR05BT41

Respondent

Docket No. CWA-02-2011-301

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

**MOTION REQUESTING EXTENSION OF TIME TO COMPLAINANT'S
MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT**

TO THE HONORABLE PRESIDING OFFICER:

COMES NOW, respondent, Pan American Grain Manufacturing Company ("PAGM")
through the undersigned attorneys, and very respectfully informs, states and prays as follows:

1. On January 26, 2012, Complainant filed a motion titled Leave to File First Amended Complaint whereby Complainant requests the Honorable Presiding Officer to grant a second amendment to the Complaint.
2. On January 12, 2012, the undersigned, for reasons beyond her control, suffered a serious accident which required urgent medical care, immobilization and home confinement for a period of two (2) weeks. The motion mentioned above was received when the undersigned was finally able to come to work on a very limited basis, as per medical instructions.
3. Since January 26, 2012, date on which we received an electronic copy of the motion presented by Complainant, the undersigned, who is the only attorney in the firm familiar

with the case and able to prepare PAGM's reply, continues to be able to work on a limited basis, given the daily health concerns associated to the serious trauma suffered.

4. In view of the foregoing, and considering that there is no undue delay, bad faith or dilatory motive, PAGM requests the Honorable Presiding Officer to grant PAGM twenty one (21) additional days from this date to file its reply to the motion filed by Complainant on January 26, 2012.

5. We contacted Complainant's attorney today and he confirmed that he has no objection to the request being made in the present motion.

WHEREFORE, PAGM respectfully requests this Honorable Presiding Officer to take notice of the aforementioned and, consequently, grant the extension of time requested herein above, that is, until March 1, 2012 to file its reply to the motion requesting leave to file second amended complaint.

RESPECTFULLY SUBMITTED.

I HEREBY CERTIFY: That on this same date, a true and exact copy of the foregoing document was sent, through regular mail and facsimile, to: Héctor L. Vélez, Office of Regional Counsel, U.S. Environmental Protection Agency, Region 2, 1492 Ponce de León Ave., Suite 417, Santurce, Puerto Rico 00907-4127.

In San Juan, Puerto Rico, this 9th day of February, 2012.

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