



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2008 FEB 20 PM 3:31
REGIONAL HEARING
CLERK

February 20, 2008

Diane Gomes, Esq.
Assistant Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 2
290 Broadway – 16th Floor
New York, New York 10007

José Alberto Feliciano Ramos, Esq.
Attorney for Respondent
P.O. Box 2411
Bayamon, Puerto Rico 00960-2411

RE: Herminio Cotto Construction., EPA Docket No. CWA-02-2007-3404

Dear Counsel:

I had scheduled a telephonic prehearing conference for Tuesday, March 4, 2008, beginning at 10:00 AM EST. However, by *Motion to Reschedule Pre-hearing Conference* dated February 12, 2008, Respondent's attorney has informed the undersigned that he has a conflict on that date.

Therefore, I am **rescheduling the telephonic prehearing conference for Tuesday, March 11, 2008, beginning at 10:00 AM EST,** or as soon thereafter as I can make the necessary arrangements. Unless you advise me otherwise, I will call Ms. Gomes at (212) 637-3235 and Mr. Feliciano at (787) 460-0277.

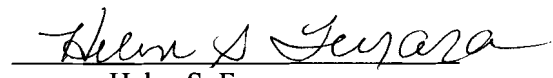
The Regional Hearing Clerk maintains the administrative record for this proceeding under § 28.5 of the Consolidated Rules. Please make sure that the originals of all documents you wish included in the record are properly filed with the Regional Hearing Clerk, with copies to the opposing party and to the Presiding Officer. My address is:

Helen S. Ferrara
Presiding Officer
U. S. Environmental Protection Agency-Region 2
290 Broadway - 16th Floor
New York, New York 10007-1866

If you cannot be available for the prehearing conference at the time I have scheduled, or if you have any questions about these procedures, please contact my office immediately at (212) 637-3233. In doing so, please be mindful of § 22.8 of the Consolidated Rules **Ex parte discussion of proceeding**. The Consolidated Rules preclude one-party discussion with the Presiding Officer or other Agency officials, involved in this case or likely to advise these officials, of the merits of this case. If you need to discuss the merits with me, please arrange to have opposing counsel participate in the discussion. The substance of your settlement discussions, if any, should not be divulged to me because it could affect my neutrality.

Thank you for your cooperation in this matter.

Very truly yours,

A handwritten signature in cursive script, reading "Helen S. Ferrara", is written over a horizontal line.

Helen S. Ferrara
Presiding Officer

cc: Karen Maples, Regional Hearing Clerk (original)
Regional Judicial Officer File