

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

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In the Matter of :  
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A.B.E.F. Development Corp. and :  
Herminio Cotto Construction, Inc. :  
 :  
 : Docket No. CWA-02-2010-3465  
Respondents :  
 :  
 :  
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**ORDER EXTENDING COMPLAINANT'S TIME TO  
CLARIFY CALCULATION OF THE PROPOSED PENALTY**

On July 6, 2017, Complainant's Attorney filed a *Motion in Compliance with Order to Clarify Memorandum and Requesting Extension of Time to Submit Modified Penalty Calculation*. In that *Motion*, in addition to providing information requested in a May 3, 2017 Order issued by the Undersigned, the Complainant's Attorney requested an additional seven days, through July 13, 2017, to submit a modified penalty calculation and affidavit.

On July 18, 2017, Complainant's Attorney submitted a *Motion Requesting Extension of Time to Submit Modified Penalty Calculation*. In light of a delay on the part of Complainant's technical expert in providing a final revised calculation before she began an extended leave from the office, the Complainant's attorney asked for an additional 30 days in which to submit the modified calculation. Based on the information provided by the Complainant, an extension of time is granted through September 6, 2017 for Complainant to submit a modified penalty calculation and affidavit in support thereof.

**ORDER**

The Complainant is hereby directed to file a Supplemental Motion setting forth a modified penalty calculation and an affidavit in support of the revised calculation no later than September 6, 2017.

The Respondents shall file any response to the Supplemental Motion within fifteen (15) days of service of the Complainant's motion.

**Effective Date**

The effective date of this Order shall be July 18, 2017.

Date: August 14, 2017

  
Helen Ferrara  
Presiding Officer

**CERTIFICATE OF SERVICE**

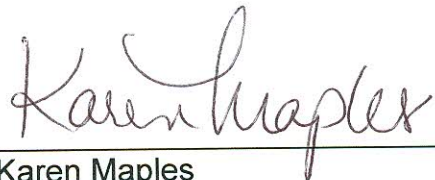
I hereby certify that the **Order Extending Complainant's Time To Clarify Calculation of the Proposed Penalty** by Regional Judicial Officer Helen Ferrara in the matter of **A.B.E.F. Development Corp. And Herminio Cotto Construction, Inc.**, **Docket No. CWA-02-2010-3465**, was served on the parties as indicated below:

First Class Mail -

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Karen Maples  
Regional Hearing Clerk  
USEPA - Region II

Dated: August 15, 2017