

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

IN THE MATTER OF: :
: :
: :
Yabucoa Development, S.E. :
: :
Respondent :
:

Docket No. CWA-02-2013-3357

REPORT OF STATUS CONFERENCE AND ORDER

The status teleconference in this matter was held on February 25, 2014. Participating were:

Presiding Officer:	Helen S. Ferrara
Respondent's Attorneys:	Wilfredo Soto-Suarez
Complainant's Attorney:	Evelyn Rivera-Ocasio

Introduction: The Presiding Officer established that the purpose of the teleconference was to assess the status of this matter.

Status: Mr. Soto-Suarez summarized the current status of the case. He informed the undersigned that the parties spoke at the end of January 2014. As a result of ongoing negotiations, the parties believe there is potential for a settlement. The parties have agreed to exchange supplemental documentations to support settlement.

Before it can finalize its offer, Respondent needs a copy of the inspection report mentioned in the Complaint.

Ms. Rivera-Ocasio has requested a schedule of remedial work based on the Administrative Compliance Order issued prior to the Complaint.

It was agreed it was in the best interest of both parties to schedule a follow up status teleconference.

In addition, the Undersigned notes the filing of a *Motion for Substitution of Legal Representation of Complainant* dated February 10, 2014.

IT IS ORDERED:

The motion to remove Lourdes del Carmen Rodriguez as the lead attorney in this case and to substitute Evelyn Rivera-Ocasio is granted. In addition, the Presiding Officer is continuing this status teleconference until Thursday, March 20, 2014, beginning at 9:00AM EST, or as soon thereafter as the Presiding Officer can make the necessary arrangements.

Additions or Corrections: The attorneys for the Agency and Respondent may bring errors or omissions in this Report to the attention of the Presiding Officer no later than March 20, 2014, and a corrected report will be issued as appropriate.

Date: March 6, 2014



Helen Ferrara
Presiding Officer
U.S. Environmental Protection Agency
290 Broadway – 16th Floor
New York, N.Y. 10007-1866
Tel: (212) 637-3233

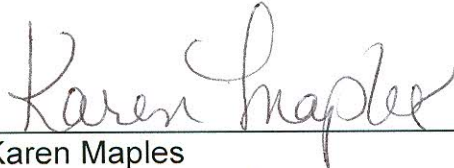
CERTIFICATE OF SERVICE

I hereby certify that the **Report Of Status Conference And Order** by Regional Judicial Officer Helen Ferrara in the matter of **Yabucoa Development, S.E., Docket No. CWA-02-2013-3357**, was served on the parties as indicated below:

First Class Mail -

Rafael Rivera Yankovich, Esq.
Wilfredo Soto Suarez, Esq.
Toro, Colon, Mullet, Rivera & Sifre, P.S.C.
P.O. Box 195383
San Juan, Puerto Rico 00919

Evelyn Rivera-Ocasio, Esq.
Assistant Regional Counsel
USEPA - Region II
City View Plaza II - Suite 7000
#48 RD. 165 km 1.2
Guaynabo, Puerto Rico 00968-8069



Karen Maples
Regional Hearing Clerk
USEPA - Region II

Dated: March 7, 2014