

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG.II

2009 DEC 29 AM 10:50

REGIONAL HEARING
CLERK

In the Matter of:

MUNICIPALITY OF LAS PIEDRAS
P. O. Box 68
Las Piedras, Puerto Rico 00771

RESPONDENT

Proceeding pursuant to Section 309(g)(2)(B) of
the Clean Water Act, 33 U.S.C. § 1319(g)

**PROCEEDING TO ASSESS A
CLASS II CIVIL PENALTY**

**DOCKET NUMBER
CWA-02-2009-3456**

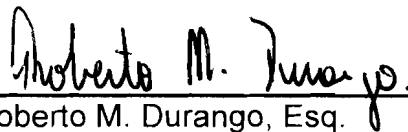
INFORMATIVE MOTION

To the Honorable Court:

COMES NOW Complainant through the undersigned attorney and very respectfully avers and prays as follows:

1. That pursuant to the Prehearing Order, Complainant was directed to file its Initial Prehearing Exchange for the above-captioned matter by Friday, December 11, 2009.
2. That the undersigned submitted a copy of its Initial Prehearing Exchange to Respondent on Tuesday, December 8, 2009, via First Class Mail.
3. That due to a Post Office error,¹ such copy was returned to Complainant.
4. That as soon as the error was identified, the undersigned re-submitted a copy of its Initial Prehearing Exchange, via-certified mail (*see Attachment 2*).

Respectfully submitted, in San Juan, Puerto Rico this 16th day of December 2009.



Roberto M. Durango, Esq.
Assistant Regional Counsel
U.S. Environmental Protection Agency, Region 2
Office of Regional Counsel—Caribbean Team
Centro Europa Building, Ste. 417
1492 Ponce de León Ave.
San Juan, PR 00907
Tel.: (787) 977-5822; Fax: (787) 729-7748
E-mail: durango.roberto@epa.gov

¹ **Attachment 1** contains a copy photocopy of the envelope returned to Complainant's. Apparently, "Guaynabo, PR 00970" was crossed off by the Post Office, and "Las Piedras, 00771" was added instead.

CERTIFICATE OF SERVICE

I hereby certify that on this day I have caused to be sent the foregoing **Informative Motion**, dated December 16, 2009, and bearing the above-referenced docket number, in the following manner to the respective addressees below:

Original by **Federal Express** to:

Judge Barbara A. Gunning
Administrative Law Judge
Office of Administrative Law Judges
U.S. Environmental Protection Agency
Franklin Court Building
1099 14th Street, N.W., Suite 350
Washington, D.C. 20460
Ph: 202.564.6291 / Fax (202) 565-0044.

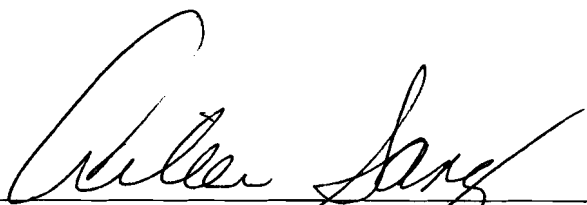
Original and copy by **Federal Express** to:

Karen Maples
Regional Hearing Clerk
U.S. EPA, Region 2
290 Broadway, 16th Floor
New York, NY 10007-1866

Copy by **Regular Mail** to:

Edgar González, Esq.
Legal Representative,
Municipality of Las Piedras
P.O. Box 2802
Guaynabo, PR 00970
Ph: (787) 775-8765;
E-mail: gonzalezmilan@gmail.com

Date: 12/16/09



Aileen Sánchez, Program Support Assistant
Office of Regional Counsel

U.S. ENVIRONMENTAL PROTECTION AGENCY

CARIBBEAN FIELD OFFICE
CENTRO EUROPA BUILDING, SUITE 417
1492 PONCE DE LEON AVE, STOP 22
SANTURCE, PUERTO RICO 00909

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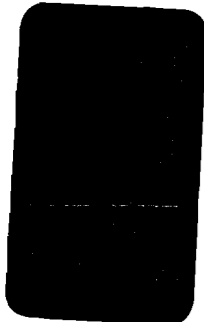
FIRST CLASS MAIL

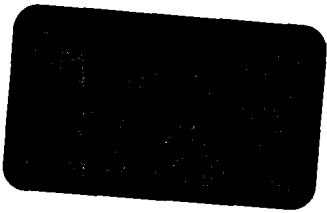
**NO SUCH
NUMBER**

Alfonso Gonzalez, Esq.
Civil Representative
Municipality of Las Piedras
P.O. Box 2802
**NO SUCH
NUMBER**

LAS PIEDRAS

00771





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12/15/09

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Sent To
Edgar Gonzalez, Esq

Street, Apt. No.,
or PO Box No. P.O. Box 2802

City, State, ZIP+4
Guaynabo, PR 00970