

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Region 2**

IN THE MATTER OF

Municipality of Toa Baja  
Respondent

Docket No. RCRA-02-2009-1

2010 MAY 19 PM 2:38  
REGIONAL HEARING  
OFFICE

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REGIONAL

**Motion for Extension of Time to File  
Consent Agreement and Final Order**

To the Honorable Susan L. Biro:

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

1. On April 15, 2010, this Court issued a Prehearing Order, requesting that no later than May 21, 2010 the parties had to file the fully executed Consent Agreement and Final Order (CA/FO) that settles the present complaint. If the CA/FO was not filed by said date, Complainant had to file its Pre-hearing Exchange.
2. The CA/FO was already been signed by the Respondent, the Mayor of the Municipality of Toa Baja, and by the Complainant, the Division Director of the Caribbean Environmental Protection Division.
3. On this same date we are sending the signed CA/FO to our Regional Office, in New York, in order to have the Regional Presiding Officer approve and sign the Final Order. Once the CA/FO is fully executed the original will be filed with the Regional Hearing Clerk and proper service will follow.
3. The undersigned attorney is concerned that the CA/FO might take a few extra days before it is approved and signed by the Regional Presiding Officer. Since our offices are located in San Juan, Puerto Rico, we are at a disadvantage since we can not personally track down the document.
4. Complainant respectfully requests an extension of no more than fifteen (15) days to file the executed CA/FO. We have

spoken with Respondent's counsel and he does not object to the filing of the present motion.

Complainant prays that the Presiding Administrative Law Judge grant Complainant's Motion for Extension of Time to File Consent Agreement and Final Order.

Respectfully submitted in San Juan, Puerto Rico, May 18, 2010.

  
Lourdes del Carmen Rodríguez  
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Region 2

IN THE MATTER OF:  
Municipality of Toa Baja  
Respondent

Docket No. RCRA-02-2009-7111

CERTIFICATE OF SERVICE

This is to certify that I have on this day caused to be mailed a copy of the foregoing Motion, bearing docket number RCRA-02-2009-7111, as follows:

Copy by Overnight Mail and facsimile: Copy by Certified Mail  
and by facsimile:

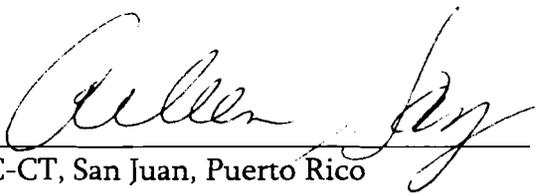
Hon. Susan L. Biro  
Office of the Administrative Law Judges  
U.S. EPA  
1099 14<sup>th</sup> Street, N.W., Suite 350  
Washington, DC 20005  
Phone (202) 564-6291

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Original and a copy of for filing by Overnight Mail:  
Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 2,  
290 Broadway, 16th floor,  
New York, New York 10007-1866  
Phone: (212) 637-3247

Dated:

May 18, 2010

  
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ORC-CT, San Juan, Puerto Rico