

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

IN THE MATTER OF:

Yabucoa Development, S.E.
San Sebastian Shopping Center Pump
Station
State Road #111 Int., Km 20.3
San Sebastian, Puerto Rico 00685

NPDES Tracking Number PRU002771

RESPONDENT

**Motion for substitution of legal
representation**

DOCKET NUMBER

CWA-02-2013-3357

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2013-FEB 12 A 11:52
REGIONAL HEARING
CLERK

Motion for Substitution of Legal Representation of Complainant

COMES NOW Complainant, the United States Environmental Protection Agency ("EPA" or the "Agency"), through the undersigned attorneys and respectfully allege, pray and request, as follows:

On September 30, 2013, Complainant filed an Administrative Complaint in the above captioned matter against Yabucoa Development, S.E. (Respondent) alleging it had violated the Clean Water Act at its facility operating in the city of San Sebastian, Puerto Rico.

The attorney of record for the Complainant is Lourdes del Carmen Rodríguez, Senior Assistant Regional Counsel for Caribbean Programs, in the Office of Regional Counsel of the US Environmental Protection Agency, Region 2.

Complainant hereby requests the Presiding Officer to please note of the appearance of the undersigned attorney, Evelyn Rivera-Ocasio, Assistant Regional Counsel, Office of Regional Counsel for Caribbean Programs, US Environmental Protection Agency, Region 2, City View Plaza II, Suite 7000, #48 RD. 165 km 1.2, Guaynabo, PR 00968-8069, phone 787.977.5859 and email rivera-ocasio.evelyn@epa.gov, as the new leading counsel of record on behalf of the Complainant in this action.

Evelyn Rivera-Ocasio certifies that is an active member in good standing of the bar of the Commonwealth of Puerto Rico and that her license to practice law in the named jurisdiction is not currently lapsed for any reason, including but not limited to retirement, placement in inactive status, failure to pay bar membership fees or failure to complete continuing education requirements.

Starting on February 24, 2014, Attorney Lourdes del Carmen Rodríguez will be leaving EPA Region 2 on a detail to EPA Region 3. Before that date, Ms. Rodriguez will take annual leave beginning on or around February 12, 2014. Consequently, this case has been reassigned to the undersigned attorney, Evelyn Rivera-Ocasio for handling.

This motion has been filed today in order to have the Presiding Officer, Helen S. Ferrara, take notice of the above and to have Attorney Lourdes del Carmen Rodríguez removed as the lead attorney for this case and in her substitution include attorney Evelyn Rivera-Ocasio in all the notifications of this case, including conference calls, pleadings, filings, notices, discovery requests and responses, orders, and other documents.

This motion was discussed with Mr. Rafael Rivera-Yankovich, Esq., attorney for Respondent, who agreed to the filing of this motion.

Respectfully submitted, in Guaynabo, Puerto Rico this 10th day of February of 2014.



Lourdes del Carmen Rodriguez, Esq.
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Caribbean Programs
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CERTIFICATE OF SERVICE

I certify that I have this day caused to be sent the foregoing **Motion for substitution of legal representation**, dated February 11, 2014 and bearing the above-referenced docket number, in the following manner to the respective addressees below:

ORIGINAL AND COPY BY CERTIFIED MAIL, RETURN RECEIPT TO: COPY BY CERTIFIED MAIL, RETURN RECEIPT TO:

Karen Maples
Regional Hearing Clerk
Region II
U.S. Environmental Protection Agency
290 Broadway, 16th Floor
New York, NY 10007-1866

Helen S. Ferrara
Presiding Officer
Region II
U.S. Environmental Protection Agency
290 Broadway, 16th Floor
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COPY TO RESPONDENT BY ELECTRONIC AND CERTIFIED MAIL, RETURN RECEIPT TO:

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February 11, 2014
Date


Name