

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Region 2**

**In the matter of:**

**TAPI Puerto Rico, Inc.**

**Respondent**

**Docket No. CAA-02-2011-1204**

**U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. II  
2012 APR -4 A 10:35  
REGIONAL HEARING  
CLERK**

**JOINT MOTION REQUESTING STAY IN PROCEEDINGS**

**TO THE HONORABLE PRESIDING OFFICER:**

**COMES NOW**, Complainant, the Environmental Protection Agency ("EPA") and Respondent, TAPI Puerto Rico, Inc. ("TAPI"), through the undersigned attorneys, and very respectfully inform, state and pray as follows:

1. Since the filing of the Complaint, EPA and TAPI ("the Parties") engaged in discussions and information exchanges aimed at determining whether a possible settlement of the above captioned case was viable.
2. In February 2012, the Parties continued discussions, this time, focused in the settlement amount and other key factors necessary to determine if the Parties would reach a possible agreement in principle of the above captioned case.
3. On March 2, 2012, EPA notified TAPI of the latest terms in connection with the agreement in principle, which TAPI has just accepted.

4. On March 5, 2012, the Parties filed a Joint Motion Requesting Stay in the Proceedings until April 5, 2012 to allow for the preparation of a mutually acceptable consent agreement and final order (“CA/FO”) relative to the case.

5. The Parties are at this time discussing and agreeing upon the CA/FO terms proposed by EPA on March 22, 2012. The Parties expect to resume these negotiations after the Easter Holiday scheduled this week.

6. The Parties agree that a stay in the proceedings during this time would allow the Parties to finalize the CA/FO and obtain the necessary concurrences.

7. The Parties understand that fifteen (15) additional days would be sufficient to finalize the CA/FO and the concurrences associated theretofore.

8. The Parties further understand that there is no undue delay, bad faith or dilatory motive that can affect the Parties’ rights under law, and there is no prejudice or additional burden as a result of the stay in the proceedings herein requested.

9. In view of the foregoing, the Parties jointly request the Honorable Presiding Officer to stay the proceedings until April 20, 2012 to allow the Parties to file the CA/FO.

**WHEREFORE**, The Parties respectfully request this Honorable Presiding Officer to take notice of the aforementioned and, consequently, to stay the proceedings until April 20, 2012.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 3<sup>rd</sup> day of April, 2012.

**UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY**

Caribbean Environmental Protection  
Division

City View Plaza, Suite 7000

#48 Road 165, Km. 1.2

Guaynabo, PR 00968-8069

Tel: (787) 977-5870

Fax: (787) 729-7748,



---

CAROLINA JORDÁN-GARCÍA

**GOLDMAN ANTONETTI & CORDOVA,  
P.S.C.**

P.O. BOX 70364

San Juan, PR 00936-8364

Tel: (787) 759-8000

Fax: (787) 474-2407



---

GRETCHEN MÉNDEZ-VILELLA  
USDC No. 207904