

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2

IN THE MATTER OF:

**Oil Energy System, Inc.**  
PO Box 711  
Mayagüez, PR 00681

**RESPONDENT**

**Status Report**

Docket No. RCRA-02-2011-7107

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG.11  
2012 SEP 11 A 10:47  
REGIONAL HEARING  
CLERK

**JOINT MOTION FOR AN EXTENSION AND STATUS REPORT**

To THE HONORABLE COURT:

 COME NOW the Parties to the instant action, through the undersigned attorneys and very respectfully submit the present Joint Motion for an Extension and Status Report:

On July 27<sup>th</sup>, 2012, the parties informed Mr. Michael B. Wright, Staff Attorney of the Office of Administrative Law Judges that we expected to have a fully executed CA/FO before the scheduled date for the hearing on this matter, September 18<sup>th</sup>, 2012 and that if any situation arises, during the concurrence process, that warrants an extension of time, Complainant would request the extension in a timely manner.

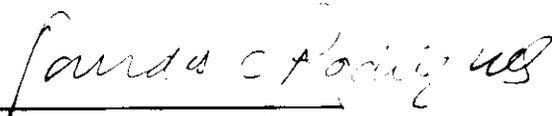
On August 15, 2012, Complainant sent Respondent's counsel a draft CA/FO for his review and comments. On September 4, 2012, Respondent informed that he would be sending his comments by September 7, 2012.

Complainant has received Respondent's comments to the CA/FO on this same date and expects to discuss the comments and have a CA/FO that both parties can agree to no later than September 13, 2012. Once the parties agree on the content of the CA/FO and Complainant receives Respondent's signed signature page, the CA/FO will begin EPA's concurrence process for its approval and final execution.

Pursuant to the Consolidated Rules of Practice, 40 C.F.R. § 22.7, an extension of time may be granted upon timely motion of the parties, for good cause and after consideration of prejudice to other parties. In the instant case, both parties consider that an extension of time of no less than thirty (30) days from the time of the acceptance of the request, is in the best interest of the parties and of the administrative process. At this point, where the parties have reached a settlement in principle, holding a hearing on this case will only entail unnecessary administrative costs.

Whereas, the parties submit the following Joint Motion for an Extension and Status Report, requesting a thirty-day extension to finalize the execution of the CA/FO that would settle the above mentioned administrative complaint.

Respectfully submitted in Guaynabo, Puerto Rico, this 7<sup>th</sup> day of September, 2012.

  
Lourdes del Carmen Rodríguez, Esq.  
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Attorney for Respondent:



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CERTIFICATE OF SERVICE

I certify that I have this day caused to be sent the foregoing JOINT MOTION FOR AN EXTENSION AND STATUS REPORT dated September 7th, 2012, and bearing the above-referenced docket number, in the following manner to the respective addressees below:

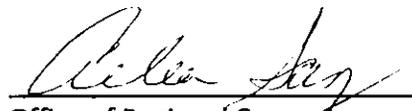
Original and copy, UPS to:

Karen Maples  
Regional Hearing Clerk  
Region 2  
U.S. Environmental Protection Agency  
290 Broadway, 16<sup>th</sup> Floor  
New York, NY 10007-1866.

Copy by UPS to:

Administrative Law Judge:  
The Honorable M. Lisa Buschmann  
Office of Administrative Law Judges  
U.S. Environmental Protection Agency  
Franklin Court Building  
1099 14<sup>th</sup> Street, N.W., Suite 350  
Washington, D.C. 20005  
[Phone: (202) 564-6262 Att: Mr. Michael B. Wright, Staff Attorney (Also by E-mail)]

9/10/2012  
Date

  
Office of Regional Counsel  
Administrative Assistant