

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2009 JUN 16 PM 1:40

In the Matter of:

MUNICIPALITY OF RÍO GRANDE
PO Box 847
Río Grande, PR 00745

RESPONDENT

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

REGIONAL HEARING
PROCEEDING TO ASSESS
CLASS II CIVIL PENALTY

DOCKET NUMBER
CWA-02-2009-3458

ANSWER TO THE COMPLAINT

Come now, respondent Municipality of Rio Grande through undersigned attorneys and respectfully answers the complaint as follows:

- 1. The allegations made in paragraphs 1 constitute assertions of law that does not require a response.*
- 2. The allegations made in paragraph 2 constitute assertions of law that does not require a response.*
- 3. The allegations made in paragraph 3 constitute assertions of law that does not require a response.*
- 4. The allegations made in paragraphs 4 constitute assertions of law that does not require a response.*
- 5. The allegations made in paragraph 5 constitute assertions of law that does not require a response.*

6. *The allegations made in paragraphs 6 constitute assertions of law that does not require a response.*
7. *Allegation 7 is accepted.*
8. *Allegation 8 is denied.*
9. *The allegations 9 constitute assertion of law that does not require a response.*
10. *Allegation 10 is denied.*
11. *Allegation 11 is denied for lack of knowledge or sufficient information to form a belief as to the truth of the averment.*
12. *Allegation 12 is accepted.*
13. *Allegations 13 constitute assertion of law that does not require a response.*
14. *Allegation 14 is denied for lack of knowledge or sufficient information to form a belief as to the truth of the averment.*
15. *Allegation 15 is denied for lack of knowledge or sufficient information to form a belief as to the truth of the averment.*
16. *Allegation 16 constitute assertion of law that does not require a response.*
17. *Allegation 17 is denied for lack of knowledge or sufficient information to form a belief as to the truth of the averment.*

18. *Allegation 18 is denied for lack of knowledge or sufficient information to form a belief as to the truth of the averment.*

19. *Allegation 19 is denied for lack of knowledge or sufficient information to form a belief as to the truth of the averment.*

20. *Allegation 20 is denied for lack of knowledge or sufficient information to form a belief as to the truth of the averment.*

21. *Allegation 21 is denied for lack of knowledge or sufficient information to form a belief as to the truth of the averment.*

22. *As an answer to allegation 22 respondent re-alleges and incorporates by reference his answers to the paragraphs 1-21 to the complaint.*

23. *Allegation 23 is denied for lack of knowledge or sufficient information to form a belief as to the truth of the averment.*

24. *Allegation 24 is accepted.*

25. *Allegation 25 is accepted.*

26. *Allegation 26 is accepted.*

27. *Allegation 27 is accepted.*

28. *Allegation 28 is denied as drafted.*

29. *Allegation 29 is accepted.*

30. *Allegation 30 is accepted.*

31. *Allegation 31 is accepted.*

32. *Allegation 32 is denied as drafted.*

33. *Allegation 33 is denied as drafted.*
34. *Allegation 34 constitute assertion of law that does not require a response.*
35. *Allegation 35 constitute assertion of law that does not require a response.*
36. *Allegation 36 is accepted.*
37. *Allegation 37 is accepted.*
38. *Allegation 38 is accepted.*
39. *Allegation 39 is accepted.*
40. *Allegation 40 is accepted.*
41. *Allegation 41 is accepted.*
42. *Allegation 42 is accepted and the respondent request a hearing.*
43. *Allegation 43 constitute assertion of law that does not require a response.*
44. *Allegation 44 constitute assertion of law that does not require a response.*
45. *Allegation 45 constitute assertion of law that does not require a response.*
46. *Allegation 46 constitute assertion of law that does not require a response.*

47. *Allegation 47 constitute assertion of law that does not require a response.*

48. *Allegation 48 constitute assertion of law that does not require a response.*

49. *Allegation 49 constitute assertion of law that does not require a response.*

50. *Allegation 50 constitute assertion of law that does not require a response.*

51. *Allegation 51 constitute assertion of law that does not require a response.*

52. *Allegation 52 constitute assertion of law that does not require a response.*

53. *Allegation 53 constitute assertion of law that does not require a response.*

54. *Allegation 54 constitute assertion of law that does not require a response.*

55. *Allegation 55 constitute assertion of law that does not require a response.*

56. *Allegation 56 constitute assertion of law that does not require a response.*

57. *Allegation 57 constitute assertion of law that does not require a response.*

58. *Allegation 58 constitute assertion of law that does not require a response.*

59. *Allegation 59 constitute assertion of law that does not require a response.*

60. *Allegation 60 constitute assertion of law that does not require a response.*

61. *Allegation 61 constitute assertion of law that does not require a response.*

62. *Allegation 62 constitute assertion of law that does not require a response.*

63. *Allegation 63 constitute assertion of law that does not require a response.*

64. *Allegation 64 constitute assertion of law that does not require a response.*

65. *Allegation 65 constitute assertion of law that does not require a response.*

66. *Allegation 66 constitute assertion of law that does not require a response.*

67. *Allegation 67 constitute assertion of law that does not require a response.*

68. *Allegation 68 constitute assertion of law that does not require a response.*

69. *Allegation 69 constitute assertion of law that does not require a response.*

70. *Allegation 70 constitute assertion of law that does not require a response.*

71. *Allegation 71 is denied.*

72. *Allegation 72 is denied.*

73. *Allegations 73 is denied.*

74. *Allegations 74 is denied.*

75. *Allegation 75 constitute assertion of law that does not require a response.*

76. *Allegation 76 constitute assertion of law that does not require a response.*

77. *Allegation 77 constitute assertion of law that does not require a response.*

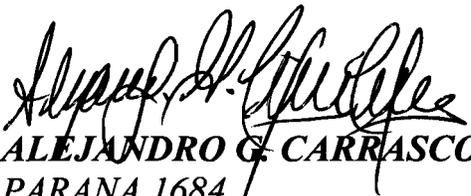
78. *Allegation 78 constitute assertion of law that does not require a response.*

79. *Allegation 79 is accepted.*

80. *Allegation 80 is accepted.*
81. *Allegation 81 is accepted.*
82. *Allegation 82 constitute assertion of law that does not require a response.*
83. *Allegation 83 constitute assertion of law that does not require a response.*

Wherefore, the appearing respondent prays that relief be denied and the complaint be dismissed or a hearing be scheduled.

In San Juan, Puerto Rico dated this 9 day of June 2009.


ALEJANDRO G. CARRASCO-CASTILLO
PARANA 1684
URB. EL CEREZAL
SAN JUAN, PR 00926-3144
TEL. (787) 756-8748 / (787) 756-8687 FAX
E-MAIL: carrasclaw@prtc.net

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II

2009 JUN 16 PM 1:40

REGIONAL HEARING
PROCEEDING TO ASSESSING
CLASS II CIVIL PENALTY

In the Matter of:

MUNICIPALITY OF RÍO GRANDE
PO Box 847
Río Grande, PR 00745

RESPONDENT

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

DOCKET NUMBER
CWA-02-2009-3458

CERTIFICATE OF SERVICE

I certify, that on date noted below, I caused to be mailed by certified mail, return receipt request, the original and a copy of the foregoing "ANSWER TO THE COMPLAINT" for filing to:

*Regional Hearing Clerk
U.S. Environmental Protection Agency
290 Broadway, 16th Floor
New York, New York 10007-1866*

I sent a copy of the foregoing "ANSWER TO THE COMPLAINT" to the following persons:

*Silvia Carreño, Esq.
Team Leader
Caribbean Team
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 2
1492 Ponce De Leon Avenue, Suite 417
San Juan, PR 00907*

*Carl-Axel P. Soderberg
Director, Caribbean Environmental Protection Division
U. S. Environmental Protection Agency – Region 2
Centro Europa Building, Suite 417
1492 Ponce de León Avenue
San Juan, PR 00907*

Issued this 9 day of June 2009.

ALEJANDRO G. CARRASCO-CASTILLO
PARANA 1684
URB. EL CEREZAL
SAN JUAN, PR 00926-3144
TEL. (787) 756-8748 / (787) 756-8687 FAX
E-MAIL: carrascalaw@prtc.net

