

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. 1
2010 FEB 17 PM 2:35
REGIONAL HEARING
OFFICE

In the Matter of:)
)
BACARDI CORPORATION,) Docket No. CAA-02-2009-1220
)
Respondent)
)

ORDER GRANTING SECOND MOTION FOR EXTENSION OF TIME

By Order dated January 12, 2010, the parties were granted an extension of time until February 15, 2010 to file the Consent Agreement and Final Order (CAFO). On February 12, 2010, Complainant submitted an Informative Motion and Request for Extension of Time to File Consent Agreement and Final Order, requesting a ten day extension of time for the parties to file the CAFO.

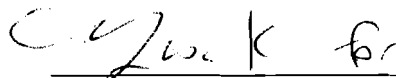
The Motion is hereby **GRANTED**, as set forth below:

Section 22.7(b) of the Rules of Practice (40 C.F.R. § 22.7(b)) provides that the Presiding Officer may grant an extension of time for filing any document upon timely motion of a party to the proceeding, for good cause shown, and after consideration of prejudice to other parties.

The Motion states that the parties have reached an agreement as to the language of the CAFO and that it is awaiting concurrence within EPA Region 2 San Juan and New York offices, and signatures of Respondent and the Regional Administrator. The recent snow storm and resultant closure of the New York office has delayed the review and concurrence process. The Motion states that counsel for Respondent agreed to the filing of the Motion.

Good cause exists for granting of the Motion in that it is in the interest of the parties and judicial economy for the parties to settle this matter on mutually agreeable terms rather than to litigate this matter to a conclusion. In that a hearing has not yet been scheduled in this proceeding, a brief delay will not result in any prejudice.

Therefore, the parties shall have until **February 25, 2010** to file the fully executed CAFO in this matter.




Susan L. Biro
Chief Administrative Law Judge

Dated: February 12, 2010
Washington, D.C.

In the Matter of Bacardi Corporation, Respondent
Docket No. CAA-02-2009-1220

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Granting Second Motion For Extension Of Time**, dated February 12, 2010, was sent this day in the following manner to the addressees listed below.



Maria Whiting-Beale
Staff Assistant

Dated: February 16, 2010

Original And One Copy By Pouch Mail To:

Karen Maples
Regional Hearing Clerk
U.S. EPA
290 Broadway, 16th Floor
New York, NY 10007-1866

Copy By Regular Mail To:

Hector L. Velez-Cruz, Esquire
Office of Regional Counsel
U.S. EPA
Centro Europa Building, Suite 417
1492 Ponce de Leon Avenue
San Juan, PR 00907

Maria Luisa Gonzalez, Esquire
Fiddler Gonzalez & Rodriguez, P.S.C.
P.O. Box 363507
San Juan, PR 00936-3507