

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2014 MAR 25 P 6:36
REGIONAL HEARING
CLERK

IN THE MATTER OF:

Estancias de Cerro Mar, Inc.

RESPONDENT

MOTION

DOCKET NUMBER CWA-02-2011-8356

STATUS REPORT AND MOTION REQUESTING ADDITIONAL TIME TO ANSWER
COMPLAINT AND TO SUBMIT AN EXECUTED CONSENT AGREEMENT AND
FINAL ORDER

COMES NOW Respondent, Estancias de Cerro Mar, Inc., through the undersigned attorneys, and respectfully alleges, prays and requests as follows:

On September 23, 2011, Complainant, the United States Environmental Protection Agency, filed an Administrative Complaint, Findings of Violation, Notice of Proposed Assessment of an Administrative Penalty, and Notice of Opportunity to Request a Hearing (the "Administrative Complaint") in the above captioned matter against Respondent alleging it had violated the Clean Water Act at its Palmas de Cerro Gordo Pump Station located in the Municipality of Vega Alta, Puerto Rico.

After the issuance of the Administrative Complaint, Respondent has been in communication with Complainant, including meetings and conference calls, with the goal to reach an agreement in settlement of the above captioned matter.

On December 18, 2013, Respondent met with Complainant to reconvene the settlement negotiations and after several conference calls, an agreement in principle dispositive of all matters asserted in the Administrative Complaint was reached.

Respondent will file an Answer to the Administrative Complaint shortly hereafter.

In light of the above, and that there is no undue delay, bad faith or dilatory motive that can affect either Parties' rights under law, and there is no prejudice or additional

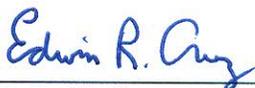
burden to Complainant, Respondent requests the Presiding Officer, Helen S. Ferrara, to grant ninety (90) days from the filing of this motion to allow the Parties to file the duly executed Consent Agreement and Final Order and notify its execution to the Presiding Officer.

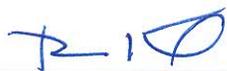
This motion was discussed with Mr. Héctor Vélez, Esq. and Mrs. Evelyn Rivera-Ocasio, Esq., attorneys for Complainant, who agreed to the filing of this motion.

Respectfully submitted, in Guaynabo, Puerto Rico this 20 day of March, 2014.

Pietrantoní Méndez & Alvarez LLC

Attorneys for Respondent
Popular Center – 19th Floor
208 Ponce de León Avenue
San Juan, PR 000918
(787) 274-1212
ecruz@pmaalaw.com

By: 
Edwin R. Cruz


Doira Díaz

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG.11
2014 MAR 25 P 6:37
REGIONAL HEARING
CLERK

IN THE MATTER OF:

Estancias de Cerro Mar, Inc.

RESPONDENT

MOTION

DOCKET NUMBER CWA-02-2011-3356

CERTIFICATE OF SERVICE

I certify that I have this day caused to be sent the foregoing **Status Report and Motion Requesting Additional Time to Answer Complaint and to Submit an Executed Consent Agreement and Final Order**, dated March 20, 2014, and bearing the above-referenced docket number, in the following manner to the respective addressees below:

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

Karen Maples, Regional Hearing Clerk
Region 2
U.S. Environmental Protection Agency
290 Broadway, 16th Floor
New York, NY 10007-1866
maples.karen@epa.gov

COPY BY ELECTRONIC MAIL, CERTIFIED MAIL, RETURN RECEIPT TO:

Helen S. Ferrara, Presiding Officer
Region 2
U.S. Environmental Protection Agency
290 Broadway, 16th Floor
New York, NY 10007-1866
ferrara.helen@epa.gov

COPY TO COMPLAINANT BY ELECTRONIC MAIL AND CERTIFIED MAIL, RETURN RECEIPT TO:

Evelyn Rivera-Ocasio, Esq.
Assistant Regional Counsel
Office of Regional Counsel for Caribbean
Programs
US Environmental Protection Agency
Region 2
rivera-ocasio.evelyn@epa.gov

Héctor L. Vélez Cruz, Esq.
Associate Regional Counsel for Caribbean
Programs
Office of Regional Counsel
US Environmental Protection Agency
Region 2
velez.hector@epa.gov

3/20/2014
Date


Doira Díaz