

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG-011  
2009 NOV 17 PM 1:33  
REGIONAL HEARING  
CLERK

In the Matter of: )  
)  
MUNICIPALITY OF HATILLO, ) Docket No. CWA-02-2009-3455  
)  
Respondent )

ORDER GRANTING EXTENSION OF TIME

By Order dated November 5, 2009, Respondent was given until November 30, 2009, to file an Amended Answer in this matter meeting the requirement of the Rules. On or about November 10, 2009, the parties apparently filed a Joint Motion moved for a 90 day extension of time to file the Consent Agreement and Final Order.<sup>1</sup>

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.

Good cause exists for the 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 litigate the matter to conclusion. The Motion indicates that the parties are working on developing a mutually acceptable Supplemental Environmental Project to be included in a settlement. In that a hearing in this case has yet to be scheduled, no prejudice will result from a brief delay. Therefore, the Respondent shall have until **February 12, 2010** to file the fully executed Consent Agreement and Final Order or its Amended Answer in this matter.

  
\_\_\_\_\_  
Susan L. Biro  
Chief Administrative Law Judge

Dated: November 12, 2009  
Washington, D.C.

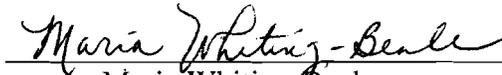
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<sup>1</sup>It is impossible to discern from the Motion exactly when it was filed as the Certificate of Service attached thereto refers to a “foregoing Notice of Appearance of Counsel, dated October 7, 2009.” Such certificate clearly does not meet the requirements of the Rule 22.5(a)(3), 40 C.F.R. § 22.5(a)(3) and the document should *not* have been accepted for filing.

In the Matter of Municipality of Hatillo, Respondent  
Docket No. CWA-02-2009-3455

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Granting Extension Of Time**, dated November 12, 2009, was sent this day in the following manner to the addressees listed below:

  
\_\_\_\_\_  
Maria Whiting-Beale  
Staff Assistant

Dated: November 13, 2009

Original And One Copy By Pouch Mail To:

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

Copy By First Class Mail To:

Roberto Durango, Esquire  
Office of Regional Counsel  
U.S. EPA  
Centro Europa Building, Suite 417  
1492 Ponce de Leon Avenue  
San Juan, PR 00907-1417

Alberto E. Folch-Diez, Esquire  
Lcdo. Alberto E. Folch Diez  
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