

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2

IN THE MATTER OF:

**Mr. Juan Benet  
Playa Clara**

**Respondent**

Docket No. CWA-02-2008-3358

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG-2  
2010 JAN 20 PM 3:28  
REGIONAL HEARING  
CLERK

***Informative Motion Requesting Extension of Time to File Executed Consent***

***Agreement and Final Order***

COMES NOW Complainant, the U.S. Environmental Protection Agency, and respectfully alleges, prays and requests as follows:

During the past months, Complainant and Respondent, Mr. Juan Benet/Playa Clara, (together the "Parties"), have been actively participating in settlement negotiations in order to reach an agreement dispositive of all matters asserted in the Administrative Complaint, including a penalty.

Respondent has presented Complainant with documents in support of its financial hardship claim which according to Respondent makes it impossible for it to pay the penalty proposed in the Complaint. Complainant is in the process of analyzing such financial documents in order to determine Respondent's ability to pay the proposed penalty.

This Motion has been filed today in order to have the Honorable Helen S. Ferrara, Presiding Officer, take notice of the status of the settlement negotiations that are being held by the Parties. Due to the complexity of the financial analysis being performed, Complainant requests the Honorable Presiding Officer until March 31, 2010, in order to finalize the financial analysis, reach an agreement dispositive of all matters asserted in the Administrative Complaint, including a penalty, file the duly executed Consent Agreement and Final Order and notify its execution to the Presiding Officer.

Respectfully submitted, in San Juan, Puerto Rico, this 19<sup>th</sup> day of January, 2010.



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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION II

IN THE MATTER OF:

**Mr. Juan Benet  
Playa Clara**

**Respondent**

Docket No. CWA-02-2008-3358

**CERTIFICATE OF SERVICE**

I certify that I have this day caused to be sent the foregoing *Informative Motion Requesting Extension of Time to File Executed Consent Agreement and Final Order*, dated January 19<sup>th</sup>, 2010, and bearing the above-referenced docket number, in the following manner to the respective addressees below:

Original and copy by facsimile, **Overnight Mail** to:

**Karen Maples**  
Regional Hearing Clerk  
Region II  
U.S. Environmental Protection Agency  
290 Broadway, 16<sup>th</sup> Floor  
New York, NY 10007-1866  
Fax (212) 637-3202.

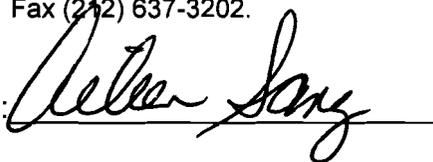
Copy by **Certified Mail, Return Receipt Requested** to:

**For Respondent:**  
Mr. Juan Benet  
Playa Clara  
P.O. Box 789  
Culebra, Puerto Rico 00775.

Copy by facsimile, **Overnight Mail** to:

Hon. Helen S. Ferrara  
Presiding Officer  
Region II  
U.S. Environmental Protection Agency  
290 Broadway, 16<sup>th</sup> Floor  
New York, NY 10007-1866  
Fax (212) 637-3202.

Name:



Date:

1/19/2010