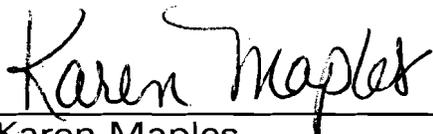## CERTIFICATE OF SERVICE

I hereby certify that the Order Accepting Amended Answer And Scheduling Status Teleconference by Regional Judicial Officer Helen Ferrara in the matter of Praderas Del Mar, Inc., Docket No. CWA-02-2009-3602, was served on the parties as indicated below:

First Class Mail -   Heriberto Guivas-Lorenzo, Esq.
                        Guivas & Quinones Law Offices, PSC
                        HC-03 Box 39605
                        Aguada, Puerto Rico 00602

Inter Office Mail -   Eduardo J. Gonzalez, Esq.
                        Office of Regional Counsel
                        USEPA - Region II
                        290 Broadway, 16th Floor
                        New York, New York 10007-1866

Karen Maples
Regional Hearing Clerk
USEPA - Region II

Dated: December 17, 2009

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

IN THE MATTER OF: :
                                     :
Praderas Del Mar, Inc.,   :
                                     :   Docket No. CWA-02-2009-3602
                                     :
                                     :
              Respondent   :
                                     :

ORDER ACCEPTING ANSWER AND SCHEDULING STATUS TELECONFERENCE

An Amended Answer to Complaint and Informative Motion were filed in this matter by Respondent's Attorney on November 11, 2009, a few days past the thirty day period for filing an answer to a Complaint set forth in 40 CFR § 22.15 (a). In the Informative Motion, Attorney for Respondent set forth good cause for filing the answer beyond the thirty day period.

By electronic message dated December 14, 2009, Complainant's Attorney informed Respondent and the Undersigned that the Complainant had no objection to the filing of the Answer outside of the thirty day period.

In light of the considerations set forth herein, the Undersigned issues the following **ORDER.**

IT IS ORDERED:

The Respondent's Informative Motion is granted, and the Answer filed in this matter is accepted.

A status teleconference is hereby scheduled for February 3, 2010 at 10:00AM. The details of the teleconference are set forth in Attachment A to this Order.

Dated: December 16, 2009

Helen S. Ferrara
Presiding Officer

ATTACHMENT A

PREHEARING TELECONFERENCE:
PRADERAS DEL MAR, INC., EPA Docket No. CWA-02-2009-3602

Helen S. Ferrara has been designated as the Presiding Officer in the referenced proceeding, involving the proposed assessment of a Class I civil penalty under Section 309(g) of the Clean Water Act, 33 U.S.C. § 1319(g). The proceeding is governed by EPA's Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits, 40 C.F.R. Part 22, published at 64 Fed. Reg. 40137 (July 23, 1999).

PREHEARING CONFERENCE:

Section 22.19(b) of the Consolidated Rules allows the Presiding Officer to hold a prehearing conference among all the parties to consider: (1) Settlement of the case; (2) Simplification of issues and stipulation of facts not in dispute; (3) The necessity or desirability of amending the pleadings; (4) The exchange of exhibits, documents, prepared testimony, and admissions or stipulations of fact which will avoid unnecessary proof; (5) The limitation of the number of expert or other witnesses; (6) The time and place for the hearing; and (7) Any other matters which may expedite the disposition of the proceeding. The conference may be held by telephone. 40 C.F.R. § 22.19(d).

Accordingly, a **prehearing conference will be held by telephone on Wednesday, February 3, 2010, beginning at 10:00 AM,** or as soon thereafter as the Presiding Officer can make the necessary arrangements. Unless you advise the Presiding Officer otherwise, she will call Mr. Gonzalez at (212) 637-3223 and Mr. Gŭivas-Lorenzo at (787) 868-4920. Please be prepared to discuss the matters enumerated in the preceding paragraph.

ADMINISTRATIVE RECORD:

The Regional Hearing Clerk maintains the administrative record for this proceeding under § 22.5 of the Consolidated Rules. Please make sure that all documents you wish included in the record are properly filed with the Regional Hearing Clerk, with copies to the opposing party and to the Presiding Officer, whose address is:

Helen S. Ferrara
Presiding Officer
U. S. Environmental Protection Agency-Region 2
290 Broadway - 16th Floor
New York, New York 10007-1866

If you cannot be available for the prehearing conference at the time scheduled, or if you have any questions about these procedures, please contact the Presiding Officer immediately at (212) 637-3233. In doing so, please be mindful of § 22.8 of the Consolidated Rules **Ex parte discussion of proceeding**. The Consolidated Rules preclude one-party discussion with the Presiding Officer or other Agency officials, involved in this case or likely to advise these officials, of the merits of this case. If you need to discuss the merits with the Presiding Officer please arrange to have opposing counsel participate in the discussion. The substance of your settlement discussions, if any, should not be divulged to her because it could affect her neutrality.