

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

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In the Matter of :
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A.B.E.F. Development Corp. and :
Herminio Cotto Construction, Inc. :
:
: Docket No. CWA-02-2010-3465
Respondents :
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**ORDER EXTENDING COMPLAINANT'S TIME TO
CLARIFY CALCULATION OF THE PROPOSED PENALTY**

On July 6, 2017, Complainant's Attorney filed a *Motion in Compliance with Order to Clarify Memorandum and Requesting Extension of Time to Submit Modified Penalty Calculation*. In that *Motion*, in addition to providing information requested in a May 3, 2017 Order issued by the Undersigned, the Complainant's Attorney requested an additional seven days, through July 13, 2017, to submit a modified penalty calculation and affidavit.

On July 18, 2017, Complainant's Attorney submitted a *Motion Requesting Extension of Time to Submit Modified Penalty Calculation*, requesting an additional thirty-day extension, citing a delay on the part of Complainant's technical expert in providing a final revised calculation before the expert began an extended leave from the office as the basis for the request. Based on the information provided by the Complainant's attorney, an extension of time through September 6, 2017 was granted for Complainant to submit a modified penalty calculation and affidavit in support thereof.

Subsequently, as a result of the destruction and damage to Puerto Rico caused by Hurricanes Irma and Maria, the Undersigned recognized that a temporary stay on further filings was necessary.

The Undersigned understands that the widespread destruction and damage have continued to cause disruption in power, telecommunications, and business operations. Therefore, the Undersigned provides the Complainant with an additional extension of time for submission of a Modified Penalty Calculation.

ORDER

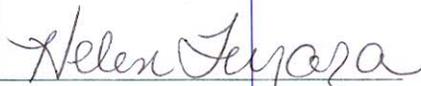
The Complainant is hereby directed to file a Supplemental Motion setting forth a modified penalty calculation and an affidavit in support of the revised calculation no later than June 1, 2018.

The Respondents shall file any response to the Supplemental Motion within fifteen (15) days of service of the Complainant's motion.

Effective Date

The effective date of this Order is the date it is signed by the Presiding Officer, below, with the caveat that this matter has been stayed from September 6, 2017 through the date of this Order.

Date: April 16, 2018



Helen Ferrara
Presiding Officer

CERTIFICATE OF SERVICE

I hereby certify that the **Order Extending Complainant's Time To Clarify Calculation Of The Proposed Penalty** by Regional Judicial Officer Helen Ferrara in the matter of **A.B.E.F. Development Corp. And Herminio Cotto Construction, Inc., Docket No. CWA-02-2010-3465**, was served on the parties as indicated below:

First Class Mail -

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Karen Maples
Regional Hearing Clerk
USEPA - Region II

Dated: April 17, 2018