

**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR**

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. II  
2013 DEC 12 P 2:05  
REGIONAL HEARING  
CLERK

<p><b>IN THE MATTER OF</b></p> <p>Armando Sánchez-Crespo Aguada, Puerto Rico</p> <p>Proceeding pursuant to §309(g) of the Clean Water Act, 33 U.S.C. §1319(g)</p> <p style="text-align:center"><i>Respondent</i></p>	<p style="text-align:center"><b>PROCEEDING TO ASSESS A CLASSY CIVIL PENALTY</b></p> <p style="text-align:center"><b>DOCKET NO. CWA-02-2009-3601</b></p>
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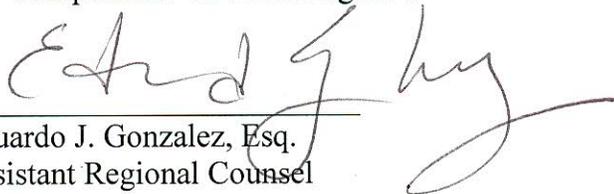
**WITHDRAWAL OF THE COMPLAINT**

Pursuant to 40 C.F.R. Sec. 22.14 (d), EPA Region 2 (“Complainant”) hereby notifies the withdrawal the Complaint with Docket No. CWA-02-2009-3601, based upon the following information:

1. On September 30, 2009, EPA issued two administrative penalty complaints:
  - a) The instant Complaint CWA-02-2009-3601 against Armando Sanchez-Crespo, and
  - b) Another complaint against Mr. Sanchez’s corporation Praderas del Mar, Inc. under Docket No. CWA-02-2009-3602.
2. Both Complaints, mentioned in Paragraph 1 above, alleged unauthorized discharge of pollutants into waters of the United States.
3. Under a single settlement, Complainant settled all its claims included in both Complaints, mentioned in Paragraph 1 above.
4. Such single settlement described above was executed under a Consent Agreement and Final Order (“CA/FO”) dated September 30, 2010. The CA/FO memorializes the following settlement terms:
  - a) Praderas del Mar Inc. was the only settling party, because the Company accepted liability for the violations,
  - b) The Company agreed to pay a civil penalty, and
  - c) An Order on Consent for injunctive relief measures was executed simultaneously setting forth the conditions for the restoration of the wetlands.
5. As part of the settlement with Respondents, EPA agreed to withdraw the Complaint against Mr. Armando Sanchez-Crespo, the individual.
6. EPA finds that all of the issues raised in the instant Complaint against Mr. Armando Sanchez-Crespo, the individual, have been fully resolved via settlement with the Company (CWA-02-2009-3602)

7. EPA no longer has a reason to pursue the instant action against Mr. Armando Sanchez-Crespo, the individual, because the settlement with the Company was consistent with the provisions and objectives of the Clean Water Act.
8. THEREFORE, the Complainant EPA hereby seeks an Order granting the withdrawal of the instant Complaint, with prejudice.
9. WHEREFORE, Complainant prays that the Regional Judicial Officer grant the aforementioned motion to withdraw the instant Complaint with prejudice.

Respectfully submitted, *December 12, 2013*  
For Complainant US EPA Region 2



Eduardo J. Gonzalez, Esq.  
Assistant Regional Counsel  
US EPA Region 2  
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New York, NY 10007-1866  
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Date:

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ENVIRONMENTAL PROTECTION AGENCY  
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**CERTIFICATE OF SERVICE**

I certify that on December 12, 2013, I served the foregoing motion "Withdrawal of the Complaint", bearing the above referenced docket number, on the persons listed below, in the following manner:

Original and One Copy  
By Hand:

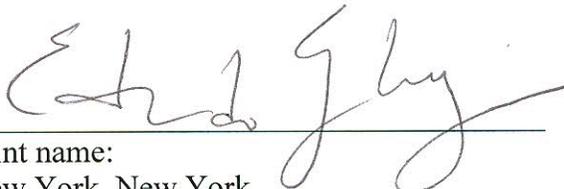
Office of Regional Hearing Clerk  
U.S. Environmental Protection Agency - Region 2  
290 Broadway, 16th floor  
New York, New York 10007-1866

To Respondent:  
Copy by Next-Day Service  
Federal Express:

Armando Sanchez-Crespo  
Urb. Villa Sotomayor, # C-17  
Aguada, PR 00602

Copy by Certified Mail  
Return Receipt Requested:

Armando Sanchez-Crespo  
P.O. Box 5000, Suite 627  
Aguada, Puerto Rico 00602-5000

Dated: December 12, 2013 

Print name:  
New York, New York