

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. II  
2008 MAR -5 PM 4: 00  
REGIONAL HEARING  
CLERK

IN THE MATTER OF:

Palmas Lakes, Inc.  
PO Box 191334  
San Juan, Puerto Rico 00919

and

F&R Contractors Corp.  
PO Box 9932  
San Juan, Puerto Rico 00908

**Harbour Lakes Residential  
Development**

**RESPONDENTS**

**DOCKET NUMBER CWA-02-2007-3410**

PROCEEDING PURSUANT TO SECTION 309(G)  
OF THE CLEAN WATER ACT, 33 U.S.C. § 1319(),  
TO ASSESS CLASS II CIVIL PENALTY

MOTION REQUESTING EXTENSION OF TIME TO FILE REBUTTAL  
PRE HEARING EXCHANGE

To the Honorable Court:

Come's now the Complainant to the instant action and very respectfully  
avers and prays as follows:

1. The Complainant's Rebuttal Pre-Hearing Exchange is due today in accordance with the Pre-Hearing Order dated March 14, 2008.
2. The Complainant is unable to file a Rebuttal Pre-Hearing Exchange insofar as the Defendants have not filed their Exchanges.
3. Respondent F&R Contractors filed a request for extension of time to file its

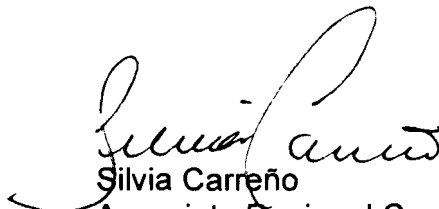
Prehearing Exchange. If granted it will elapse on August 11, 2008.

4. Respondent Palmas Lakes filed for an extension of time to file the PreHearing Exchange until August 8, 2008.

5. No ruling of the Court has been received for these requests. Nevertheless, Complainant cannot file a Rebuttal Prehearing Exchange, or ascertain the need for filing one, until she receives the Respondents' Prehearing Exchanges.

WHEREFORE, for the reasons set forth above Complainant respectfully requests that if the Respondents are allowed to file their Prehearing Exchanges, Complainant be allowed to file a Rebuttal PreHearing Exchange within a reasonable period of time after receiving Respondents' Exchanges.

Respectfully submitted, In San Juan, Puerto Rico on this 4th day of August, 2008.



Silvia Carreño  
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Caribbean Programs  
Office of Regional Counsel  
U.S. Environmental Protection Agency,  
Region 2  
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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Status Report was sent in the following manner to the addresses listed below:

Copy by Overnight and Facsimile:

Barbara A. Gunning  
Administrative Law Judge  
Office of Administrative Law Judges  
U.S. Environmental Protection Agency  
1099 14<sup>th</sup> Street, N.W. Suite 350  
Franklin Court  
Washington, D.C. 20005  
Ph: 202.564.6255

Original and Copy by Overnight:

Karen Maples  
Regional Hearing Clerk  
U.S. Environmental Protection Agency,  
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