

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

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| IN THE MATTER OF | : | |
| | : | |
| | : | Docket No. CWA-02-2024-3451 |
| HÉCTOR RODRÍGUEZ VALLE | : | |
| | : | |
| And | : | |
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| | : | |
| TRANSPORTE RODRÍGUEZ ASFALTO, INC. (“TRA”) | : | |
| | : | |
| TRA RECYCLING PLANT CONSTRUCTION PROJECT | : | |
| | : | |
| RESPONDENTS | : | |

**ORDER GRANTING UNOPPOSED MOTION TO AMEND THE
COMPLAINT AND GRANTING AN EXTENSION OF TIME
TO FILE A CONSENT AGREEMENT AND FINAL ORDER**

Based on the information set forth in Complainant’s Motion dated May 21, 2024, and Co-Respondent Héctor Rodriguez Valle’s Motion dated May 23, 2024, the Undersigned granted Co-Respondents Héctor Rodríguez Valle (“HRV”) and Transporte Rodríguez Asfalto, Inc. (“TRA”) extensions of time to file answers to the Complaint through July 22, 2024. In addition, the Undersigned ordered that, during that time period, HRV’s May 6, 2024, Motion to Dismiss was stayed and due dates for responses and replies to that Motion were suspended as well.

On July 18, 2024, Complainant and Respondents filed a Joint Motion Informing Agreement in Principle and Request for Extension of Time to File Executed Consent Agreement and Final Order (“CA/FO”). On July 25, 2024, the Undersigned filed an Order granting that motion, and extending the time to file a CAFO through September 20, 2024.

On September 12, 2024, Complainant filed an Unopposed Motion to Amend Complaint, reiterating its request, for good cause shown, to amend the Complaint and all pleadings and materials relevant to this matter, to delete HRV as a respondent, and to reflect that TRA is the sole Respondent in this matter.

On September 19, 2024, Complainant filed a Joint Motion for Extension, whereby it requested an additional twenty (20) day extension and that the Undersigned grant the unopposed motion filed on September 12, 2024, to approve TRA as the sole Respondent in this matter.

IT IS HEREBY ORDERED:

Based on the information set forth in the September 12th Unopposed Motion to Amend Complaint and the September 19th Joint Motion for Extension, and for good cause shown, the Undersigned grants to the parties the following:

- Leave to amend the Complaint and all related pleadings and materials to name TRA as the sole Respondent in this matter.
- An extension of time, through October 11, 2024, to file an executed CA/FO in full settlement of this matter.

If the parties are unable to file an executed CA/FO by October 11th, the parties are to file a Joint Status Report, informing the Undersigned of their progress in finalizing a CA/FO and requesting a further extension of time to file that CA/FO. In the alternative, the Respondent would file answers by October 11, 2024, if a settlement has not been reached.

Effective Date

The effective date of this Order is the date is September 20, 2024.

Date: September 23, 2024

Helen S. Ferrara
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