

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

In the Matter of:

MUNICIPALITY OF CAYEY
P. O. Box 371330
Cayey, Puerto Rico 00737-1330

RESPONDENT

Proceeding pursuant to Section 309(g)(2)(B) of
the Clean Water Act, 33 U.S.C. § 1319(g)

**PROCEEDING TO ASSESS A
CLASS II CIVIL PENALTY**

**DOCKET NUMBER
CWA-02-2009-3454**

U.S. ENVIRONMENTAL
PROTECTION AGENCY REGION 2
2010 JAN 11 PM 3:08
REGIONAL HEARING
CLERK

STATUS REPORT

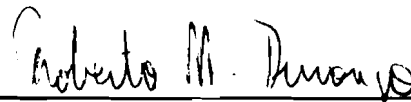
To the Honorable Court:

COMES NOW the Complainant to the instant action and very respectfully avers
and prays as follows:

1. Pursuant to this Honorable Court's Order on Joint Motion for Continuance, dated December 1, 2009, Complainant in the above-captioned matter was directed to file a Status Report on the progress of settlement by January 8, 2010.
2. That on Thursday, December 17, 2009, Nancy Soto, Esq., Respondent's Counsel, proposed two additional projects for EPA's review under the Supplemental Environmental Project (SEP) Policy.
3. That EPA's Enforcement Officers will schedule a site visit to determine whether or the proposed SEPs comply with EPA's SEP Policy and/or provide guidance on what changes can be made for them to comply.

WHEREFORE it is respectfully requested that the Court take notice of the status of the foregoing progress of settlement.

Respectfully submitted in San Juan, Puerto Rico, on this 7th day of January, 2010.



Roberto M. Durango, Esq.
Assistant Regional Counsel
U S. Environmental Protection Agency, Region 2
Office of Regional Counsel—Caribbean Team
Centro Europa Building, Ste. 417
1492 Ponce de León Ave.
San Juan, PR 00907
Tel. (787) 977-5822; Fax: (787) 729-7748

CERTIFICATE OF SERVICE

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

Original by **Federal Express** and
Facsimile:

Susan L. Biro
Chief Administrative Law Judge
Office of Administrative Law Judges
U.S. Environmental Protection Agency
Mail Code 1900L
1200 Pennsylvania Ave., NW
Washington, D.C. 20460-2001

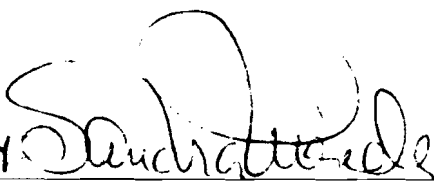
Original and
Copy by **Federal Express**:

Karen Maples
Regional Hearing Clerk
U.S. Environmental Protection Agency,
Region 2
290 Broadway, 17th Floor
New York, NY 10007-1866

Copy **Certified Mail**:

Nancy Soto Lleras, Esq.
Legal Division Director
Municipality of Cayey
P. O. Box 371330
Cayey, Puerto Rico 00737-1330

Date: 01/07/2010

BY:  FOR:
Aileen Sánchez, Program Support Assistant
Office of Regional Counsel