

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2

In the Matter of:

MUNICIPALITY OF CATAÑO

RESPONDENT

Motion

DOCKET NUMBER  
CWA-02-2010-3456

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. II  
2011 MAR 14 P 3:11  
REGIONAL HEARING  
CLERK

**Motion Informing Agreement in Principle Reached by the Parties and  
Request for Extension of Time to File Executed Consent Agreement  
and Final Order**

COMES NOW Complainant, the U.S. Environmental Protection Agency (EPA) through the undersigned attorney, and respectfully alleges, prays and requests as follows:

On March 10, 2011, the Municipality of Cataño (Respondent) and the Environmental Protection Agency ("EPA" or "Complainant") (together, "the Parties") reached an agreement in principle dispositive of all matters asserted in the Administrative Complaint, including a penalty.

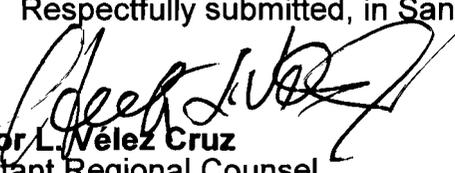
The Parties are engaged in settlement discussions in order to reach an agreement as to the final language and terms of the Consent Agreement and Final Order (CA/FO). Once the CA/FO is finalized it will be placed into concurrence within several EPA officers located in Region 2's San Juan and New York offices for their review and concurrence.

Also, in order to file a duly executed CA/FO, the signature of the Respondent and the signature of the Regional Administrator are required. Once this process concludes, the fully executed CA/FO will immediately be filed.

This Motion has been filed today in order to have the Chief Administrative Law Judge, Honorable Susan L. Biro, take notice of the agreement reached by the Parties and of the progress made in formalizing this agreement in a fully executed CA/FO. Due to the complexity of the review and concurrence process within the Agency and between the Parties in order to finalize a fully executed CA/FO, the Parties request the Honorable Presiding Officer until April 29, 2011, in order to file the duly executed CA/FO and notify its execution to the Presiding Officer.

This Motion was discussed today, March 10, 2011, with Luis A. Rodríguez Muñoz, Esq., attorney for Respondent, who agreed to the filing of this motion.

Respectfully submitted, in San Juan, Puerto Rico, this 10<sup>th</sup> day of March, 2011.



**Héctor L. Vélez Cruz**  
Assistant Regional Counsel  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region II  
Centro Europa Bldg., Suite 207  
1492 Ponce de León Ave.  
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION II

In the Matter of:

**MUNICIPALITY OF CATAÑO**

**RESPONDENT**

**Motion**

**DOCKET NUMBER  
CWA-02-2010-3456**

CERTIFICATE OF SERVICE

I certify that I have this day caused to be sent the foregoing *Motion Informing Agreement in Principle Reached by the Parties and Request for Extension of Time to File Executed Consent Agreement and Final Order*, dated March 10, 2011, and bearing the above-referenced docket number, in the following manner to the respective addressees below:

Original and copy by facsimile, **Overnight Mail** to:

**Karen Maples**  
Regional Hearing Clerk  
Region II  
U.S. Environmental Protection Agency  
290 Broadway, 16<sup>th</sup> Floor  
New York, NY 10007-1866  
Fax (212) 637-3202.

Copy by facsimile, **Overnight Mail** to:

Attorney for Respondent:  
**Luis A. Rodríguez Muñoz, Esq.**  
Landrón & Vera, LLP.  
Centro Internacional de Mercadeo  
Torre I, Suites 203-204  
100 Carretera 165  
Guaynabo, P.R. 00968-8048  
Tel: (787) 774-5959  
Fax: (787) 774-8181  
[lrodriguez@landronvera.com](mailto:lrodriguez@landronvera.com).

Copy by facsimile, **Overnight Mail** to:

Chief Administrative Law Judge  
**Honorable Susan L. Biro**  
Office of Administrative Law Judges  
U.S. Environmental Protection Agency  
1099 14<sup>th</sup> Street, N.W., Suite 350  
Washington, D.C. 20005  
Fax (202) 565-0044.

Date

Page | 3

Signature