

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 Broadway  
New York, New York 10007

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. II  
2012 NOV 20 A 9:56  
REGIONAL HEARING  
CLERK

In the matter of  W.R. Recycling, Inc. P. O. Box 634 Cabo Rojo, Puerto Rico 00623  Respondent.	Complaint, Compliance Order, and Notice of Opportunity for Hearing
Proceeding under Section 3008 of the Solid Waste Disposal Act, as amended, 42 USC §6928	Docket No. RCRA-02-2012-7106

NOTICE OF APPEARANCE AND MOTION TO REQUEST AN EXTENSION OF  
TIME


TO THE ENVIRONMENTAL PROTECTION AGENCY:

COMES NOW Respondent W.R. Recycling, Inc., hereinafter  
"Respondent", through the undersigned attorney, and very  
respectfully states, alleges and request as follows:

1. Pursuant to 40 CFR Part 22, Subpart B, §22.10, we  
hereby give notice that the underwriting attorney is  
assuming the legal representation of Respondent.
2. In light of the above, we respectfully request that  
any notice, motion or document that shall be given  
or served in the present case be forwarded or sent

to the under signer to the following business addresses and electronic mail accounts:

José Javier Lugo Toro, Esq.  
PMB 171  
400 Calaf Street  
San Juan, Puerto Rico 00918  
Tel. 787-761-1067  
787-761-1310  
Fax 787-283-9994  
Email: lugotoro@jjlugotoro.com

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3. On the other hand, counsel for the Respondent was notified on the day the Complaint was received by Respondent on October 18, 2012.
  4. However, we have not been able to gather all the information needed and related to this case in order to provide a responsive pleading to the Complaint.
  5. Therefore, we respectfully request an extension of time of no less than forty five (60) days to answer the complaint or otherwise plead; to refute the proposed civil penalty; to demonstrate the Respondent is in compliance with all laws and regulations that concern its operations and therefore no compliance order had or will have to be enforced; and to formally request a hearing pursuant to 40 CFR §22.15(c).

**WHEREFORE**, Respondent respectfully prays from this Agency to provide as requested and therefore allow the forty five (60) days extension of time.

**IT IS HEREBY CERTIFIED** that on this same date a true and exact copy of this document was sent via certified mail to: Dore LaPosta, Director, Division of Enforcement and Compliance Assistance, Environmental Protection Agency, Region 2, 290 Broadway, 21<sup>st</sup> Floor, New York, NY 10007-1866. Ms. María V. Rodríguez, Director, Land Pollution Regulation Program, Puerto Rico Environmental Quality Board, PO Box 11488, Santurce, Puerto Rico 00910. For filing purposes, the Original and One (1) Copy of this document has been sent to: Regional Hearing Clerk, U.S. Environmental Protection Agency, Region 2, 290 Broadway- 16<sup>th</sup> Floor - Room 1631, New York, New York 10007-1866.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico this 14<sup>th</sup> day of November 2012.



**JOSÉ JAVIER LUGO TORO, ESQ.**  
Counsel to Respondent  
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