

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2**

IN THE MATTER OF:

**HACIENDA MIRAMAR, INC.**  
P. O. Box 781  
Hormigueros, Puerto Rico 00676

AND

**KARIMAR CONSTRUCTION, INC.**  
P. O. Box 8000  
Aguada, Puerto Rico 00602

**Construction Project**  
**MIRADOR DE SOL RESIDENTIAL  
DEVELOPMENT**  
PR-102 Road, Km. 16.5  
Cabo Rojo, Puerto Rico

**RESPONDENTS**

**DOCKET NUMBER  
CWA-02-2022-3451**

Proceeding pursuant to Section  
309(g)(2)(B) of the Clean Water Act,  
33 U.S.C. § 1319(g)(2)(B), to assess a  
Class II Civil Penalty

**STATUS REPORT**

Pursuant to the Prehearing Order, issued on November 15, 2022, in the above-captioned proceeding, Complainant U.S. Environmental Protection Agency, Region 2 (EPA), reports on the status of settlement negotiations that:

1. Complainant and Respondents Hacienda Miramar Inc. and Karimar Construction Inc. held informal settlement conference meetings on November 23, 2022, and December 6, 2022.
2. During these informal meetings the parties exchanged information and conducted extensive discussions towards reaching settlement.
3. On December 6, 2022, Complainant and Respondents reached an agreement in principle to resolve this matter via settlement and dispose of all matter asserted in the administrative complaint. On the same date, Complainant and Respondents discussed the documentation required under the EPA's guidance documents to support an extended payment schedule.
4. Complainant will work on a proposed Consent Agreement and Final Order ("CA/FO") for the Respondents' review and comments. Once the CA/FO is finalized, it will be placed into concurrence within several EPA officers located in Region 2's offices for their review and concurrence. Also, in order to file a duly executed CA/FO, the review and signature

of the Respondents is required. Once this process concludes, the fully executed CA/FO will immediately be filed.

5. Despite the efforts that will be exercised by the parties, due to the holiday season and the unavailability of some of the reviewing parties, it is almost certain that the CA/FO will not be executed and filed by the deadline set in the Prehearing Order (January 13, 2023). Therefore, Complainant respectfully requests this tribunal to grant an extension of time of sixty (60) days (until February 13, 2023) to file an executed CA/FO.

6. Pursuant to 40 C.F.R. § 22.7(b), the undersigned counsels submit that “good cause” exists for the granting of the relief herein being sought, and that there is no prejudice to any of the parties.

7. Respondents have consented to the filing of this Status Report.

Respectfully submitted this 15<sup>th</sup> day of December 2022.

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## **CERTIFICATION OF SERVICE**

I hereby certify that on this 15<sup>th</sup> day of December 2022, I filed via the OAL E-Filing System, the original and copy of this Complainant's Status Report to the Office of Administrative Law Judges Hearing Clerk; and served a true and correct copy of the filed document to Presiding Judge Hon. Susan L. Biro, Mr. Efrain González Caro and Mr. Wilson Valentín through the following means:

Ms. Mary Angeles, Headquarters Hearing Clerk  
OAL E-Filing System

Hon. Susan L. Biro, Presiding Judge  
OAL E-Filing System

Mr. Efraín Gonzalez Caro  
President  
**Respondent Hacienda Miramar Inc.**  
Email: [mmj\\_hqj@yahoo.com](mailto:mmj_hqj@yahoo.com)  
Attention: Henry Morales, Project Manager

Mr. Wilson Valentín  
President  
**Respondent Karimar Construction, Inc.**  
Email: [karimarinc@yahoo.com](mailto:karimarinc@yahoo.com)  
Attention: Giancarlo Santos, [santos.giancarlo@gmail.com](mailto:santos.giancarlo@gmail.com)

Jesús Piñero, PhD  
Consultant for Respondents Hacienda Miramar, Inc. and Karimar Construction, Inc.  
[jaypinero@yahoo.com](mailto:jaypinero@yahoo.com)

Dated: December 15, 2022  
Guaynabo, Puerto Rico

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