



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of: )
Molinos De Puerto Rico, Inc., ) Docket No. CWA-02-2012-3458
Respondent. ) Dated: December 26, 2012

ORDER ON SHOWING OF GOOD CAUSE AND ORDER GRANTING REQUEST FOR EXTENSION OF TIME

By Prehearing Order dated November 6, 2012, the Director, Caribbean Environmental Protection Division of United States Environmental Protection Agency Region 2 ("Complainant") was ordered to file on or before December 14, 2012, either a prehearing exchange of information or a fully executed Consent Agreement and Final Order ("CAFO"). Complainant did not file a prehearing exchange or CAFO, and an Order to Show Cause was issued on December 21, 2012, directing Complainant to explain by January 7, 2013, why it had good cause for failing to comply with the Prehearing Order and why a default should not be entered against it.

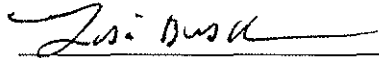
The undersigned received Complainant's Motion in Response to Order to Show Cause, Status Report and Request for Extension of Time to File Executed Consent Agreement and Final Order ("Motion") on December 21, 2012, together with a copy of a CAFO bearing Respondent's signature. In the Motion, Complainant states that the parties have "reached an agreement dispositive of all matters asserted in the Administrative Complaint," that Respondent has signed the agreement, and that the agreement has been submitted for concurrence. Motion at 2. Complainant requests that the deadline for it to file its prehearing exchange or a fully executed CAFO be extended to January 28, 2013, and states that Respondent does not object to this request.

After considering the response, the timeliness of the response, the existence of a CAFO signed by Respondent, and the apparent lack of prejudice to Respondent, the undersigned finds that there is good cause to excuse Complainant's failure to comply with the Prehearing Order and grant Respondent's request for an extension of time. An entry of default against Complainant is not warranted at this time, and Complainant's Motion is GRANTED.

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The deadlines set forth in the Prehearing Order of November 6, 2012 must be rescheduled. Complainant shall file its Initial Prehearing Exchange or a fully executed CAFO no later than **January 28, 2013**. Respondent shall file its Prehearing Exchange no later than **February 25, 2012**. Complainant may file a Rebuttal Prehearing Exchange no later than **March 11**.

SO ORDERED.



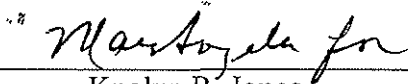
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M. Lisa Buschmann  
Administrative Law Judge

**In the Matter of *Molinos De Puerto Rico, Inc.*, Respondent.  
Docket No. CWA-02-2012-3458**

CERTIFICATE OF SERVICE

I hereby certify that true copies of this **Order on Showing of Good Cause and Order Granting Request for Extension of Time**, issued on December 26, 2012, were sent to the following parties in the manner indicated:

  
\_\_\_\_\_  
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**Dated: December 27, 2012  
Washington, DC**