

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 2

IN THE MATTER OF:

**US Virgin Islands Water and Power  
Authority**

Respondent

Proceeding under Section 3008 of the Solid  
Waste Disposal Act, as amended,  
42 U.S.C. § 6928

**COMPLAINT, COMPLIANCE ORDER,  
AND NOTICE OF OPPORTUNITY FOR  
HEARING**

Docket No. RCRA-02-2012-7108

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2013 FEB 26 AM 10:12

**STATUS REPORT**

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

1. Pursuant to the January 16, 2013 Prehearing Order issued by the Administrative Law Judge, Honorable Lisa Buschmann, counsel for Complainant submits the following Status Report in the above captioned matter.
2. The Complainant and the US Virgin Islands Water and Power Authority (“Respondent”) (herein together the “Parties”) have been actively participating in good faith negotiations.
3. On February 8, 2013, the Parties held a face to face meeting in which the allegations of the Complaint and the requirements of the Compliance Order were discussed.
4. On conference call held on February 13, 2012, attorneys for the Parties agreed to have a follow up conference call once Respondent submits the documents offered in support of its allegations. Once these documents are reviewed by Complainant, the Parties will present each other with settlement proposals.

**Certificate of Service**

I hereby certify that a true copy of this Status Report was served to: Monica Derbes Gibson, Venable LLP, 575 7<sup>th</sup> Street NW, Washington, DC 20004.

Respectfully submitted, in Guaynabo, Puerto Rico, this 22<sup>nd</sup> day of February, 2013.



**Carolina Jordán-García, Esq.**

U.S. Environmental Protection Agency, Region 2

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CERTIFICATE OF SERVICE

I certify that, on the date noted below, I caused to be mailed a copy of the foregoing "Motion" to the following persons, at the addresses listed below and in the following manner:

**Original and copy for filing**

**UPS:**

Sybil Anderson  
Hearing Clerk  
Office of Administrative Law Judges  
1200 Pennsylvania Avenue  
N.W., Mail Code 1900L  
Washington, D.C. 20460  
U.S. Environmental Protection Agency, Region 2  
290 Broadway – 16<sup>th</sup> Floor  
New York, New York, 10007

**Copy by fax and UPS:**

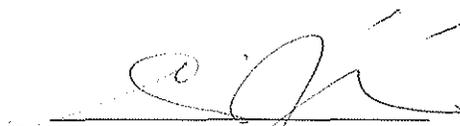
Hon. Lisa Buschmann  
Office of Administrative Law Judges  
U.S. Environmental Protection Agency  
1099 14<sup>th</sup> Street, N.W., Suite 350  
Washington, D.C. 20005  
Fax (202) 565-0044

**Copy by Certified Mail /**

**Return Receipt Requested:**

Monica Debres Gibson  
Venable LLP  
575 7th St. NW  
Washington, DC 20004

Date: 2/22/2013



San Juan, Puerto Rico  
Office of Regional Counsel - CT