

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

IN THE MATTER OF:

Marina PDR Operations, LLC.
4900 State Road PR-3
Fajardo, PR 00738-4067

Marina Puerto Del Rey
NPDES MSGP Tracking Number
PRR053171

RESPONDENT

DOCKET NUMBER CWA-02-2017-3452

PROCEEDING PURSUANT TO SECTION
309(g) OF THE CLEAN WATER ACT, 33
U.S.C. § 1319(g), TO ASSESS CLASS II
CIVIL PENALTY

STATEMENT FOR HEARING LOCATION

COMES NOW Respondent, Marina PDR Operations, LLC (“Respondent”), through the undersigned attorneys, and respectfully alleges, prays and requests as follow:

Pursuant to the Prehearing Order, issued by the Honorable Christine D. Coughlin on March 6, 2017 (the “Order”), each party was ordered to file a statement identifying its preference for the location of the hearing.

As per 40 C.F.R. §§ 22.21(d) and 22.19(d), the hearing should be held in the county where the Respondent conducts business which the hearing concerns, in the city in which the relevant Environmental Protection Agency Regional (“EPA”) office is located, or in Washington, D.C.

Respondent hereby requests that the hearing be held in San Juan. Respondent is a limited liability company authorized to do business in Puerto Rico and its designated office and resident agent are located in San Juan. Moreover, EPA’s relevant office is located in Guaynabo, which is within the San Juan metropolitan area.

As discussed with Complainant's counsel, holding the hearing in the San Juan is more convenient for both parties than the Municipality of Fajardo, where the events that gave rise to this action allegedly occurred, or Washington, D.C.

The content of this Statement was discussed with Complainant's counsel, who agreed to its filing.

Respectfully submitted, in San Juan, Puerto Rico, on March 24, 2017.

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By: 
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