

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF ADMINISTRATIVE LAW JUDGES**

IN THE MATTER OF:

HACIENDA MIRAMAR, INC.

AND

KARIMAR CONSTRUCTION, INC.

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

MOTION TO COMPLY WITH ORDER

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

COMES NOW, Complainant, United States Environmental Protection Agency, Region II (“Complainant” or “USEPA”) and respectfully states, alleges and prays as follows:

1. 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. Such agreement was informed to the Honorable Administrative Judge Susan L. Biro on December 15, 2022, through the Complainant’s Status Report.

2. On January 4, 2023, and February 16, 2023, Honorable Judge Biro issued orders granting additional time to file a fully executed Consent Agreement and Final Order (“CA/FO”).

3. Specifically, the Order issued on February 16, 2023, required Complainant to file a fully executed CA/FO with the Regional Hearing Clerk on or before March 27, 2023, with a courtesy copy filed with the Headquarters Hearing Clerk.

4. In compliance with the February 16, 2023’s Order, the Complainant hereby notify this Honorable Court that it has filed a fully executed CA/FO with the Regional Hearing Clerk and has attached a courtesy copy to this motion.

Respectfully submitted this 27th day of March 2023.

U.S. Environmental Protection Agency,
Region 2
City View Plaza II PR-165
Km. 1.2, #48, Suite 7000
Guaynabo PR, 00968

Suzette M. Meléndez-Colón
Assistant Regional Counsel
melendez-colon.suzette@epa.gov

CERTIFICATION OF SERVICE

I hereby certify that on this 27th day of March 2023, I filed via the OAL E-Filing System, the original and copy of this motion 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, Hacienda Miramar, Inc. and Karimar Construction Inc. 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
Attention: Henry Morales, Project Manager

Mr. Wilson Valentín
President
Respondent Karimar Construction, Inc.
Email: karimarinc@yahoo.com
Attention: Giancarlo Santos, santos.giancarlo@gmail.com

Jesús Piñero, PhD
Consultant for Respondents Hacienda Miramar, Inc. and Karimar Construction, Inc.
jaypinero@yahoo.com

Dated: March 27, 2023
Guaynabo, Puerto Rico

U.S. Environmental Protection Agency,
Region 2

Suzette M. Meléndez-Colón
Assistant Regional Counsel
Tel: (787) 977-5822
Email: melendez-colon.suzette@epa.gov