

**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 Complainant, the U.S. Environmental Protection Agency ("EPA"), through the undersigned attorney, and respectfully alleges, prays and requests as follow:

Pursuant to the March 6, 2017 Prehearing Order (the "Order") issued by the Administrative Law Judge, Honorable Christine D. Coughlin, the parties were ordered to file a statement identifying the party's preference for the location of the hearing on or before March 24, 2017.

Pursuant to 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 office is located, or in Washington, D.C.

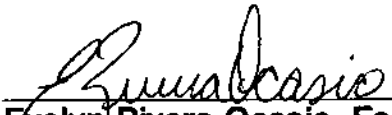
Complainant requests that the hearing be held in San Juan. Respondent is a foreign for profit limited liability company authorized to do business in Puerto Rico and its designated office and resident agent are located in San Juan.

Furthermore, EPA's relevant office is located in Guaynabo, which is within the San Juan metro area.

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 occurred, or Washington, D.C. The Complainant can assist by providing the Hearing Clerk with information on facilities which may be available for purposes of holding the hearing.

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

Respectfully submitted, in San Juan, Puerto Rico, on March 21, 2017.



Evelyn Rivera-Ocasio, Esq.
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Caribbean Programs
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US Environmental Protection Agency
Region 2
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CERTIFICATE OF SERVICE

I certify that I have this day caused to be sent the foregoing **Statement for Hearing Location**, dated March 21, 2017, and bearing the above-referenced docket number, in the manner specified below:

Electronic filing through the OALJ E-Filing System to:

Mary Angeles
Headquarters Hearing Clerk
Office of Administrative Law Judges
US Environmental Protection Agency

Honorable Christine D. Coughlin
Administrative Law Judge
Office of Administrative Law Judges
US Environmental Protection Agency

Copy by Electronic mail to:

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Attorneys for Respondent

Date

3/21/2017


Evelyn Rivera-Ocasio, Esq.
Attorney for Complainant