



Stradley Ronon Stevens & Young, LLP

October 12, 2023 @ 10:39 am  
USEPA – Region II  
Regional Hearing Clerk

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October 12, 2023

**VIA E-Mail (maples.karen@epa.gov)**

Regional Hearing Clerk  
U.S. Environmental Protection Agency  
290 Broadway-16<sup>th</sup> Floor  
(Room 1631) New York, NY  
10007-1866

**Re: In the Matter of City of Atlantic City Municipal Separate Storm Sewer System,  
Docket No. CWA-02-2023-3319**

Dear Ms. Maples:

Enclosed for filing please find Respondent's unopposed Motion for Extension of Time to Answer EPA's Administrative Complaint, Findings of Violation, Notice of Proposed Assessment of an Administrative Penalty, and Notice of Opportunity to Request a Hearing in the above-captioned matter. I have conferred with EPA counsel and EPA has no objection to this request.

Please file the Motion and provide a stamped copy by return e-mail.  
Thank you for your assistance.

Very truly yours,

Andrew S. Levine

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 2

**IN THE MATTER OF:**

**City of Atlantic City  
Municipal Separate Storm Sewer System  
("MS4")  
NJPDES Permit No. NJG0153168**

Respondent

**PROCEEDING TO  
ASSESS CIVIL PENALTY  
CLASS I**

**Docket No. CWA-02-2023-  
3319**

**RESPONDENT'S MOTION FOR EXTENSION OF TIME TO ANSWER  
EPA'S ADMINISTRATIVE COMPLAINT, FINDINGS OF VIOLATION,  
NOTICE OF PROPOSED ASSESSMENT OF AN ADMINISTRATIVE  
PENALTY, AND NOTICE OF OPPORTUNITY TO REQUEST A HEARING**

Pursuant to the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, 40 C.F.R. Part 22, Respondent, City of Atlantic City moves for an extension of time of forty-five (45) days within which to file an Answer to the U.S. Environmental Protection Agency's ("EPA") Administrative Complaint, Findings of Violation, Notice of Proposed Assessment of an Administrative Penalty, and Notice of Opportunity to Request a Hearing (the "Complaint"). In support of this Motion, respondent states as follows:

1. This is Respondent's first request for an extension of time in which to Answer the Complaint, and Respondent is diligently gathering information in order to respond to the Complaint.
2. Respondent conferred with counsel for EPA, who concurs in this request.

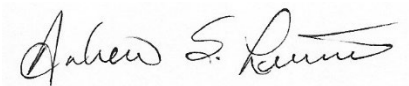
CERTIFICATE OF  
SERVICE

The undersigned hereby certifies that on this 12<sup>th</sup> day of October, 2023, a true and correct copy of the foregoing MOTION FOR EXTENSION OF TIME TO ANSWER EPA'S ADMINISTRATIVE COMPLAINT, FINDINGS OF VIOLATION, NOTICE OF PROPOSED ASSESSMENT OF ADMINISTRATIVE PENALTY, AND NOTICE OF OPPORTUNITY TO REQUEST A HEARING was served on the following via e-mail to:

Karen Maples (maples.karen@epa.gov)  
Regional Hearing Clerk  
U.S. Environmental Protection

Lauren Fischer, Esq. (fischer.lauren@epa.gov)  
Assistant Regional Counsel

Helen S. Ferrara ([ferrara.helen@epa.gov](mailto:ferrara.helen@epa.gov))  
Regional Judicial Officer

A handwritten signature in black ink, appearing to read "Andrew S. Levine". The signature is written in a cursive style with a horizontal line at the end.

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Andrew S. Levine, Esq.