



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

February 3, 2016

The Honorable Susan L. Biro
United States Administrative Law Judge
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Mail code 1900R
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

RE: In the Matter of Atlantic County Utilities Authority
Docket No. **CAA-02-2015-1212**

Dear Judge Biro:

Please find enclosed a copy of Complainant's Errata to its Complaint filed on September 30, 2015 in the above-captioned matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Anhthu Hoang".

Anhthu Hoang
United States EPA Region 2
Office of Regional Counsel
Assistant Regional Counsel

cc: Mr. Salvatore Perillo

REGIONAL HEARING
CLERK

2016 FEB -- 3 AM 7:35

U.S. Environmental
Protection Agency-Reg 2

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

NOTICE OF ERRATA

Complainant, the United States Environmental Protection Agency (“EPA” or the Agency), through the undersigned attorney to hereby provide notice of errata and correction as follows:

On September 30, 2015, Complainant filed a Complaint against Respondent Atlantic County Utilities Authority. Respondent filed an answer and request for a hearing on November 22, 2015. Complainant has learned that there are two minor errors in the description of the gravity portion of the Proposed Civil Penalty section of the Complaint:

- 1) Under count 1, EPA misstated: “EPA has determined that a failure to calibrate monitoring equipment properly is a violation of the monitoring requirement.” The statement will be corrected to read: “EPA has determined that a failure to meet instrument specifications and zero gas requirements is a violation of the monitoring requirement.”
- 2) Under count 2, EPA misstated: “EPA has determined that a failure to calibrate monitoring equipment properly is a violation of the monitoring requirement.” The statement will be corrected to read: “EPA has determined that a failure to conduct the performance evaluation of LDAR equipment as required is a violation of the monitoring requirement.”

The above referenced errors and proposed corrections do not affect the substance of the Complaint, because the violations as well as the factual and legal basis supporting them are described correctly throughout the Complaint. Therefore, even with the errors, Respondent was given full notice of the specific violations for which it is cited, the amount of the total penalty sought, and the statutory and regulatory basis supporting Complainant’s penalty calculation.



Dated: February 3, 2016
New York, New York

CLERK
REGIONAL HEARING
2016 FEB - 3 AM 7:35
U.S. Environmental
Protection Agency-Reg 2

Respectfully submitted,



Anhtu Hoang
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th floor
New York, New York 10007-1866
212-637-5033/FAX: 212-637-3199

Cc:

Salvatore Perillo
Nehmad Perillo & Davis, PC, Counselors at Law
4030 Ocean Heights Avenue
Egg Harbor Township, NJ 08234

CERTIFICATE OF SERVICE

I certify that the foregoing **NOTICE OF ERRATA**, dated February 3, 2016, was sent this day in the following manner to the addressees listed below:

Original and one copy
by Hand Delivery to:

✓ Karen Maples
U.S. Environmental Protection Agency, Region 2
Regional Hearing Clerk
290 Broadway, 16th Floor
New York, NY 10007

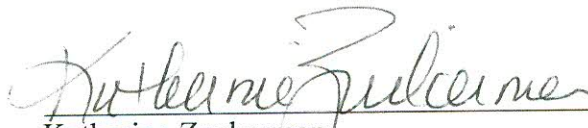
Copy sent by Certified Mail and facsimile to:

Attorney for Respondent: Salvatore Perillo, Esq.
Nehmad Perillo and Davis
4030 Ocean Heights Ave
Egg Harbor Township, NJ 08234

Copy sent by Internal Overnight Mail Pouch to:

Assigned ADR Neutral: The Honorable Barbara A. Gunning
Administrative Law Judges
U.S. Environmental Protection Agency
Office of Administrative Law Judge
Mail Code 1900R
1200 Pennsylvania Avenue, NW
Washington, DC 20460-2001

Presiding Officer: The Honorable Susan L. Biro
Chief Administrative Law Judges
U.S. Environmental Protection Agency
Office of Administrative Law Judge
Mail Code 1900R
1200 Pennsylvania Avenue, NW
Washington, DC 20460-2001


Katherine Zuckerman
U.S. Environmental Protection Agency, Region 2
Office of Regional Counsel
290 Broadway, 16th Floor
New York, NY 10007

Dated: February 3, 2016