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March 12, 2024 @ 11:54 am  
USEPA – Region II  
Regional Hearing Clerk

March 12, 2024

**VIA E-Mail ([maples.karen@epa.gov](mailto: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 Fourth 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

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MERITAS LAW FIRMS WORLDWIDE

March 12, 2024 @ 11:54 am  
USEPA – Region II  
Regional Hearing Clerk

**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 FOURTH 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 additional extension of time of sixty (60) 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 fourth request for an extension of time in which to Answer the Complaint, and the Parties are engaged in productive settlement discussions. These settlement discussions include EPA's review of the Respondent's Supplemental Environmental Project ("SEP"), and the Respondent's review of the EPA's proposed Consent Order. Consequently, additional time is required to ensure the SEP complies with applicable guidance, and to facilitate the resolution of this matter.
2. Respondent conferred with counsel for EPA, who concurs in this request.

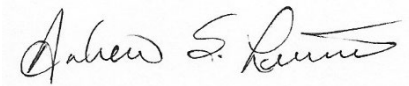
CERTIFICATE OF  
SERVICE

The undersigned hereby certifies that on this 12<sup>th</sup> day of March, 2024, a true and correct copy of the foregoing FOURTH 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



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Andrew S. Levine, Esq.