

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 2**

In the Matter of: Andrew B. Chase, a/k/a
Andy Chase, Chase Services, Inc., Chase
Convenience Stores, Inc., and Chase
Commercial Land Development, Inc.,

Respondents.

Proceeding Under Section 9006 of the
Solid Waste Disposal Act, as amended.

Hon. M. Lisa Buschmann, Presiding Officer

Docket No. RCRA-02-2011-7503

U.S. ENVIRONMENTAL PROTECTION AGENCY-REGION 2
2012 JUN 30 P 2:47
REGIONAL HEARING CLERK
2012 JUL -2 P 2:47
REGIONAL HEARING CLERK

JULY 2ND STATUS REPORT

Complainant in this proceeding, the Director of the Division of Enforcement and Compliance Assistance, EPA, Region 2 (EPA or Agency), through her attorney, herewith provides the following status report pursuant to the "ORDER ON COMPLAINANT'S MOTION FOR PARTIAL ACCELERATED DECISION," paragraph 4 on page 27.

Settlement discussions between the parties are continuing; communications remain ongoing. Most recently, on June 25th, Respondents' counsel communicated to the undersigned. EPA has responded with two e-mails, one on June 26th, a follow-up on July 2nd. The substance of these communications includes the tender of an offer and, in response thereto, reiterations of prior requests for submission of documentation needed for acceptance thereof. While no settlement to date has been reached, the parties are in good faith continuing in their efforts to do so.

Complainant further wishes to note: EPA will not at the upcoming hearing pursue or seek to obtain a judgment of liability or penalty for counts 17 and 20 of the complaint.

Dated: July 2, 2012
New York, New York

Respectfully submitted,



Lee A. Spielmann
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TO: Honorable M. Lisa Buschmann
Administrative Law Judge
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Mail Code 1900L
Washington, DC 20460

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U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th floor
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Thomas W. Plimpton, Esq.
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In re Andrew B. Chase et al.
Docket No. RCRA-02-2011-7503

CERTIFICATE OF SERVICE

I certify that I have this day caused to be sent the foregoing "JULY 2ND STATUS REPORT," dated July 2, 2012, in the above-referenced proceeding in the following manner to the respective addressees listed below:

Original and One Copy
By Inter-Office Mail:

Office of Regional Hearing Clerk
U.S. Environmental Protection
Agency - Region 2
290 Broadway, 16th floor
New York, New York 10007-1866

Copy by fax transmission,
202-565-0044, and by Pouch Mail:

Honorable M. Lisa Buschmann
Administrative Law Judge
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Mail Code 1900 L
Washington, DC 20460

Copy by fax transmission,
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Dated: July 2, 2012
New York, New York


Lee A. Spielmann