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January 4, 2012

VIA FEDERAL EXPRESS

Karen Maples, Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor
New York, New York 10007-1866

RE: Chase, et al, Respondents
Docket No. RCRA-02-2011-7503

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2012 JAN -5 P 3 28
REGIONAL HEARING
CLERK

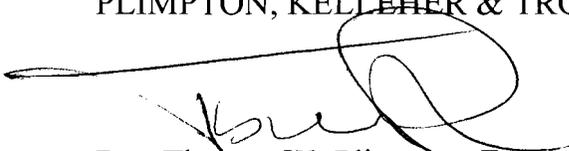
Dear Ms. Maples:

I enclose herewith the Respondent's Response to Motion for Partial Reconsideration of December 22, 2011 Order regarding the above matter.

If anything further is required, please do not hesitate to contact me.

Very truly yours,

STAFFORD, PILLER, MURNANE,
PLIMPTON, KELLEHER & TROMBLEY, PLLC


By: Thomas W. Plimpton, Esq.

TWP/taf
Enclosure

CC: Hon. Susan L. Biro, Chief Administrative Law Judge
(Via Facsimile and Regular Mail)
Lee Spielmann, Esq. (Via Facsimile and Regular Mail)

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG.II
2012 JAN -5 P 3:27
REGIONAL HEARING
CLERK

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.,

**RESPONSE TO MOTION
FOR PARTIAL
RECONSIDERATION OF
DECEMBER 22, 2011 ORDER**

Respondents.

Docket No. RCRA-02-2011-7503

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

THOMAS W. PLIMPTON, ESQ., affirms to the Court, under penalty of perjury,
the following:

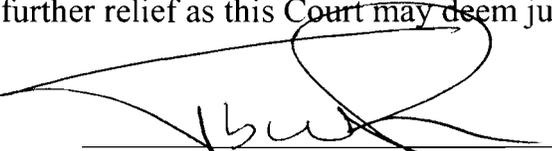
1. I am an attorney duly licensed to practice law in the State of New York, and a member of the firm of Stafford, Piller, Murnane, Plimpton, Kelleher & Trombley, PLLC, and attorney for the Respondents in the above matter. I make this Affirmation in partial support of Complainant's Motion for Partial Reconsideration of the Order of December 22, 2011.
2. The Respondents do not oppose Complainant's Motion in that it requests that the current hearing dates be rescheduled, because the presently scheduled dates of April 17, 2012 through April 20, 2012, represent a conflict for the undersigned. The undersigned is currently scheduled to be in trial (Searing v.

CVPH, et al, Clinton County Supreme Court, Index No. 2009-1534), beginning April 16, 2012 and possibly continuing through April 27, 2012.

3. The Complainant suggests that the hearing be moved for at least one week to April 24, 2012, however, this date would also present a conflict for the undersigned, because of the above-mentioned trial (Searing v. CVPH, et al).
4. The Complainant suggests the date of May 21, 2012, as a commencement date for the hearing. However, the undersigned is scheduled to begin another trial (Galloway/Sawyer v. CVPH, et al, Clinton County Supreme Court, Index No. 2008-1574) on that date.
5. It is respectfully requested that Claimant's Motion be granted to adjourn the hearing date presently scheduled for April 17, 2012 through April 20, 2012, but that the new hearing date be rescheduled for the week of June 4, 2012 through June 8, 2012, or the week of June 11, 2012 through June 15, 2012.

WHEREFORE, Respondents respectfully request that the hearing date of April 17, 2012 through April 20, 2012 be adjourned and that a new hearing date be scheduled as set forth above, and for such other and further relief as this Court may deem just and proper.

DATED: January 4, 2012.



THOMAS W. PLIMPTON, ESQ.