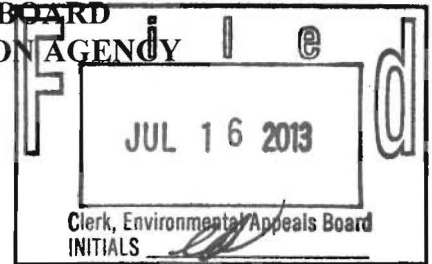


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



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

Docket No. RCRA-02-2011-7503

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RCRA (9006) Appeal No. 13-04

**ORDER GRANTING MOTION FOR EXTENSION OF TIME**

On July 11, 2013, Andrew B. Chase, a/k/a Andy Chase, Chase Services, Inc., Chase Convenience Stores, Inc., and Chase Commercial Land Development, Inc. (collectively, “Respondents”) filed a motion with the Environmental Appeals Board (“Board”) requesting an extension of time to file a notice of appeal and brief in the above-captioned case. *See generally* Motion for Extension of Time to File Notice Appeal and Brief (“Motion”). Respondents request the extension of time due to the length of the Initial Decision issued by Administrative Law Judge M. Lisa Buschmann, the high penalty she imposed, and the complexity of the issues. *Id.* at 2. According to Respondents, “[t]he extensive nature of the Decision, as well as the substantial amount of the penalties will require extensive work and meetings between Respondents and their counsel to discuss all available appeal issues, as well as other strategic matters.” *Id.* Respondents also assert that the Region will not be prejudiced by the extension. *Id.*

Respondents state that they have contacted U.S. EPA Region 2 about the extension and that the Region's attorney agreed to the motion "provided he receives an[] equal extension of time in which to respond." *Id.* Respondents do not object to the Region's request for additional time in which to file a response brief. *Id.*

For good cause shown, Respondents' motion for an extension of time to file its notice of appeal and brief is GRANTED. Because the Initial Decision was served on June 20, 2013, under the relevant Agency regulations, Respondents' notice of appeal and brief would be due on July 25, 2013, and the Region's response would be due within twenty days of service of that appeal, which would be on or about August 14, 2013. *See* 40 C.F.R. §§ 22.7(c), .30(a)-(b). In light of the extensions the Board is granting the parties, Respondents' notice of appeal and brief are now due on Monday, August 26, 2013, and the Region's response brief is now due on Tuesday, October 15, 2013.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated:

July 16, 2013

By:

Kathleen A. Sten for Catherine McCabe

Catherine R. McCabe  
Environmental Appeals Judge

## CERTIFICATE OF SERVICE


I hereby certify that copies of the foregoing *Order Granting Motion for Extension of Time* 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., RCRA (9006) Appeal No. 13-04, were sent to the following persons in the manner indicated:

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Annette Duncan  
Secretary

JUL 16 2013

Date: \_\_\_\_\_