

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. Susan L. Biro, Presiding Officer

Docket No. RCRA-02-2011-7503

REGIONAL HEARING
CLERK

2012 JAN 30 P 3:49

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II

**ADDENDUM TO EXPEDITED MOTION TO EXTEND
DEADLINE FOR FILING DISPOSITIVE MOTIONS**

This document is intended to be an addendum to the motion the undersigned just served and filed in the above-referenced proceeding. The motion was faxed to Respondents' at 2:14 PM, to the Court at 2:17 PM. This addendum is intended to be incorporated in Complainant's January 30, 2012 "EXPEDITED MOTION TO EXTEND DEADLINE FOR FILING DISPOSITIVE MOTIONS" as if fully set forth in said motion.

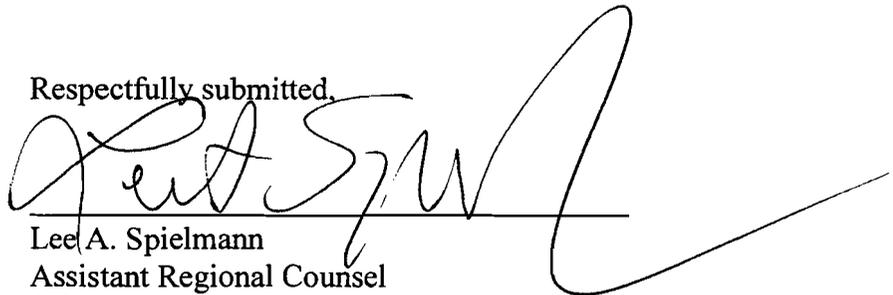
A voice-mail message was left on the telephone of the undersigned (212-637-3222); the system indicated it had been left at 2:37 PM. The caller identified herself as Tracie from "Tom" Plimpton's office; Thomas Plimpton is counsel for Respondents in the above-referenced proceeding.

After identifying herself, Tracie said that "Tom" (*i.e.* Mr. Plimpton) had no problem with "you" (*i.e.* the undersigned) indicating to the Court that he (Mr. Plimpton) had not objection to the extension of time being sought in EPA's just filed January 30th motion. She concluded her message, "He has absolutely no objection."

Thus the undersigned wishes to note for the record that counsel for Respondents does not object or oppose EPA seeking this Court to grant additional time (one week) for the parties to submit dispositive motions. In addition to the arguments set forth in the January 30th motion, the voice-mail message buttresses Complainant's position that the relief sought in the January 30th motion should be granted.

Dated: January 30, 2012
New York, New York

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lee A. Spielmann', written over a horizontal line. The signature is fluid and cursive, extending to the right of the line.

Lee A. Spielmann
Assistant Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th floor
New York, New York 10007-1866
212-637-3222
FAX: 212-637-3199

TO: Honorable Susan L. Biro
Chief Administrative Law Judge
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Mail Code 1900L
Washington, DC 20460

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

Thomas W. Plimpton, Esq.
Stafford, Piller *et al.* (Counsel for Respondents)
One Cumberland Avenue
P.O. Box 2947
Plattsburgh, New York 12901

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 "ADDENDUM TO EXPEDITED MOTION TO EXTEND DEADLINE FOR FILING DISPOSITIVE MOTIONS," dated January 30, 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

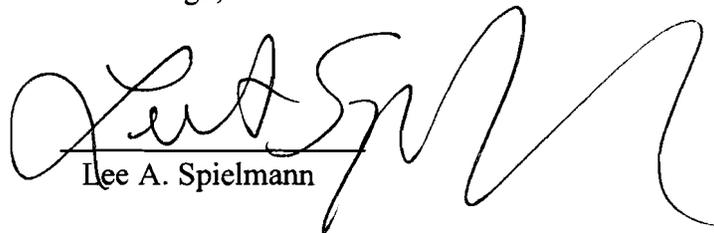
Copy by Fax Transmission,
202-565-0044, and Pouch Mail:

Honorable Susan L. Biro
Chief Administrative Law Judge
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Mail Code 1900 L
Washington, DC 20460

Copy by Fax Transmission,
518-561-4848 and Certified Mail,
Return Receipt Requested:

Thomas W. Plimpton, Esq.
Stafford Piller et al.
One Cumberland Avenue
P.O. Box 2947
Plattsburgh, New York 12901

Dated: January 30, 2012
New York, New York


Lee A. Spielmann