

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-REG. II
2012 FEB 22 P 3 48
REGIONAL HEARING
CLERK

MOTION TO SUPPLEMENT COMPLAINANT'S PREHEARING EXCHANGE

Complainant in this proceeding, the Director of the Division of Enforcement and Compliance Assistance, EPA, Region 2 (EPA or Agency), through her attorney, moves this Court, pursuant to 40 C.F.R. §§ 22.16(a), 22.19 and 22.22(a), and also pursuant to the order of this Court, dated December 22, 2011,¹ for an order to permit Complainant to supplement her prehearing exchange, filed November 10, 2011, with six additional documents referred to as "PBS applications." As will be demonstrated below, Complainant submits that good cause exists for granting this motion, *i.e.* Respondents will not suffer prejudice or be unfairly disadvantaged or unfairly surprised if Complainant were permitted to supplement her prehearing exchange as she seeks to do through this motion.

This motion is divided into six sections, as follows: Section I, "History and Background"; Section II, "The Supplemental Documents: The 'PBS Applications'"); Section III,

¹ The December 22, 2011 was denominated, "NOTICE OF HEARING AND SCHEDULING ORDER AND ORDER ON MOTION TO EXTEND FILING DEADLINE FOR DISPOSITIVE MOTIONS."

“Respondents’ Nexus to the PBS Applications”; Section IV, “Law Governing This Motion”; Section V, “Supplementing the Prehearing Exchange is Warranted”; and Section VI, “Conclusion.”

I. History and Background

The history and operative facts underlying this proceeding have been set forth in significant detail in Complainant’s motion for accelerated decision for liability for 20 of the 21 counts of the complaint (all counts except count 20) that was filed February 10, 2012. For the convenience of this Court, a quick summary will be provided herein, and the Court is respectfully referred to the partial accelerated decision motion, specifically, the declaration of Lee A. Spielmann (including the exhibits attached thereto), executed February 3, 2012, the declaration of Jeffrey K. Blair (including the exhibits attached thereto), executed on January 25, 2012 and the declaration of Paul Sacker (including the exhibits attached thereto), executed on February 10, 2012.

In this administrative proceeding commenced under authority of Section 9006 of the Solid Waste Disposal Act, as amended, 42 U.S.C. § 6991e, EPA seeks a civil penalty of approximately \$233,000 against various respondents for violations of the underground storage tank regulations (40 C.F.R. Part 280) alleged to have occurred in the course of Respondents’ ownership and/or operation of underground storage tanks located at six retail gasoline stations in New York State. The complaint alleges Respondent Andrew B. Chase (an individual) is liable for each of the 21 counts, either singly or in tandem with one of three named corporate respondents; the corporate respondents are not alleged to be liable for all violations. The complaint alleges Mr. Chase presently owns and operates the underground storage tank

(sometimes referred to below as “UST” or “USTs”) systems at two of the six gasoline stations, the other four stations having been sold in July 2009. The violations allege concern the operation, maintenance and closure of the underground storage tanks. The complaint alleges violations regarding 19 underground storage tanks (these include violations pertaining to the piping connected to a number of the tanks) at the six service stations, as follows: three USTs at the service station identified as “Service Station I,”² three USTs at Service Station II, two USTs at Service Station III, three USTs at Service Station IV, three USTs at Service Station V and five USTs at Service Station VI.³

The complaint was based, in part, upon information request letters (IRLs) EPA sent, pursuant to Section 9005(a) of the Act, 42 U.S.C. § 6991d(a), and 40 C.F.R. § 280.34, to Respondent Andrew B. Chase. The first such IRL was sent from EPA to Mr. Chase in April 2009, and Mr. Chase provided a response to this IRL in June 2009.⁴

The January 5, 2012 order of this Court, “ORDER RESCHEDULING HEARING,” directs that a hearing in the matter commence on June 12, 2012.

² Paragraph 7 of the Sacker declaration, pages 5 and 6, identify the location of each of the six service stations.

³ A capsule summary of the specific violations alleged at each of the six service stations concerning the specific USTs and/or their connected piping is set forth in Complainant’s memorandum of law submitted as part of the motion for partial accelerated decision, Section II, “Relief Sought By Complainant,” pages 2 through 6.

⁴ There were several follow-up IRLs: in October 2009; in January 2010; and in November 2010. Mr. Chase provided a response to EPA’s IRLs (in addition to the June 2009 response) in December 2009; January 2010; and in October 2010 (received by EPA in November 2010). EPA inspector Paul Sacker sent e-mails to Mr. Chase on at least three occasion (on January 7, 2010, and twice on January 27, 2010), seeking additional information and/or clarification of information previously provided in an IRL response. Mr. Chase also communicated with Mr. Sacker by fax, one transmitted February 4, 2010, another on December 15, 2010. Paragraphs 12 through 17 of the Sacker declaration.

Complainant thus now moves this Court, in accordance with the directive set forth in the December 22nd order, to supplement Complainant's prehearing exchange with six additional documents, such documents identified and discussed below.⁵

II. The Supplemental Documents: The "PBS Applications"

EPA seeks to supplement the Agency's prehearing exchange with six documents known as "PBS applications."

As part of Respondents' June 2009 response to EPA's April 2009 information request letter, Mr. Chase provided six "PBS certificates." These six documents were issued by the New York State Department of Environmental Conservation (NYSDEC) to Mr. Chase, one for each of the six service stations at issue in this proceeding. Each such "Petroleum Bulk Storage" certificate represents a formal registration of storage tanks at a given facility located within New York State. As a general matter, such certificates list federally regulated underground storage tanks, tanks exempt from federal regulation and above-ground storage tanks; the storage tanks subject to such listing are those that contain petroleum products. Paragraph 18 of the Sacker declaration. The PBS certificates in this proceeding are appended to the Sacker declaration as EXHIBIT 2 (for **Service Station I**); EXHIBIT 4 (for **Service Station II**); EXHIBIT 6 (for **Service Station III**); EXHIBIT 8 (for **Service Station IV**); EXHIBIT 10 (for **Service Station V**); and EXHIBIT 12 (for **Service Station VI**).⁶ The PBS certificates list various items of

⁵ The December 22nd order, page 2, states, *inter alia*, that "[a]ll non-dispositive motions, such as...motions to supplement a prehearing exchange...must be filed on or before March 16, 2012" (bolded emphasis deleted).

⁶ They are also included as part of Exhibit 22 to EPA's November 2011 initial prehearing exchange.

information, including who is the owner and operator of the listed tanks, how many tanks are located at a given facility, the installation dates of the tanks and the capacity of each one.⁷

The information listed on a given PBS certificate reflects the information provided in a PBS application, which must be provided to the NYSDEC by the owners/operators of the tanks at a facility. The NYSDEC issues a PBS certificate in response to the information provided in the PBS application. As noted in paragraph 19 of the Sacker declaration, "The PBS application is part of the process that leads to the issuance of a PBS certificate, which is a document attesting that the listed underground storage tanks have been registered with the NYSDEC."

The information provided on a PBS application has been described in the Sacker declaration, paragraphs 22 and 23, set forth below:

The PBS application form seeks information on a number of items, including: (on the first page), in a boxed (rectangular) area on the left hand side of the document, in a column denominated 'Transaction Type,' whether the application is for 'Initial/New Facility'; 'Change of Ownership'; 'Tank Installation, Closing, Repair or Reconditioning,' 'Information Correction' or 'Renewal.' In this area there are five boxes that might be marked (such as with an 'X' mark) to indicate the type of transaction for which the application is to be filed. Additional information is sought on the front page of a PBS certificate.

A box in the upper half of the document, towards the left, is to be filled out with information about the facility, and in this area there is a place for the name of the 'daily on-site operator' to be inserted. In the area below, information is to be provided as to the owner. Towards the bottom, in a larger horizontal box, the form seeks information as to a mailing contact. In the upper half of the document, on the right hand side, the form seeks information on the type of petroleum facility for which the application is to be completed and filed, and this

⁷ Paragraph 27 of the Sacker declaration (Service Station I); paragraph 30 of the Sacker declaration (Service Station II); paragraph 33 of the Sacker declaration (Service Station III); paragraph 36 of the Sacker declaration (Service Station IV); paragraph 39 of the Sacker declaration (Service Station V); and paragraph 42 of the Sacker declaration (Service Station VI).

section lists various possibilities, including a facility for 'retail gasoline sales' and one that serves as a 'storage terminal/petroleum distributor.' Below that is an area where the owner or authorized representative is required to print his/her name, to indicate the signer's title, and to sign and date the application. ***

The PBS application contains a section whether the owner or authorized representative is required to print his/her name, to indicate his/her title, and then to sign and date the application. The person signing the PBS application certifies under penalty of perjury that the information provided is true and correct. Paragraph 23 of the Sacker declaration.

EPA obtained the six PBS applications it now wishes to include within the prehearing exchange from the NYSDEC, and these were obtained in the course of the Agency preparing the motion for partial accelerated decision. The applications were sent to EPA via e-mail, in PDF format. Paragraphs 20 and 21 of the Sacker declaration.⁸

A copy of the PBS applications for each of the six service stations is annexed to this motion, the PBS application for **Service Station I** as Exhibit A; the PBS application for **Service Station II** as Exhibit B; the PBS application for **Service Station III** as Exhibit C; the PBS application for **Service Station IV** as Exhibit D; the PBS application for **Service Station V** as Exhibit E; and the PBS application for **Service Station VI** as Exhibit F.⁹

⁸ The e-mail exchange between EPA and the NYSDEC is included as exhibits to the Sacker declaration, EXHIBITS 27, 28 and 29.

⁹ If this Court were to grant this motion, then the PBS application for **Service Station I** would become Exhibit 58 of Complainant's prehearing exchange; the PBS application for **Service Station II** would become Exhibit 59; the PBS application for **Service Station III** would become Exhibit 60; the PBS application for **Service Station IV** would become Exhibit 61; the PBS application for **Service Station V** would become Exhibit 62; and the PBS application for **Service Station VI** would become Exhibit 63 of Complainant's prehearing exchange. This numbering represents a continuation of the numbering of exhibits in Complainant's November 2011 initial prehearing exchange (the last exhibit number in that document being number 57).

III. Respondents' Nexus to the PBS Applications

The PBS application for each of the six service stations bears the name of Respondent Andrew B. Chase.¹⁰ On the PBS application for **Service Station I**, Mr. Chase is listed as owner, operator, emergency contact and “owner or authorized representative” certifying “under penalty of perjury that the information provided on [such application] is true to the best of my knowledge and belief”;¹¹ on the PBS application for **Service Station II**, Mr. Chase is listed as the operator and emergency contact (for both listings, as “Andy Chase”) and as the “owner or authorized representative” certifying “under penalty of perjury that the information provided on [such application] is true to the best of my knowledge and belief”;¹² on the PBS application for **Service Station III**, Mr. Chase is listed as the owner, operator and as the “owner or authorized representative” certifying “under penalty of perjury that the information provided on [such application] is true to the best of my knowledge and belief”;¹³ on the PBS application for **Service Station IV**, Mr. Chase is listed as the operator, emergency contact and the “owner or authorized representative” certifying “under penalty of perjury that the information provided on [such

¹⁰ As is the case with a PBS certificate, on the antecedent PBS application, the terms “owner” and “operator” refer to the underground storage tank and their associated equipment (including piping); these terms do not pertain to the real property where the USTs are located. Paragraph 25 of the Sacker declaration.

¹¹ Paragraphs 26 and 28 of the Sacker declaration, and EXHIBIT 1 to the Sacker declaration.

¹² Paragraphs 29 and 31 of the Sacker declaration, and EXHIBIT 3 to the Sacker declaration.

¹³ Paragraphs 32 and 34 of the Sacker declaration, and EXHIBIT 5 to the Sacker declaration.

application] is true to the best of my knowledge and belief”;¹⁴ for the PBS application for **Service Station V**, Mr. Chase is listed as the operator, emergency contact and as the “owner or authorized representative” certifying “under penalty of perjury that the information provided on [such application] is true to the best of my knowledge and belief”;¹⁵ and for the PBS application for **Service Station VI**, Mr. Chase is listed as the owner, operator, emergency contact and as the “owner or authorized representative” certifying “under penalty of perjury that the information provided on [such application] is true to the best of my knowledge and belief.”¹⁶ Further, three of these applications list as an owner other than Respondent Andrew B. Chase: the PBS application for **Service Station II** lists Respondent Chase Convenience Stores, Inc. as the owner; the PBS application for **Service Station IV** lists Respondent Chase Services, Inc. as the owner; and the PBS application for **Service Station V** lists Respondent Chase Commercial Land Dev[elopment] as the owner.¹⁷ Respondents’ answer, in paragraph 2, admits that Respondent Andrew B. Chase is the chairman or chief executive officer of each of Chase Convenience Stores, Inc., Chase Services, Inc. and Chase Commercial Land Development, Inc.¹⁸

¹⁴ Paragraphs 35 and 37 of the Sacker declaration, and EXHIBIT 7 to the Sacker declaration.

¹⁵ Paragraphs 38 and 40 of the Sacker declaration, and EXHIBIT 9 to the Sacker declaration.

¹⁶ Paragraphs 41 and 43 of the Sacker declaration, and EXHIBIT 11 to the Sacker declaration.

¹⁷ For **Service Station II**, see paragraph 29 and EXHIBIT 3 to the Sacker declaration; for **Service Station IV**, see paragraph 35 and EXHIBIT 7 to the Sacker declaration; for **Service Station V**, see paragraph 38 and EXHIBIT 9 to the Sacker declaration.

¹⁸ The pertinent allegation admitted by paragraph 2 of the answer is found in paragraph 31 of the complaint.

Thus, Mr. Chase is well aware of the existence of these PBS applications: if he did not prepare them himself or have someone prepare them at his direction, at the very least he has certified as to the truth and accuracy of the information contained in each. Moreover, as previously noted, a PBS application serves as the basis for the NYSDEC's issuance of a PBS certificate; the PBS application is the antecedent to the PBS certificate. Mr. Chase provided the PBS certificates for each of the six service stations as part of his June 2009 response to EPA's April 2009 information request letter, and he has never subsequently, both prior to and throughout the course of this litigation, disputed or gainsaid the veracity, accuracy or correctness of the information contained on any of the PBS certificates he provided, which in turn further confirms the veracity, accuracy and correctness of the antecedent PBS applications.

IV. Law Governing This Motion

This rules of procedure governing this proceeding are set forth in 40 C.F.R. Part 22. 40 C.F.R. § 22.1(a)(4). This motion is made pursuant to 40 C.F.R. § 22.19(f), which provides, in relevant part:¹⁹

A party who has made an information exchange under paragraph (a) of this section..shall promptly supplement or correct the exchange when the party learns that the information exchanged is incomplete, inaccurate or outdated, and the additional or corrective information has not otherwise been disclosed to the other party pursuant to this section.

The only Part 22 provision implicating a time requirement for supplementing a prehearing exchange is found in 40 C.F.R. § 22.22(a), which provides, in relevant part:

The Presiding Officer shall admit all evidence which is not irrelevant, immaterial, unduly repetitious, unreliable, or of little probative value....If, however, a party

¹⁹ This motion is also made under authority of 40 C.F.R. § 22.16(a), the provision authorizing a party to submit a motion.

fails to provide any document, exhibit, witness name or summary of expected testimony required to be exchanged under §22.19 (a), (e) or (f) to all parties at least 15 days before the hearing date, the Presiding Officer shall not admit the document, exhibit or testimony into evidence, unless the non-exchanging party had good cause for failing to exchange the required information and provided the required information to all other parties as soon as it had control of the information, or had good cause for not doing so.

Part 22 case law has construed these provisions. Thus, “where the supplement is not prompt or where the existing information is not incomplete, inaccurate or outdated, and particularly where there is evidence of bad faith, delay tactics, or undue prejudice, supplements to prehearing exchanges may be denied.” *In re 99 Cents Only Stores*, Docket Number FIFRA -9-2008-0027 (Biro, C.J., June 18, 2009), at 5.²⁰ Where, as in this proceeding, a motion to supplement a prehearing exchange is submitted “more than fifteen days prior to the hearing, [it] does not need to show good cause for failing to supply the documents sooner under the Rules, 40 C.F.R. § 22.22(a).” *In re Service Oil, Inc.*, Docket Number CWA-08-2005-0010 (Biro, C.J., April 12, 2006) at 4 (footnote omitted). *See also 99 Cents Only Stores*, at 6 (because EPA’s motions to supplement its prehearing exchange were “within the 15 day time frame referenced in Rule 22.22(a)(1), [they were] not required to meet the standards of that Rule”).

Accordingly, because the hearing is set to commence on June 12th, nearly four months away, EPA need not demonstrate good cause for not having supplied the PBS applications sooner. Thus, the operative principle governing the disposition of this motion is whether allowing EPA to supplement its prehearing exchange would result in Respondents being unfairly

²⁰ Part 22 decisions by a Presiding Officer may be obtained from the Internet, at “www.epa.gov/oalj”.

disadvantaged or unduly prejudiced.²¹ Complainant submits that, in deciding this motion, this tribunal should be guided by the principle articulated by the Environmental Appeals Board in *In re CDT Landfill Corporation*, CAA Appeal No. 02-02 (E.A.B. 2003), 11 EAD 88, 109, that “[a]dministrative hearings are such that rules allowing evidence into the record tend to be more liberal than in proceedings in other courts, and normally err towards over-inclusion rather than under-inclusion” (citations omitted).²²

V. Supplementing The Prehearing Exchange is Warranted

As previously explained, a PBS application is the antecedent to the PBS certificate, and the full picture of the process by which the NYSDEC issues a PBS certificate necessarily includes the PBS application. To that extent, the prehearing exchange including only the PBS certificates is not complete. Without the PBS certificates included in the evidentiary record, the entire scope of the supporting documentation concerning the issuance and significance of the PBS certificates would not be before the Court, and to the extent that the evidentiary record does not convey the comprehensive story, EPA would be able to present to this Court less than a complete documentary narrative attending the circumstances of this proceeding, including its background history.²³ This lack of completeness is highlighted because Respondents, in their answer (paragraph 25), have denied the allegations of the complaint (paragraph 63) concerning

²¹ This tribunal is authorized to decide this motion pursuant to 40 C.F.R. § 22.16(c). Such authority is reinforced by 40 C.F.R. § 22.4(c)(2).

²² This decision, as well as others of the Environmental Appeals Board, is available on the Internet, at “www.epa.gov/eab”.

²³ While the listing of a document listed in a prehearing exchange does not *per se* constitute admissibility into the record of the proceeding, such listing is presumptively the threshold condition for admissibility. 40 C.F.R. § 22.22(a)(1).

the PBS certificates.

Nor should Respondents be unfairly surprised or disadvantaged if EPA's prehearing exchange were supplemented by the six PBS applications. Respondent Andrew B. Chase signed each of these applications attesting under penalty of perjury that the information they contained was true and correct. Mr. Chase submitted to EPA in his June 2009 IRL response the PBS certificates that the NYSDEC issued in response to the PBS applications, and, as previously noted, Mr. Chase has never disputed, denied or otherwise questioned the truth, accuracy and correctness of the information contained within any of these PBS certificates. There is no indication or evidence in this proceeding that EPA has acted in bad faith or for some dilatory motive in regard to attempting to incorporate these PBS applications into this litigation. Mr. Chase has obviously been aware of the existence of the PBS applications prior to the commencement of this litigation, and recent events underscored the importance EPA attaches to such documentation. In the February 10, 2012 motion for partial accelerated decision, EPA discussed in great detail the PBS applications in the papers accompanying the motion and their importance to Complainant's case-in-chief. In addition to the discussion in the Sacker declaration, see the memorandum of law in support of Complainant's motion for accelerated decision, Section VI.B.2, pages 41 through 45, and also in those sections of the memorandum discussing specific violations. Under these circumstances, the inclusion of the PBS application in this litigation (*i.e.* as possible exhibits in an eventual hearing) should not, and does not, result in Respondents suffering an unfair disadvantage or unfair surprise.

Nor should supplementing the Agency's prehearing exchange with the PBS applications result in Respondents suffering undue prejudice. For the same reasons as set forth above (*i.e.*

Mr. Chase signed these documents attesting to their accuracy and truthfulness; he submitted the PBS certifications to EPA as part of an information request letter, and the PBS certifications reflect the information in the PBS applications; and EPA's recent accelerated decision motion provides notice that EPA intends to rely on these documents in presenting its case-in-chief), no colorable claim of undue prejudice can be made.

If supplementing EPA's prehearing exchange with these documents constitutes "prejudice," then essentially any document in which a party has made admissions arguably adverse to its litigation position is prejudicial. That is not the test for "undue prejudice." Complainant submits "undue prejudice," for purposes of a motion pursuant to 40 C.F.R. § 22.19(f) to supplement the prehearing exchange to list additional documents, requires factually more than the listing of a document(s) that negates, undercuts or otherwise weakens the claims, assertions and/or arguments of the movant's adversary; "undue prejudice" in this regards involves something factually more specific and particularized than the adversary's position becoming more attenuated by listing the document relative to the adversary's position if the document were not listed. Supplementing the PBS applications in EPA's prehearing exchange does not constitute undue prejudice, and whatever additional facts and circumstances that might demonstrate undue prejudice resulting from including the PBS applications in EPA's prehearing exchange simply do not exist in this proceeding. *Compare In re University of Kansas Medical Center*, Docket No. RCRA-07-2006-0261 (Biro, C.J., April 20, 2007), where the court discussed undue prejudice in the context of amending a complaint:

Of all the factors to be considered in deciding upon amendment, the most significant is prejudice to the opposing party. However, almost every amendment of a complaint results in *some* prejudice to a defendant, thus the test in each case is whether *undue* prejudice would result. Applying such test requires a court to

balance the general policy that controversies should be decided on merits against the prejudice that would result from permitting a particular amendment. 'Undue prejudice' is that which is more than is appropriate or justified. In determining whether prejudice is 'undue' courts consider whether amending complaint would (1) require opponent to expend significant additional resources to conduct discovery and prepare for trial, (2) significantly delay resolution of dispute, (3) prevent plaintiff from bringing timely action in another jurisdiction [emphases in original; citations omitted].

See also In re Zalcon, Inc., Docket No. RCRA-05-2004-0019, 2006 EPA ALJ LEXIS 19 (Biro, C.J., April 21, 2006):

Undue prejudice exists where the prejudice outweighs the moving party's right to have cases decided on the merits. In balancing these interests, the court should consider the hardship to the moving party if the request to amend is denied, the reasons for the moving party's failure to include the information in the initial pleading, and the harm to the opposing party if the motion is granted [quoting *Boyd v. Illinois State Police*, Civ. No. 98C 8348, 2001 U.S. Dist. LEXIS 8899 *7-8 (N.D. Ill. June 27, 2001)].

If EPA were to prevail in its efforts to supplement its prehearing exchange to include the PBS applications, Respondents would not be unduly prejudiced; the attendant circumstances do not constitute undue prejudice.

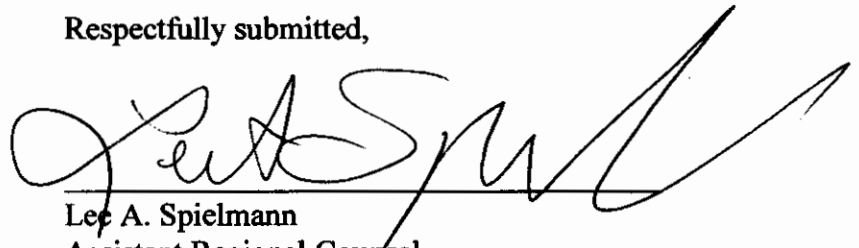
VI. Conclusion

Therefore, Complainant respectfully moves this Court, pursuant to 40 C.F.R. §§ 22.16(a), 22.19(f) and 22.20(a), for an order: **a)** granting Complainant leave to supplement EPA's prehearing exchange to include the six PBS applications as set forth above, **b)** declaring that each of the six PBS applications (for **Service Station I**, Exhibit A to this motion; for **Service Station II**, Exhibit B to this motion; for **Service Station III**, Exhibit C to this motion; for **Service Station IV**, Exhibit D to this motion; and for **Service Station V**, Exhibit E to this motion; and for **Service Station VI**, Exhibit F to this motion) shall be, and hereby are, incorporated by

reference into EPA's prehearing exchange with full force and effect, c) further declaring that Exhibit A to this motion shall be deemed Exhibit 58 to Complainant's prehearing exchange, Exhibit B to this motion shall be deemed Exhibit 59 to Complainant's prehearing exchange, Exhibit C to this motion shall be deemed Exhibit 60 to Complainant's prehearing exchange, Exhibit D to this motion shall be deemed Exhibit 61 to Complainant's prehearing exchange, Exhibit E to this motion shall be deemed Exhibit 62 to Complainant's prehearing exchange, and Exhibit F to this motion shall be deemed Exhibit 63 to Complainant's prehearing exchange; and d) granting Complainant such other and further relief as this Court deems lawful and proper.

Dated: February 22, 2012
New York, New York

Respectfully submitted,



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

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 "MOTION TO SUPPLEMENT COMPLAINANT'S PREHEARING EXCHANGE," dated February 22, 2012, together with the exhibits annexed thereto, in the above-referenced proceeding in the following manner to the respective addressees listed below:

**Original and One Copy
By Inter-Office Mail:¹**

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

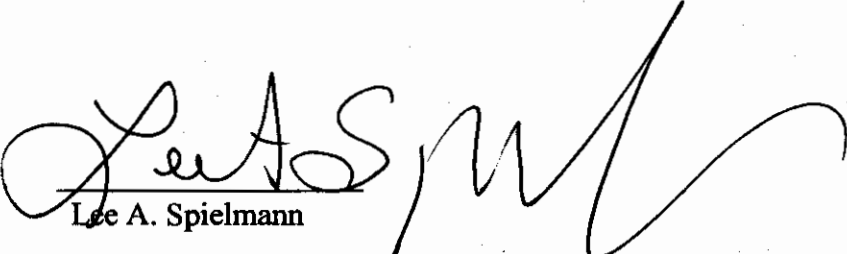
Copy by Pouch Mail:

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 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: February 22, 2012
New York, New York**


Lee A. Spielmann

¹ With the prior permission of the Regional Hearing Clerk, and in an effort to save on paper, only one copy of the exhibits will be filed with the office of the Regional Hearing Clerk.

Exhibit A



RECEIVED

JAN 26 2010

REGION 5 ENVIRONMENTAL QUALITY

PBS Number: 5-462969

New York State Department of Environmental Conservation
Division of Environmental Remediation

Petroleum Bulk Storage Application

Pursuant to the Petroleum Bulk Storage Law,
Article 17, Title 10 of ECL, 6 NYCRR 612-614 and 6 NYCRR, Subpart 374-2

(Please Type or Print Clearly and Complete All Items for Sections A & B)

Return Completed Form & Fees To:
NYSDEC Region 5

Route 86
P.O. Box 296
Ray Brook, NY 12977-0296
(518) 897-1241



Section A - Facility/Owner/Contact Information

Expiration Date: 10/14/2013

Transaction Types: 3 1) Initial/ New Facility 2) Change of Ownership 3) Tank Installation, Closing, Repair or Reconditioning 4) Information Correction 5) Renewal	F A C I L I T Y	Facility Name: CHASE'S MOBIL Location (Not P.O. Boxes): 3851 ROUTE 374 Location (cont.): City: LYON MOUNTAIN County: Clinton Name of Daily On-Site Operator: ANDREW B. CHASE Name of Primary Operator: ANDREW B. CHASE	RECEIVED JAN 20 2010 REGION 5 NYSDEC ENVIRONMENTAL QUALITY State: NY Zip Code: 12952 Township or City: Dannemora Training: <input type="checkbox"/> Facility Phone Number: (518) 735-4481 Training: <input type="checkbox"/> Primary Operator Phone Number:	TYPE OF PETROLEUM FACILITY (Check only one) <input type="checkbox"/> 01=Storage Terminal/Petroleum Distributor <input checked="" type="checkbox"/> 02=Retail Gasoline Sales <input type="checkbox"/> 03=Other Retail Sales <input type="checkbox"/> 04=Manufacturing <input type="checkbox"/> 05=Utility <input type="checkbox"/> 06=Trucking/Transportation <input type="checkbox"/> 07=Apartment/Office Building <input type="checkbox"/> 08=School <input type="checkbox"/> 09=Farm <input type="checkbox"/> 10=Private Residence <input type="checkbox"/> 11=Airline/Air Taxi/Airport <input type="checkbox"/> 12=Chemical Distributor <input type="checkbox"/> 13=Municipality <input type="checkbox"/> 15=Railroad <input type="checkbox"/> 25=Auto Service/Repair (No Gasoline Sales) <input type="checkbox"/> 26=Religious (Church, Synagogue, Mosque, Temple, etc.) <input type="checkbox"/> 27=Hospital/Nursing Home/Health Care <input type="checkbox"/> 28=Cemetery / Memorial <input type="checkbox"/> 99=Other (Specify):
		Owner Name: ANDREW B. CHASE Address (Street and/or P.O.): 1-KLINE STRASSAS STREET City: LYON MOUNTAIN State: NY Zip Code: 12952 Federal Tax ID Number: 14-1758380 Owner Telephone Number: (518) 492-7725	Emergency Contact Name: ANDREW B. CHASE Emergency Telephone Number: (518) 492-7725	
		Check If Multiple Tank Owners: <input type="checkbox"/> Type of Owner: (check only one) 1 <input type="checkbox"/> Private Resident 2 <input type="checkbox"/> State Government 3 <input type="checkbox"/> Local Government 4 <input type="checkbox"/> Federal Government 5 <input checked="" type="checkbox"/> Corporate/Commercial	I hereby certify under penalty of perjury that the information provided on this form is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law. Name of Owner or Authorized Representative: ANDREW B CHASE Title: PRESIDENT Signature: _____ Date: 1-12-10	
		NOTE: A change of ownership and/or federal tax ID submission must include the first page of the deed.	OFFICIAL USE ONLY Date Received: 1/29/10 Date Processed: 2/8/10 Amount Received: \$ 0 Reviewed by: BxH	
		***The Application will be returned if these items are blank	(Please keep up to date - this information is used for mailing and contact purposes) Attention: ANDREW B. CHASE Name of Company: CHASE SERVICE STATION Address: P.O. BOX 315 Address: City/State/Zip Code: LYON MOUNTAIN, NY 12952 Telephone Number: (518) 492-7725 E-Mail Address: Chases Mobil @ G Mail.com (pbsapplication2009.rpt)	

Handwritten note: 2/8/10

PBS Number:
5-462969

Section B - Tank Information

(Please use the key located on the other side of this page to complete each item/column)

Registration Expiration Date:
10/14/2013

(1) Action	(2) Tank Number	(3) Tank Location	(4) Status	(5) Installation or Permanent Closure Date (M/D/Year) application will be returned if blank or 00/00/0000	(6) Capacity (Gallons)	(7) Product Stored (If Gasoline w/ethanol or Biodiesel, list % additive) %	(8) Tank Type	(9) Tank Internal Protection	(10) Tank External Protection	(11) Tank Secondary Containment	(12) Tank Leak Detection	(13) Tank Overfill Prevention	(14) Tank Spill Prevention	(15) Pumping/Dispensing Method	(16) Piping Location	(17) Piping Type	(18) Piping External Protection	(19) Piping Secondary Containment	(20) Piping Leak Detection	(21) Under Dispenser Containment (UDC) (Check box if present)	(22) Tank Owned By Party Other Than Lessor In Section A (Check box if applicable)
	001	5	1	9/1/1989	3,000	0008	08	00	04 05	04	01	01	01	01	02	08	05 99			<input type="checkbox"/>	<input type="checkbox"/>
	006A	5	1	5/1/1998	11,000	0009	08	00	04 05	04	01	01	01	01	02	08	05 99			<input type="checkbox"/>	<input type="checkbox"/>
	006B	5	1	5/1/1998	4,000	0009	08	00	04 05	04	01	01	01	01	02	08	05 99			<input type="checkbox"/>	<input type="checkbox"/>
	007	5	1	10/1/1988	550	0001	01	00	07	02	00	05	01	02	02	02	07	00	07	<input type="checkbox"/>	<input type="checkbox"/>
	008	5	1	10/1/1988	550	0012	01	00	07	02	00	05	01	02	02	02	07	00	07	<input type="checkbox"/>	<input type="checkbox"/>

Additional Tanks:

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)
✓	009	1	1	1-1-10	500	0012	02	00	01	09	02	05	01	02	01	02	00	00	09	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3	007	1	4	11-30-09	550	0001	01	00	07	02	00	05	01	02	02	02	07	00	07	<input type="checkbox"/>	<input type="checkbox"/>
3	008	1	3	11-30-09	550	0012	01	00	07	02	00	05	01	02	02	02	07	00	07	<input type="checkbox"/>	<input type="checkbox"/>
																				<input type="checkbox"/>	<input type="checkbox"/>
																				<input type="checkbox"/>	<input type="checkbox"/>
																				<input type="checkbox"/>	<input type="checkbox"/>
																				<input type="checkbox"/>	<input type="checkbox"/>
																				<input type="checkbox"/>	<input type="checkbox"/>
																				<input type="checkbox"/>	<input type="checkbox"/>

Exhibit B

RECEIVED

Please Type or Print Clearly
and Complete All Items

JUL 28 2008

**BUREAU OF
TECHNICAL SUPPORT**

Petroleum Bulk Storage Application

Pursuant to the Petroleum Bulk Storage Law,
Article 17, Title 10 of ECL; 6 NYCRR 612-614 and 6 NYCRR, Subpart 360-14

Section A

JUL 31 2008

(Please be sure to complete Section B) REGION 5
ENVIRONMENTAL QUALITY

Return Completed Form & Fees To:

NYS Dept. of Environmental Conservation
625 Broadway 11th Floor
Albany, NY 12233-7020
(518) 402-9553



Expiration Date: 10/01/2008

PBS Number 5-600469 DEC CBS Number: (If applicable) DEC SPDES Number: (If applicable)	F A C I L I T Y	Facility Name: CHASE SERVICE STATION II			TYPE OF PETROLEUM FACILITY (Check only one) <input type="checkbox"/> 01=Storage Terminal/Petroleum Distributor <input checked="" type="checkbox"/> 02=Retail Gasoline Sales <input type="checkbox"/> 03=Other Retail Sales <input type="checkbox"/> 04=Manufacturing <input type="checkbox"/> 05=Utility <input type="checkbox"/> 06=Trucking/Transportation <input type="checkbox"/> 07=Apartment/Office Building <input type="checkbox"/> 08=School <input type="checkbox"/> 09=Farm <input type="checkbox"/> 10=Private Residence <input type="checkbox"/> 11=Airline/Air Taxi <input type="checkbox"/> 12=Chemical Distributor <input type="checkbox"/> 13=Municipality <input type="checkbox"/> 14=Refinery <input type="checkbox"/> 15=Railroad <input type="checkbox"/> 99=Other (Specify): _____
		Location (Not P.O. Boxes) 654 BEAR SWAMP ROAD			
Location (cont.):			I hereby certify under penalty of perjury that the information provided on this form is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.		
City:	State:	Zip Code:			
PERU	NY	12972			
County:	Township or City:				
Clinton	Peru				
Name of Operator at Facility:		Facility Telephone Number:			
ANDY CHASE		(518) 643-2000			
Emergency Contact Name:		Emergency Telephone Number:			
ANDY CHASE		(518) 492-7725			
Transaction Type (Check all that apply) NOTE: Transaction Types 1, 2 and 5 may require a fee <input type="checkbox"/> 1)Initial/ New Facility <input type="checkbox"/> 2)Change of Ownership <input type="checkbox"/> 3)Tank Installation, Closing, Repair or Reconditioning <input type="checkbox"/> 4)Information Correction <input checked="" type="checkbox"/> 5) Renewal	O W N E R	Owner Name: CHASE CONVENIENCE STORES, INC.			
		Address (Street and/or P.O.): 654 BEAR SWAMP ROAD PO BOX 975			
		City:	State:	Zip Code:	
		PERU	NY	12972	
Federal Tax ID Number:		Owner Telephone Number:			
14-1799699		(518) 492-7725			
Type of Owner:		2 <input type="checkbox"/> State Government 4 <input type="checkbox"/> Federal Government 1 <input type="checkbox"/> Private Resident 3 <input type="checkbox"/> Local Government 5 <input checked="" type="checkbox"/> Corporate/Commercial			
Name of Owner or Authorized Representative: *** <i>Andrew S. Chera</i>				Amount Enclosed: \$ 500	
Title: <i>President</i>				Signature: <i>[Signature]</i> *** Date: 7-27-08	
Signature:				Date:	
*** Application will be returned if these items are blank	C O R R E S P O N D E N C E	(Please keep up to date - this information is used for mailing and contact purposes) Attention: ANDY CHASE			OFFICIAL USE ONLY Page <u>1</u> of <u>1</u> Date Received <u>7/31/08</u> Date Processed <u>8/18/08</u> Amount Received \$ <u>500.00</u> Reviewed by <u>RR</u>
		Name of Company: CHASE CONVENIENCE STORES, INC.			
		Address: PO BOX 975			
		Address: 654 BEAR SWAMP RD			
		City/State/Zip Code: PERU, NY 12972			
		Telephone Number: (518) 643-2000		E-Mail Address:	

PBS Number:

5-600469

Section B - Tank Information

(Please use the key located on the bottom of this sheet to complete each item/column)

Registration Expiration Date:

10/1/2008

Table with 20 columns: (1) Action, (2a) Optional Tank Model/Piping Model, (2b) Required Tank Number, (3) Tank Location, (4) Status, (5) Installation or Permanent Closure Date, (6) Capacity (Gallons), (7) Product Stored, (8) Tank Internal Protection, (9) Tank Internal Protection, (10) Tank Leak Detection, (11) Tank Overfill Prevention, (12) Tank Leak Detection, (13) Tank Overfill Prevention, (14) Tank Spill Prevention, (15) Tank Dispenser, (16) Piping Location, (17) Piping Type, (18) Piping Sec. Containment, (19) Piping Sec. Containment, (20) Piping Leak Detection. Rows include tanks 001A, 001B, and 002.

- Key for Action (1), Status (4), Tank Type (8), External Protection (10/18), Piping Type (17), Secondary Containment (11/19), Piping Location (16), Tank Location (3), Internal Protection (9), Tank Leak Detection (12), Overfill Prevention (13), Spill Prevention (14), and Dispenser (15). Includes descriptions for each code and a note: *If other, please list on a separate sheet including Tank Number

Exhibit C

Petroleum Bulk Storage Application

Pursuant to the Petroleum Bulk Storage Law, Article 17, Title 10 of ECL, 6 NYCRR 612-614 and 6 NYCRR, Subpart 360-14

Section A

Please Type or Print Clearly and Complete All Items

(See enclosed instructions and please be sure to complete Sections A & B)

Expiration Date: 12/12/2005

Return Completed Form & Fees To:
NYSDEC - PBS Unit
Region 5
Route 86
P.O. Box 296
Ray Brook, NY 12977-0296
(518) 897-1243

PBS Number 5-600330		Facility Name CHASE SERVICES INC	
DEC CBS Number (If applicable)		Location (Not P.O. Boxes) 1785 MILITARY TURNPIKE ROAD	
DEC SPDES Number (If applicable)		Location (cont.) UNIT 10	
Transaction Type (Check all that apply) NOTE: Transaction Types 1, 2 and 5 may require a fee		City PLATTSBURGH	
<input type="checkbox"/> 1) Initial/New Facility		State NY	
<input type="checkbox"/> 2) Change of Ownership		Zip Code 12901	
<input type="checkbox"/> 3) Substantial Tank Modification		County Clinton	
<input type="checkbox"/> 4) Information Correction		Township or City Plattsburgh (c)	
<input checked="" type="checkbox"/> 5) Renewal		Name of Operator at Facility ANDREW B. CHASE	
*** Application will be returned if these items are blank ***		Facility Telephone Number (518) 561-3032	
(Please keep up to date - this information is used for mailing and contact purposes)		Emergency Contact Name PATRICIA CHASE	
Attention: ANDREW B. CHASE		Emergency Telephone Number (518) 492-7725	
Name of Company: CHASE SERVICES INC		Owner Name ANDREW B. CHASE	
Address: 1785 MILITARY TURNPIKE, UNIT 10		Address (Street and/or P.O.) P.O. BOX 315	
Address: PLATTSBURGH NY 12901		City LYON MT	
City/State/Zip Code: PLATTSBURGH NY 12901		State NY	
Telephone Number: (518) 561-3032		Zip Code 12952	
E-mail Address:		Federal Tax ID Number 14-1785973	
E-mail Address:		Owner Telephone Number (518) 561-2713	
E-mail Address:		Type of Owner	
E-mail Address:		<input type="checkbox"/> 1) Private Resident	
E-mail Address:		<input type="checkbox"/> 2) State Government	
E-mail Address:		<input type="checkbox"/> 3) Local Government	
E-mail Address:		<input checked="" type="checkbox"/> 4) Federal Government	
E-mail Address:		<input checked="" type="checkbox"/> 5) Corporate/Commercial	
E-mail Address:		TYPE OF PETROLEUM FACILITY (Check only one)	
E-mail Address:		<input type="checkbox"/> 01=Storage Terminal/Petroleum Distributor	
E-mail Address:		<input checked="" type="checkbox"/> 02=Retail Gasoline Sales	
E-mail Address:		<input type="checkbox"/> 03=Other Retail Sales	
E-mail Address:		<input type="checkbox"/> 04=Manufacturing	
E-mail Address:		<input type="checkbox"/> 05=Utility	
E-mail Address:		<input type="checkbox"/> 06=Trucking/Transportation	
E-mail Address:		<input type="checkbox"/> 07=Apartment Building	
E-mail Address:		<input type="checkbox"/> 08=School	
E-mail Address:		<input type="checkbox"/> 09=Farm	
E-mail Address:		<input type="checkbox"/> 10=Private Residence	
E-mail Address:		<input type="checkbox"/> 11=Airline/Air Taxi	
E-mail Address:		<input type="checkbox"/> 12=Chemical Distributor	
E-mail Address:		<input type="checkbox"/> 13=Municipality	
E-mail Address:		<input type="checkbox"/> 14=Refinery Residence	
E-mail Address:		<input type="checkbox"/> 15=Railroad	
E-mail Address:		<input type="checkbox"/> 16=Vessel/Barge	
E-mail Address:		<input type="checkbox"/> 99=Other (Specify):	
E-mail Address:		I hereby certify under penalty of perjury that the information provided on this form is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.	
E-mail Address:		Name of Owner or Authorized Representative:	
E-mail Address:		Title:	
E-mail Address:		Signature:	
E-mail Address:		Date:	
E-mail Address:		Amount Enclosed: \$500	
E-mail Address:		OFFICIAL USE ONLY	
E-mail Address:		Page 1 of 1	
E-mail Address:		Date Received: 10/14/05	
E-mail Address:		Date Processed: 11/29/05	
E-mail Address:		Amount Received: \$500	
E-mail Address:		Reviewed by:	

*** PBS Number:**

5-600330

Section B - Tank Information

(See enclosed instructions and use the key located on the bottom of this sheet to complete each item/column)

Registration Expiration Date:

12/12/2005

(1) Action	(2)			(3) Tank Location	(4) Status	(5) Installation or Permanent Closure Date (Month/Day/Year)	(6) Capacity (Gallons)	(7) Product Stored	(8) Internal Protection	(9) External Protection	(10) Tank Leak Detection	(11) Overfill Prevention	(12) Spill Prevention	(13) Tank Dispenser	(14) Piping Location	(15) Secondary Containment	(16) Piping Location	(17) Piping Type	(18) Internal Protection	(19) Piping Leak Detection	(20) Last Test Date/ Testing Due Date (Underground Tanks)			
	Tank Model	Piping Model	Tank Number																		Last Test	Next Test		
			001	5	1	11/1/1995	12,000	0009	01	00	01	02	04	01	01	01	01	02	08	05	99	ZZ		
			002	5	1	11/1/1995	5,000	0009	01	00	01	02	04	01	01	01	01	02	08	05	99	ZZ		

Action (1)

- Initial Listing
- Add Tank
- Close/Remove Tank
- Information Correction
- Recondition/Repair/ Reline Tank

Status (4)

- In-service
- Temporarily out-of-service
- Closed-Removed
- Closed- In Place
- Tank converted to Non-Regulated use

Product Stored (7)

- 0000. Empty
- 0001. #2 Fuel Oil
- 0002. #4 Fuel Oil
- 0003. #6 Fuel Oil
- 0011. Jet Fuel
- 0008. Diesel
- 0009. Gasoline
- 0012. Kerosene
- 0013. Lube Oil
- 0022. Waste/Used Oil
- 0259. #5 Fuel Oil
- 2642. Used Oil (Fuel)
- 9999. Other -please list :*

Tank Location (3)

- Aboveground-contact w/soil
- Aboveground-contact w/ impervious barrier
- Aboveground on saddles, legs, stilts, rack, or cradle
- Aboveground with 10% or more below ground
- Underground
- Underground, vaulted, with access

Tank Type (8)

- Steel/Carbon Steel/Iron
 - Galvanized Steel Alloy
 - Stainless Steel Alloy
 - Fiberglass Coated Steel
 - Steel Tank in Concrete
 - Fiberglass Reinforced Plastic (FRP)
 - Plastic
 - Equivalent Technology
 - Concrete
 - Urethane Clad Steel
 - Other-please list:*
- Internal Protection (9)**
- None
 - Epoxy Liner
 - Rubber Liner
 - Fiberglass Liner (FRP)
 - Glass Liner
 - Other-please list:*

* If other, please list on a separate sheet including Tank Number

External Protection (10/18)

- None
 - Painted/Asphalt Coating
 - Original Sacrificial Anode
 - Original Impressed Current
 - Fiberglass
 - Jacketed
 - Wrapped (Piping)
 - Retrofitted Sacrificial Anode
 - Retrofitted Impressed Current
 - Urethane
 - Other-please list:*
- Tank Leak Detection (12)**
- None
 - Interstitial Electronic Monitoring
 - Interstitial Manual Monitoring
 - Vapor Well
 - Groundwater Well
 - In-Tank System (ATG)
 - Impervious Barrier/Concrete Pad (A/G)
 - Other-please list:*

Piping Type (17)

- None
- Steel/Carbon Steel/Iron
- Galvanized Steel
- Stainless Steel Alloy
- Fiberglass Coated Steel
- Steel Encased in Concrete
- Fiberglass Reinforced Plastic (FRP)
- Plastic
- Equivalent Technology
- Concrete
- Copper
- Flexible Piping
- Other-please list:*

Overfill Prevention (13)

- None
- Float Vent Valve
- High Level Alarm
- Automatic Shut-off
- Product Level Gauge(A/G)
- Vent Whistle
- Other-please list:*

Secondary Containment (11/19)

- None
- Diking (A/G)
- Vault (w/access)
- Vault (w/o access)
- Double-Walled (U/G)
- Synthetic Liner
- Remote Impounding Area
- Excavation/Trench Liner
- System
- Flexible Internal Liner (Bladder)
- Modified Double-Walled (A/G)
- Impervious Underlayment
- Double Bottom (A/G)
- Other-please list:*

Spill Prevention (14)

- None
- Catch Basin
- Transfer Station Containment
- Other - Please list*

Piping Location (16)

- No Piping
- Aboveground
- Underground/On-ground
- Aboveground/Underground Combination

Pipe Leak Detection (20)

- None
- Interstitial Electronic Monitoring
- Interstitial Manual Monitoring
- Vapor Well
- Groundwater Well
- Pressurized Piping Leak Detector
- Tank Top Sump (Piping)
- Exempt Suction Piping
- Other-please list:*

Dispenser (15)

- None
- Submersible
- Suction
- Gravity

Exhibit D

RECEIVED

JAN 26 2007

New York State Department of Environmental Conservation
Division of Environmental Remediation

Petroleum Bulk Storage Application

Pursuant to the Petroleum Bulk Storage Law,
Article 17, Title 10 of ECL; 6 NYCRR 612-614 and 6 NYCRR, Subpart 360-14

Section A

(Please be sure to complete Sections A & B)

Return Completed Form & Fees To:

NYSDEC Region 5
Route 86
P.O. Box 296
Ray Brook, NY 12977-0296
(518) 897-1243



Expiration Date: 03/27/2007

Please Type or Print Clearly and Complete All Items
NYSDEC Region 5
Environmental Quality

PBS Number 5-600092 DEC CBS Number: (If applicable) DEC SPDES Number: (If applicable)	Facility Name: CHASE SERVICE STATION IV Location (Not P.O. Boxes) 4340 ROUTE 3 Location (cont.): PO BOX 975 City: REDFORD State: NY Zip Code: 12978 County: Clinton Township or City: Saranac	TYPE OF PETROLEUM FACILITY (Check only one) <input type="checkbox"/> 01=Storage Terminal/Petroleum Distributor <input checked="" type="checkbox"/> 02=Retail Gasoline Sales <input type="checkbox"/> 03=Other Retail Sales <input type="checkbox"/> 04=Manufacturing <input type="checkbox"/> 05=Utility <input type="checkbox"/> 06=Trucking/Transportation <input type="checkbox"/> 07=Apartment/Office Building <input type="checkbox"/> 08=School <input type="checkbox"/> 09=Farm <input type="checkbox"/> 10=Private Residence <input type="checkbox"/> 11=Airline/Air Taxi <input type="checkbox"/> 12=Chemical Distributor <input type="checkbox"/> 13=Municipality <input type="checkbox"/> 14=Refinery <input type="checkbox"/> 15=Railroad <input type="checkbox"/> 99=Other (Specify):
	Name of Operator at Facility: ANDREW B. CHASE Facility Telephone Number: (518) 293-7100 Emergency Contact Name: ANDREW B. CHASE Emergency Telephone Number: (518) 569-7512	I hereby certify under penalty of perjury that the information provided on this form is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.
Transaction Type (Check all that apply) NOTE: Transaction Types 1, 2 and 5 may require a fee <input type="checkbox"/> 1)Initial/New Facility <input type="checkbox"/> 2)Change of Ownership <input type="checkbox"/> 3)Tank Installation, Closing, Repair or Reconditioning <input type="checkbox"/> 4)Information Correction <input checked="" type="checkbox"/> 5) Renewal	Owner Name: CHASE SERVICES, INC. Address (Street and/or P.O.): 4340 ROUTE 3, PO BOX 975 City: REDFORD State: NY Zip Code: 12978 Federal Tax ID Number: 14-1785973 Owner Telephone Number: (518) 569-7512 Type of Owner: 2 <input type="checkbox"/> State Government 4 <input type="checkbox"/> Federal Government 1 <input type="checkbox"/> Private Resident 3 <input type="checkbox"/> Local Government 5 <input checked="" type="checkbox"/> Corporate/Commercial	Name of Owner or Authorized Representative: ANDREW B. CHASE Amount Enclosed: \$ 500 Title: PRESIDENT Signature: <i>[Signature]</i> Date: 12-11-06
*** Application will be returned if these items are blank	(Please keep up to date - this information is used for mailing and contact purposes) Attention: ANDREW B CHASE Name of Company: CHASE SERVICES INC Address: 4340 ROUTE 3 Address: PO BOX 975 City/State/Zip Code: REDFORD NY 12978 Telephone Number: (518) 569-7512 E-Mail Address:	OFFICIAL USE ONLY Page 1 of 1 Date Received 1/24/07 Date Processed 2/1/07 Amount Received \$ 500.00 Reviewed by BR

PBS Number:

5-600092

Section B - Tank Information

(Please use the key located on the bottom of this sheet to complete each item/column)

Registration Expiration Date:

3/27/2007

(1) Action	(2a)-Optional If tank and piping models are entered then the shaded columns DO NOT have to be supplied. Tank and piping model codes are enclosed		(2b)-Required		(3) Tank Location	(4) Status	(5) Installation or Permanent Closure Date (M/D/Year) application will be returned if blank or 00/00/0000	(6) Capacity (Gallons)	(7) Product Stored (If Gas w/ethanol or Biodiesel list % additive) %	(8) Tank Type	(9) Tank Internal Protection	(10) Tank External Protection	(11) Tank Secondary Containment	(12) Tank Leak Detection	(13) Tank Overfill Prevention	(14) Tank Spill Prevention	(15) Tank Dispenser	(16) Piping Location	(17) Piping Type	(18) Piping External Protection	(19) Piping Sec Containment	(20) Piping Leak Detection		
	Tank Model	Piping Model	Tank Number																					
4			001A		5	1	4/1/1992	9,000	0008	04	00	04	04	01	03	01	01	02	11	04	99	08	01	
4			001B		5	1	4/1/1992	3,000	0012	04		04	04	01					11	04		08	01	
			002		3	1	8/1/1996	1,000	0012	01	00	00	00	00	01		02	01	01	00			09	
4			003A		5	1		10,000	0009	06		04	04	01					11	04		08	01	
4			003B		5	1		5,000	0009	06		04	04	01					11	04		08	01	

<p>Action (1)</p> <p>1. Initial Listing</p> <p>2. Add Tank</p> <p>3. Close/Remove Tank</p> <p>4. Information Correction</p> <p>5. Recondition/Repair/ Reline Tank</p>	<p>Status (4)</p> <p>1. In-service</p> <p>2. Temporarily out-of-service</p> <p>3. Closed-Removed</p> <p>4. Closed- In Place</p> <p>5. Tank converted to Non-Regulated use</p> <p>Product Stored (7)</p> <p>0001. #2 Fuel Oil</p> <p>0002. #4 Fuel Oil</p> <p>0003. #6 Fuel Oil</p> <p>0011. Jet Fuel</p> <p>0008. Diesel</p> <p>0009. Gasoline</p> <p>2712. Gasoline/Ethanol</p> <p>2710. Biodiesel</p> <p>2711. Biodiesel (Heating)</p> <p>0012. Kerosene</p> <p>0013. Lube Oil</p> <p>0022. Waste/Used Oil</p> <p>0259. #5 Fuel Oil</p> <p>2642. Used Oil (Heating)</p> <p>9999. Other</p> <p>-please list :- *</p>	<p>Tank Type (8)</p> <p>01. Steel/Carbon Steel/Iron</p> <p>02. Galvanized Steel Alloy</p> <p>03. Stainless Steel Alloy</p> <p>04. Fiberglass Coated Steel</p> <p>05. Steel Tank in Concrete</p> <p>06. Fiberglass Reinforced Plastic (FRP)</p> <p>07. Plastic</p> <p>08. Equivalent Technology</p> <p>09. Concrete</p> <p>10. Urethane Clad Steel</p> <p>99. Other-please list:*</p> <p>Internal Protection (9)</p> <p>00. None</p> <p>01. Epoxy Liner</p> <p>02. Rubber Liner</p> <p>03. Fiberglass Liner (FRP)</p> <p>04. Glass Liner</p> <p>99. Other-please list:*</p>	<p>External Protection (10/18)</p> <p>00. None</p> <p>01. Painted/Asphalt Coating</p> <p>02. Original Sacrificial Anode</p> <p>03. Original Impressed Current</p> <p>04. Fiberglass</p> <p>05. Jacketed</p> <p>06. Wrapped (Piping)</p> <p>07. Retrofitted Sacrificial Anode</p> <p>08. Retrofitted Impressed Current</p> <p>09. Urethane</p> <p>99. Other-please list:*</p> <p>Tank Leak Detection (12)</p> <p>00. None</p> <p>01. Interstitial Electronic Monitoring</p> <p>02. Interstitial Manual Monitoring</p> <p>03. Vapor Well</p> <p>04. Groundwater Well</p> <p>05. In-Tank System (AutoTankGauge)</p> <p>06. Impervious Barrier/Concrete Pad (Aboveground Only)</p> <p>99. Other-please list:*</p>	<p>Piping Type (17)</p> <p>00. None</p> <p>01. Steel/Carbon Steel/Iron</p> <p>02. Galvanized Steel</p> <p>03. Stainless Steel Alloy</p> <p>04. Fiberglass Coated Steel</p> <p>05. Steel Encased in Concrete</p> <p>06. Fiberglass Reinforced Plastic (FRP)</p> <p>07. Plastic</p> <p>08. Equivalent Technology</p> <p>09. Concrete</p> <p>10. Copper</p> <p>11. Flexible Piping</p> <p>99. Other-please list:*</p> <p>Overfill Prevention(13)</p> <p>00. Nonc</p> <p>01. Float Vent Valve</p> <p>02. High Level Alarm</p> <p>03. Automatic Shut-off</p> <p>04. Product Level Gauge (Aboveground Only)</p> <p>05. Vent Whistle</p> <p>99. Other-please list:*</p>	<p>Secondary Containment (11/19)</p> <p>00. None</p> <p>01. Diking (Aboveground Only)</p> <p>02. Vault (w/access)</p> <p>03. Vault (w/o access)</p> <p>04. Double-Walled (Underground Only)</p> <p>05. Synthetic Liner</p> <p>06. Remote Impounding Area</p> <p>07. Excavation/Trench Liner System</p> <p>08. Flexible Internal Liner (Bladder)</p> <p>09. Modified Double-Walled (Aboveground Only)</p> <p>10. Impervious Underlayment</p> <p>11. Double Bottom (Aboveground Only)</p> <p>Spill Prevention (14)</p> <p>00. None</p> <p>01. Catch Basin</p> <p>02. Transfer Station Containment</p> <p>99. Other - Please list*</p>	<p>Piping Location (16)</p> <p>00. No Piping</p> <p>01. Aboveground</p> <p>02. Underground/On-ground</p> <p>03. Aboveground/Underground Combination</p> <p>Pipe Leak Detection (20)</p> <p>00. None</p> <p>01. Interstitial Electronic Monitoring</p> <p>02. Interstitial Manual Monitoring</p> <p>03. Vapor Well</p> <p>04. Groundwater Well</p> <p>07. Pressurized Piping Leak Detector</p> <p>08. Tank Top Sump (Piping)</p> <p>09. Exempt Suction Piping</p> <p>99. Other-please list:*</p> <p>Dispenser (15)</p> <p>00. None</p> <p>01. Submersible</p> <p>02. Suction</p> <p>03. Gravity</p>
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***If other, please list on a separate sheet including Tank Number**

Exhibit E

RECEIVED

SEP 26 2006

Petroleum Bulk Storage Application

Pursuant to the Petroleum Bulk Storage Law,
Article 17, Title 10 of ECL: 6 NYCRR 612-614 and 6 NYCRR, Subpart 360-14

Section A

Return Completed Form & Fees To:
Region 5 NYSDEC - PES Unit
Route 86
P.O. Box 296
Ray Brook, NY 12977-0296
(518) 897-1245

Expiration Date: 11/30/2006

Please Type or Print Clearly
and Complete All Items

NYSDEC

Region 5

(See enclosed instructions and please be sure to complete Sections A & B)

PBS Number 5-600595		Facility Name/Quality CHASE SERVICE STATION V		TYPE OF PETROLEUM FACILITY (Check only one)	
DEC CBS Number: (If applicable)		F Location (Not P.O. Boxes) 936 ROUTE 374		<input type="checkbox"/> 01=Storage Terminal/Petroleum Distributor	
DEC SPDES Number: (If applicable)		A Location (Coast):		<input checked="" type="checkbox"/> 02=Retail Gasoline Sales <input type="checkbox"/> 03=Other Retail Sales	
Transaction Type (Check all that apply) NOTE: Transaction Types 1, 2 and 5 may require a fee		C City: State: Zip Code:		<input type="checkbox"/> 04=Manufacturing <input type="checkbox"/> 05=Utility	
<input type="checkbox"/> 1)Initial/ New Facility		I DANNEMORA NY 12929		<input type="checkbox"/> 06=Trucking/Transportation <input type="checkbox"/> 07=Apartment/Office Building	
<input type="checkbox"/> 2)Change of Ownership		L County: Township or City:		<input type="checkbox"/> 08=School <input type="checkbox"/> 09=Farm	
<input type="checkbox"/> 3)Substantial Tank Modification		I Clinton Dannemora		<input type="checkbox"/> 10=Private Residence <input type="checkbox"/> 11=Airline/Air Taxi	
<input type="checkbox"/> 4)Information Correction		T Name of Operator at Facility: Facility Telephone Number:		<input type="checkbox"/> 12=Chemical Distributor <input type="checkbox"/> 13=Municipality	
<input checked="" type="checkbox"/> 5) Renewal		Y ANDREW CHASE (518) 569-7512		<input type="checkbox"/> 14=Refinery Residence <input type="checkbox"/> 15=Railroad	
		Y Emergency Contact Name: Emergency Telephone Number:		<input type="checkbox"/> 16=Vessel/Barge <input type="checkbox"/> 99=Other	
		Y ANDREW CHASE (518) 492-7725		I hereby certify under penalty of perjury that the information provided on this form is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.	
		O Owner Name: CHASE COMMERCIAL LAND DEV		Name of Owner or Authorized Representative: *** Amount Enclosed:	
		W Address (Street and/or P.O.): PO BOX 506		Andrew B. Chase \$ 500	
		N City: State: Zip Code:		Title:	
		E DANNEMORA NY 12929		President	
		R Federal Tax ID Number: *** Owner Telephone Number:		Signature: ***	
		(518) 569-7512		Date: 8-27-06	
		R Type of Owner: 2 <input type="checkbox"/> State Government 4 <input type="checkbox"/> Federal Government			
		1 <input type="checkbox"/> Private Resident 3 <input type="checkbox"/> Local Government 5 <input checked="" type="checkbox"/> Corporate/Commercial			
*** Application will be returned if these items are blank		C (Please keep up to date - this information is used for mailing and contact purposes)		OFFICIAL USE ONLY	
		O Attention: ANDREW CHASE		Page 1 of 1	
		R Name of Company: CHASE COMMERCIAL LAND DEV		Date Received 9/26/06	
		E Address: PO BOX 506		Date Processed 9/29/06	
		S Address:		Amount Received \$ 500.00	
		P City/State/Zip Code: DANNEMORA NY 12929		Reviewed by RR	
		O Telephone Number: (518) 569-7512			
		N E-mail Address:			
		D			
		E			
		C			
		E			

Section B - Tank Information

(See enclosed instructions and use the key located on the bottom of this sheet to complete each item/column)

Registration Expiration Date:
11/29/2006

PBS Number:
5-600595

(1) Action	(2) Tank Location		(3) Tank Model	(4) Piping Model	(5) Tank Number	(6) Tank Location	(7) Status	(8) Installation or Permanent Closure Date (Month/Day/Year)	(9) Capacity (Gallons)	(10) Product Stored	(11) External Protection			(12) Tank Leak Detection	(13) Tank Overfill Prevention	(14) Tank Spill Prevention	(15) Tank Dispenser	(16) Piping Location	(17) Secondary Containment			(18) Piping Leak Detection	(19) Last Test Date Testing Due Date (Underground Tanks)	
	01	02									03	04	05						06	07	08		09	01
			001A	5	1	11/1/2001	10,000	0009	08	00	04	05	04	01	01	01	01	02	08	05	99	ZZ		
			001B	5	1	11/1/2001	5,000	0009	08	00	04	05	04	01	01	01	01	02	08	05	99	ZZ		
			002A	5	1	11/1/2001	6,000	0008	08	00	04	05	04	01	01	01	01	02	08	05	99	ZZ		
			002B	5	1	11/1/2001	2,000	0012	08	00	04	05	04	01	01	01	02	02	08	05	99	09		

- Action (1)**
- Initial Listing
 - Add Tank
 - Close/Remove Tank
 - Information Correction
 - Recondition/Repair/Reline Tank

- Status (4)**
- In-service
 - Temporarily out-of-service
 - Closed-Removed
 - Closed- In Place
 - Tank converted to Non-Regulated use

- Tank Type (8)**
- Steel/Carbon Steel/Iron
 - Galvanized Steel Alloy
 - Stainless Steel Alloy
 - Fiberglass Coated Steel
 - Steel Tank in Concrete
 - Fiberglass Reinforced Plastic (FRP)
 - Plastic
 - Equivalent Technology
 - Concrete
 - Urethane Clad Steel
 - Other-please list:*

- External Protection (10/11)**
- None
 - Painted/Asphalt Coating
 - Original Sacrificial Anode
 - Original Impressed Current
 - Fiberglass
 - Jacketed
 - Wrapped (Piping)
 - Retrofitted Sacrificial Anode
 - Retrofitted Impressed Current
 - Urethane
 - Other-please list:*

- Piping Type (17)**
- None
 - Steel/Carbon Steel/Iron
 - Galvanized Steel
 - Stainless Steel Alloy
 - Fiberglass Coated Steel
 - Steel Encased in Concrete
 - Fiberglass Reinforced Plastic (FRP)
 - Plastic
 - Equivalent Technology
 - Concrete
 - Copper
 - Flexible Piping
 - Other-please list:*

- Secondary Containment (11/19)**
- None
 - Diking (A/G)
 - Vault (w/soacs)
 - Vault (w/o access)
 - Double-Walled (U/G)
 - Synthetic Liner
 - Remote Impounding Area
 - Excavation/Trench Liner System
 - Flexible Internal Liner (Bladder)
 - Modified Double-Walled (A/G)
 - Impervious Underlayment
 - Double Bottom (A/G)
 - Other-please list:*

Spill Prevention (14)

- None
- Catch Basin
- Transfer Station Containment
- Other - Please list*

Overfill Prevention (13)

- None
- Float Vent Valve
- High Level Alarm
- Automatic Shut-off
- Product Level Gauge(A/G)
- Vent Whistle
- Other-please list:*

Product Stored (7)

- #2 Fuel Oil
- #4 Fuel Oil
- #6 Fuel Oil
- Jet Fuel
- Diesel
- Gasoline
- Kerosene
- Lube Oil
- Waste/Used Oil
- #5 Fuel Oil
- Used Oil (Fuel)
- Other -please list:*

Internal Protection (9)

- None
- Epoxy Liner
- Rubber Liner
- Fiberglass Liner (FRP)
- Glass Liner
- Other-please list:*

Tank Leak Detection (12)

- None
- Interstitial Electronic Monitoring
- Interstitial Manual Monitoring
- Vapor Well
- Groundwater Well
- In-Tank System (ATG)
- Impervious Barrier/Concrete Pad (A/G)
- Other-please list:*

Pipe Leak Detection (20)

- None
- Interstitial Electronic Monitoring
- Interstitial Manual Monitoring
- Vapor Well
- Groundwater Well
- Pressurized Piping Leak Detector
- Tank Top Sump (Piping)
- Exempt Suction Piping
- Other-please list:*

Dispenser (15)

- None
- Submersible
- Suction
- Gravity

* If other, please list on a separate sheet including Tank Number

Exhibit F

New York State Department of Environmental Conservation
Division of Environmental Remediation
Petroleum Bulk Storage Application
Pursuant to the Petroleum Bulk Storage Law,
Article 17, Title 10 of ECL, 6 NYCRR 612-614 and 6 NYCRR, Subpart 369.14

FEB 14 2008

JAN 31 2008



Please Type or Print Clearly and Complete All Items
NYSDEC REGIONAL ENVIRONMENTAL QUALITY REG. ON 5

Section A

(Please be sure to complete Sections A & B)

NYSDEC REGIONAL ENVIRONMENTAL QUALITY

Expiration Date:



PBS Number 5-600854 DEC CBS Number: (If applicable) DEC SPDES Number: (If applicable)	F A C I L I T Y	Facility Name: Chase Properties Inc Location (Not P.O. Boxes): 7155 Rte 9 Location (cont.):	TYPE OF PETROLEUM FACILITY (Check only one) <input type="checkbox"/> 01=Storage Terminal/Petroleum Distributor <input checked="" type="checkbox"/> 02=Retail Gasoline Sales <input type="checkbox"/> 03=Other Retail Sales <input type="checkbox"/> 04=Manufacturing <input type="checkbox"/> 05=Utility <input type="checkbox"/> 06=Trucking/Transportation <input type="checkbox"/> 07=Apartment/Office Building <input type="checkbox"/> 08=School <input type="checkbox"/> 09=Farm <input type="checkbox"/> 10=Private Residence <input type="checkbox"/> 11=Airline/Air Taxi <input type="checkbox"/> 12=Chemical Distributor <input type="checkbox"/> 13=Municipality <input type="checkbox"/> 14=Refinery <input type="checkbox"/> 15=Railroad <input type="checkbox"/> 99=Other (Specify):	
		City: Plattsburgh State: NY Zip Code: 12901 County: Clinton Township or City: Plattsburgh	<input type="checkbox"/> 04=Manufacturing <input type="checkbox"/> 05=Utility <input type="checkbox"/> 07=Apartment/Office Building <input type="checkbox"/> 09=Farm <input type="checkbox"/> 11=Airline/Air Taxi <input type="checkbox"/> 13=Municipality <input type="checkbox"/> 15=Railroad <input type="checkbox"/> 99=Other (Specify):	
Transaction Type (Check all that apply) NOTE: Transaction Types 1, 2 and 5 may require a fee <input checked="" type="checkbox"/> 1) Initial/New Facility <input type="checkbox"/> 2) Change of Ownership <input type="checkbox"/> 3) Tank Installation, Closing, Repair or Reconditioning <input type="checkbox"/> 4) Information Correction <input type="checkbox"/> 5) Renewal	O W N E R	Name of Operator at Facility: Andrew B Chase Facility Telephone Number: 518-561-2797 Emergency Contact Name: Andrew B Chase Emergency Telephone Number: 518-569-7574	I hereby certify under penalty of perjury that the information provided on this form is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.	
		Owner Name: Andrew B Chase Address (Street and/or P.O.): 1 Kline Street City: Lyon Mt State: NY Zip Code: 12952 Federal Tax ID Number: 20-8649844 Owner Telephone Number: 518-492-9905	Name of Owner or Authorized Representative: Andrew B Chase Amount Enclosed: \$	
Application will be returned if any of these items are blank (except CBS & SPDES numbers) -or- if submitted without original signature and date	C O R R E S P O N D E N C E	(Please keep up to date - this information is used for mailing and contact purposes)		
		Attention: Andrew Chase Name of Company: Chase Properties Inc Address: 1 Kline Street P O B no 315 Address: City/State/Zip Code: Lyon Mt NY 12952 Telephone Number: 518-492-9905	Title: President Signature: [Signature] Date: 1-15-08	OFFICIAL USE ONLY Page: 1 of 2 Date Received: 2/14/08 Date Processed: 2/29/08 Amount Received: \$ 500.00 Reviewed by: RR
		E-Mail Address: Chase Mobil @ Charter Internet		

PBS Number:

Section B - Tank Information

(Please use the key located on the bottom of this sheet to complete each Hertz column)

Restriction Expiration Date:

(11) Action	(2a) -Optional Tank Piping Model	(2b) -Required Tank Number	(3) Tank Location	(4) Status	(5) Installation or Permanent Closure Date (Month/Day/Year)	(6) Capacity (Gallons)	(7) Product Stored (If Gas refer to Schedule list % additive)	(8) Tank Type	(9) Tank Internal Protection	(10) Tank External Protection	(11) Tank Secondary Containment	(12) Tank Leak Detection	(13) Tank Overflow Prevention	(14) Tank Spill Prevention	(15) Tank Dispenser	(16) Piping Location	(17) Piping Type	(18) Piping External Protection	(19) Piping Sec Containment	(20) Piping Leak Detection
		1			2/3/07	12,000	0008	04	03	04	04	04	04	01	01	02	11	05	04	07
		2			12/31/07	5,000	2710	04	03	04	04	04	04	01	02	02	11	05	04	07
		3			12/31/07	3,000	0012	06	03	04	04	04	04	01	02	02	11	05	04	07
		4			12/31/07	11,000	0009	06	03	04	04	04	04	01	01	02	11	05	04	07
		5			12/31/07	4,000	0009	06	03	04	04	04	04	01	01	02	11	05	04	07

- Admix (1)**
- Initial Listing
 - Add Tank
 - Clean/Remove Tank
 - Insulation
 - Correction
 - Recondition/Repair/Refire Tank
- Regulator (2)**
- Temperature out-of-service
 - Closed-Removed
 - Checked-In Place
 - Tank converted to Non-Regulated use (Excess Storage (ES))
- Tank Type (3)**
- 0001, #4 Fuel Oil
 - 0002, #6 Fuel Oil
 - 0011, #1 Fuel Oil
 - 0018, Diesel
 - 0009, Gasoline
 - 2710, Gasoline/Ethanol
 - 2710, Biodiesel
 - 0012, Kerosene
 - 0013, Lube Oil
 - 0022, Water/Used Oil
 - 0259, #5 Fuel Oil
 - 2642, Used Oil (Heating)
 - 9999, Other
- Tank Location (3)**
- Aboveground-contacts
 - Aboveground-contacts w/ bridge
 - Aboveground on saddles, legs, walls, rack, or cradle
 - Aboveground with 10% or more below ground
 - Underground
 - Underground, vaulted with access
- Tank Type (3)**
01. Painted/Anodic Coating
 02. Cathodic Steel Alloy
 03. Stainless Steel Alloy
 04. Fiberglass Coated Steel
 05. Steel Tank in Concrete
 06. Fiberglass Reinforced Plastic (FRP)
 07. Plastic
 08. Equivocal Technology
 09. Concrete
 10. Unfinished Steel
 99. Other-please list: _____
- Internal Protection (9)**
01. Epoxy Liner
 02. Rubber Liner
 03. Fiberglass Liner (FRP)
 04. Glass Liner
 99. Other-please list: _____
- External Protection (10)**
01. Interstitial Blockage Monitoring
 02. Electrical Potential Monitoring
 03. Vapor Well
 04. Groundwater Well
 05. In-Tank System (Auto Tank Gauge)
 06. Impervious Barrier/Concrete Pad (Aboveground Only)
 99. Other-please list: _____
- Secondary Containment (11)**
00. None
 01. Interstitial Blockage Monitoring
 02. Electrical Potential Monitoring
 03. Vapor Well
 04. Groundwater Well
 05. In-Tank System (Auto Tank Gauge)
 06. Impervious Barrier/Concrete Pad (Aboveground Only)
 99. Other-please list: _____
- Tank Leak Detection (12)**
00. None
 01. ShearCarbon Shear/From
 02. Cathodic Steel
 03. Stainless Steel Alloy
 04. Fiberglass Coated Steel
 05. Steel Decayed in Concrete
 06. Fiberglass Reinforced Plastic (FRP)
 07. Plastic
 08. Equivocal Technology
 09. Concrete
 10. Copper
 11. Flexible Piping
 99. Other-please list: _____
- Tank Overflow Prevention (13)**
00. None
 01. Flood Valve
 02. High Level Alarm
 03. Automatic Shut-off
 04. Product Level Gauge (Aboveground Only)
 05. Vent Whisks
 99. Other-please list: _____
- Tank Spill Prevention (14)**
00. None
 01. Diking (Aboveground Only)
 02. Vault (wharves)
 03. Vault (two access)
 04. Double-Walled (Underground Only)
 05. Synthetic Liner
 06. Remote Expanding Area
 07. Excavation/Trench Liner System
 08. Flexible Internal Liner (Bladder)
 09. Modified Double-Walled (Aboveground Only)
 10. Impervious Underlayment
 11. Double Bottom (Aboveground Only)
- Tank Dispenser (15)**
00. None
 01. Catch Basin
 02. Transfer Station
 03. Containment
 99. Other-please list: _____
- Piping Location (16)**
00. None
 01. Catch Basin
 02. Transfer Station
 03. Containment
 99. Other-please list: _____
- Piping Type (17)**
00. None
 01. Catch Basin
 02. Transfer Station
 03. Containment
 99. Other-please list: _____
- Piping External Protection (18)**
00. None
 01. Interstitial Electronic Monitoring
 02. Electrical Potential Monitoring
 03. Vapor Well
 04. Groundwater Well
 07. Pressurized Piping Leak Detector
 99. Other-please list: _____
- Piping Sec Containment (19)**
00. None
 01. Catch Basin
 02. Transfer Station
 03. Containment
 99. Other-please list: _____
- Piping Leak Detection (20)**
00. None
 01. Underground/On-ground
 02. Aboveground/Underground
 03. Aboveground/Underground
 04. Double-Walled (Underground Only)
 05. Synthetic Liner
 06. Remote Expanding Area
 07. Excavation/Trench Liner System
 08. Flexible Internal Liner (Bladder)
 09. Modified Double-Walled (Aboveground Only)
 10. Impervious Underlayment
 11. Double Bottom (Aboveground Only)