



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912

BY HAND

December 21, 2010

Wanda Santiago
Regional Hearing Clerk
United States Environmental Protection Agency
5 Post Office Square - Suite 100
Boston, MA 02109-3912

Re: Burnham Associates, Inc.
Docket No. MPRSA-01-2010-0078

Dear Ms. Santiago:

Complainant, U.S. Environmental Protection Agency, pursuant to the Presiding Officer's December 21, 2010 *Order Denying Respondent's Motion to Dismiss and Directing Complainant to File Proof of Service of the Complaint*, herein submits proof of delivery of the complaint in this case to the law offices of John D. Fitzpatrick, Respondent's attorney and designee to receive service on behalf of Burnham Associates, Inc., via United Parcel Service ("UPS"). Attached please find copies of the UPS Shipping Document with tracking number, and the UPS Internet Tracking Information, including "Proof of Delivery" page, for that tracking number.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Tonia Bandrowicz", is written over a faint circular stamp.

Tonia Bandrowicz
Senior Enforcement Counsel
U.S. EPA

Enclosures

cc: Susan L. Biro, Chief Administrative Law Judge
Office of Administrative Law Judges
John D. Fitzpatrick, Esq.
Pingitore & Fitzpatrick



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TRACKING NUMBER 1Z A49 9T6 22 1011 5014

1 SHIPMENT FROM
SHIPPER'S UPS ACCOUNT NO. **A 499 T 6**
REFERENCE NUMBER

NAME *Toni Bandaweg* TELEPHONE *617 918-1734*
COMPANY **US EPA - NEW ENGLAND REGION 1**

STREET ADDRESS **5 POST OFFICE SQUARE FLR SUITE 100**
CITY AND STATE **BOSTON** ZIP CODE **MA 02109**

2 EXTREMELY URGENT DELIVERY TO
NAME *John Fitzpatrick* TELEPHONE *617 225 2400*
COMPANY *Institute of Fitzpatrick LLC*
STREET ADDRESS *929 Mass AVE Suite 103* DEPT./FLR. Residential Delivery
CITY AND STATE (INCLUDE COUNTRY IF INTERNATIONAL) *Cambridge MA* ZIP CODE *02139*



3	WEIGHT	LTR <input checked="" type="checkbox"/>	PAK <input type="checkbox"/>	WEIGHT	DIMENSIONAL WEIGHT If Applicable	LARGE PACKAGE <input type="checkbox"/>	4 SHIPPER RELEASE <input type="checkbox"/>	
	5 TYPE OF SERVICE	NEXT DAY AIR <input checked="" type="checkbox"/> EXPRESS (INT'L) <input type="checkbox"/>		FOR INTERNATIONAL SHIPMENTS \$ _____ CUSTOMS VALUE <input type="checkbox"/> DOCUMENTS ONLY <input type="checkbox"/>		CHARGES \$ _____		
6	OPTIONAL SERVICES	SATURDAY PICKUP <input type="checkbox"/> See instructions.		SATURDAY DELIVERY <input type="checkbox"/> See instructions.		\$ _____		
		DECLARED VALUE FOR CARRIAGE For declared value over \$100, see instructions.		\$ _____	AMOUNT		\$ _____	
		C.O.D. If C.O.D., enter amount to be collected and attach completed UPS C.O.D. tag to package.		\$ _____	AMOUNT		\$ _____	
7	ADDITIONAL HANDLING CHARGE	<input type="checkbox"/> An Additional Handling Charge applies for certain items. See instructions.				\$ _____		
8 METHOD OF PAYMENT		BILL SHIPPER'S ACCOUNT NUMBER <input checked="" type="checkbox"/> IN SECTION 1	BILL RECEIVER <input type="checkbox"/>	BILL THIRD PARTY DOMESTIC ONLY <input type="checkbox"/>	CREDIT CARD <input type="checkbox"/>	American Express Diner's Club MasterCard Visa	CHECK <input type="checkbox"/>	
9 RECEIVER'S/THIRD PARTY'S UPS ACCT. NO. OR MAJOR CREDIT CARD NO.							EXPIRATION DATE	

THIRD PARTY'S COMPANY NAME _____
STREET ADDRESS _____
CITY AND STATE _____ ZIP CODE _____

SHIPPER'S SIGNATURE *X Barbara Barrett* DATE OF SHIPMENT *10/19/10*
All shipments are subject to the terms contained in the UPS Tariff/Terms and Conditions of Service, which are available at ups.com and local UPS offices.
0101911202609 1/10 S SHIPPER'S COPY

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Proof of Delivery

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

Tracking Number: 1ZA499T62210115014
Service: NEXT DAY AIR
Shipped/Billed On: 10/28/2010
Delivered On: 10/29/2010 9:13 A.M.
Delivered To: CAMBRIDGE, MA, US
Signed By: ALERCON

Location: OFFICE

Thank you for giving us this opportunity to serve you.

Sincerely,

UPS

Tracking results provided by UPS: 12/21/2010 2:22 P.M. ET



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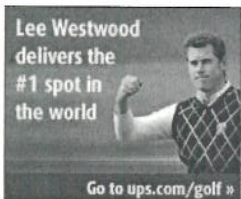
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Your package has been delivered. To view Proof of Delivery, please select the link.

Tracking Number: 1ZA499T62210115014
 Status: Delivered Proof of Delivery
 Delivered On: 10/29/2010 9:13 A.M.
 Signed By: ALERCON
 Location: OFFICE
 Delivered To: CAMBRIDGE, MA, US
 Shipped/Billed On: 10/28/2010
 Type: Package
 Service: NEXT DAY AIR

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