

**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.

Honorable M. Lisa Buschmann,
Presiding Officer

Docket No. RCRA-02-2011-75

REGIONAL HEARING
CLERK

2012 FEB 10 P 3:34

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II

NOTICE OF MOTION

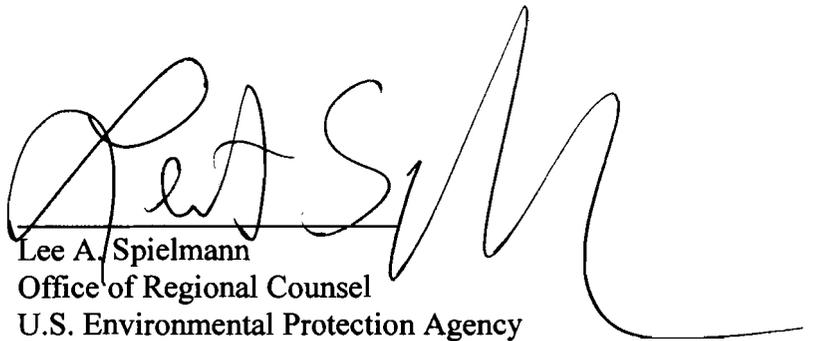
COUNSEL:

PLEASE TAKE NOTICE that, upon the accompanying declaration of Lee A. Spielmann, executed on February 10, 2012, together with the exhibits annexed thereto, the declaration of Paul Sacker, executed on February 10, 2012, together with the exhibits annexed thereto, the declaration of Jeffrey K. Blair, executed on January 25, 2012, together with the exhibits annexed thereto, the accompanying memorandum of law, dated February 10, 2012, and upon the prior pleadings and proceedings herein had, Complainant, the Director of the Division of Enforcement and Compliance Assistance of the United States Environmental Protection Agency (EPA), Region 2, hereby moves this Court, the Honorable M. Lisa Buschmann presiding, pursuant to 40 C.F.R. §§ 22.16(a) and 22.20(a), for an order granting Complainant an accelerated decision establishing and declaring Respondents liable to the United States pursuant to pursuant to Section 9006 of the Solid Waste Disposal Act, as amended, 42 U.S.C. § 6991e for 20 of the 21 counts set forth in the complaint which violations consist of Respondents' failures to comply

with the requirements, set forth in 40 C.F.R. Part 280, for the operation, maintenance and closure of underground storage tanks in New York State, and for such other and further relief as this Court deems may be lawful and proper.

PLEASE TAKE FURTHER NOTICE that response papers, if any, must be served in accordance with the 40 C.F.R. § 22.16(b).

Dated: February 10, 2012
New York, New York

A large, stylized handwritten signature in black ink, appearing to read 'Lee A. Spielmann', is written over a horizontal line.

Lee A. Spielmann
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