



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

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In the Matter of:)
Carbon Injection Systems LLC,) Docket No. RCRA-05-2011-0009
Scott Forster,)
and Eric Lofquist,)
Respondents.)

POST-HEARING SCHEDULING ORDER

The hearing in this matter is was held in Cleveland, Ohio, from Monday, June 18, 2012, through Friday, June 29, 2012. The hearing was continued in Augusta, Georgia, on Monday, July 16, 2012. At the conclusion of the hearing, the parties agreed to produce a joint motion to conform the transcript shortly after receiving the final version from the court reporter. Thereafter, the court reporter provided the parties with copies of the final transcript. On Wednesday, July 25, 2012, the Regional Hearing Clerk confirmed that the final transcript had been incorporated into the official record in this case. The parties have agreed, and are now bound, to submit a joint motion to conform the transcript by Friday, August 10, 2012. When identifying proposed changes to the transcript (whether by agreement or with opposition) the proponent(s) must delineate the current wording and then the proposed final version of the subject passage.

At the hearing, the parties were reminded that post-hearing briefs would be submitted in sequential order beginning with the Complainant's initial brief. Complainant has requested and will be granted 60 days to prepare its initial brief. Respondents have requested and will be granted 45 days to respond to Complainant's initial brief. Complainant may then file a reply brief within 25 days of service of Respondents' brief. Should Complainant file a reply brief, Respondents will be granted leave to file a sur-reply brief within 25 days of service of Complainant's reply brief. There will be no page limits to briefs, but each successive brief must address only the issues raised in the opposing party's preceding brief. Briefs over 20 pages must comply with 40 C.F.R. § 22.5(c)(2). The due dates are as follows:

- 1. Joint Motion to Conform the Transcript is due August 10, 2012
2. Complainant's Initial Post-Hearing Brief is due October 12, 2012
3. Respondents' Responsive Post-Hearing Brief is due November 26, 2012

4. Complainant's Reply Brief is due **December 20, 2012**

5. If Complainant files a Reply Brief, Respondents may submit a Sur-Reply Brief no later than **January 25, 2013**.

SO ORDERED.



Susan L. Biro
Chief Administrative Law Judge

Dated: August 1, 2012
Washington, D.C.

**In the Matter of Carbon Injection Systems, LLC, Scott Forster, and Eric Lofquist, Respondents.
Docket No. RCRA-05-2011-0009**

CERTIFICATE OF SERVICE

I hereby certify that true copies of this **Post-Hearing Scheduling Order**, issued by Susan Biro, Chief Administrative Law Judge, in Docket No. RCRA-05-2011-0009, were sent to the following parties on this 1st day of August 2012, in the manner indicated.



Mary Angeles
Legal Staff Assistant

Original and One Copy by Electronic and Regular Mail to:

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Regional Hearing Clerk
U.S. EPA, Region V, MC-E-19J
77 West Jackson Blvd.,
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**Dated: August 1, 2012
Washington, DC**