



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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BEFORE THE ADMINISTRATOR

REGIONAL HEARING CLERK U.S. ENVIRONMENTAL PROTECTION AGENCY

In the Matter of: )
Carbon Injection Systems LLC, )
Scott Forster, )
and Eric Lofquist, )
Respondents. )

Docket No. RCRA-05-2011-0009

ORDER ON RESPONDENTS' MOTION TO FILE INSTANTER SUPPLEMENTAL DECLARATIONS TO CERTAIN EXPERT REPORTS PREVIOUSLY FILED IN SUPPORT OF THEIR MOTION FOR ACCELERATED DECISION

On April 2, 2012, Respondents submitted a Motion to File Instanter Supplemental Declarations to Certain Expert Reports Previously Filed in Support of Their Motion for Accelerated Decision ("Motion" or "Mot.") in which Respondents seek leave to append Supplemental Declarations by Frederick C. Rorick, Christopher McClure, and Bruce M. Sass, to their respective Expert Reports (included as attachments to Respondents' Motion for Accelerated Decision filed March 16, 2012). Citing an abundance of caution, Respondents seek leave to include these Declarations, pursuant to 28 U.S.C. § 1746, which affirm under penalty of perjury that the statements in the Expert Reports are true and correct. Mot. at 2. Respondents argue that Complainant will not be prejudiced by these changes because no changes to the substance of the Expert Reports are proposed. Id. Complainant has indicated by separate communication that it does not oppose the Motion. For good cause shown, the Motion is GRANTED. The Declarations will be appended to the Expert Reports submitted with Respondents' Motion for Accelerated Decision.

SO ORDERED.

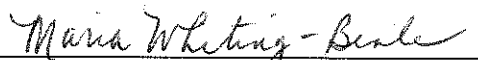
[Signature]
Susan L. Biro
Chief Administrative Law Judge

Dated: April 3, 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 certify that the foregoing **Order On Respondent's Motion To File Instant Supplemental Declarations To Certain Expert Reports Previously Filed In Support Of Their Motion For Accelerated Decision**, dated April 3, 2012, was sent this day in the following manner to the addressees listed below.



Maria Whiting-Beale  
Staff Assistant

Dated: April 3, 2012

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