

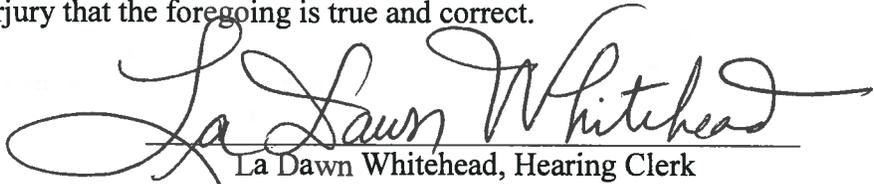
**CERTIFICATION OF THE ADMINISTRATIVE RECORD BEFORE
EPA Region 5**

I, La Dawn Whitehead, am the Regional Hearing Clerk for EPA Region 5. My duties include maintenance of the official records for all adjudicatory oral arguments.

I hereby certify that the attached index constitutes a true and correct index to the administrative record pertaining to the EPA's adjudication in the proceeding listed below.

I affirm under penalty of perjury that the foregoing is true and correct.

Date: June 10, 2011


La Dawn Whitehead, Hearing Clerk

EPA Region 5
77 West Jackson Blvd, Chicago, IL 60604

RECEIVED
JUN 10 2011

**REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY**

**Docket Index for:
Dearborn Refining Company (Dearborn, MI)
RCRA-05-2001-0019**

Filing #	Filing Date	Description	Originator
1	09/28/2001	Administrative Complaint	Paul Little for Joseph M. Boyle, Chief WPTD
2	10/04/2001	Certified Post Card/Proof of Service: 7099 3400 0000 9586 was signed on October 2, 2001	Registered Agent
3	10/30/2001	Respondent's Answer to Complaint and Compliance Order and Request for Hearing	Jeffrey K. Haynes and L. Rider Brice, III
4	10/30/2001	Transmittal letter forwarding Complaint and Respondent's Answer to Complaint and Compliance Order and Request for Hearing	Sonja Brooks-Woodard, RHC
5	11/08/2001	Offer of ADR Process to facilitate the settlement	Susan L. Biro, Chief ALJ
6	11/19/2001	(FAX) Respondent's Status Report Accepting use of ADR Process	Jeffrey K. Haynes, Respondent
7	11/26/2001	(Original) Respondent's Status Report Accepting use of ADR Process	Jeffrey K. Haynes, Respondent
8	11/28/2001	Complainant's Acceptance Letter of ADR Process	Richard J. Clarizio
9	11/30/2001	Order Initiating ADR Process and Appointing Neutral – Judge Thomas W. Hoya, Presiding	Susan L. Biro, Chief ADJ
10	12/03/2001	Notice – ADR is scheduled to end January 28, 2001	Thomas W. Hoya, ALJ

Filing #	Filing Date	Description	Originator
11	02/01/2002	Report Recommending Continuation of ADR Process	Thomas W. Hoya, ALJ
12	04/04/2002	Report Recommending Termination of ADF Process and Assignment of a Judge for Litigation	Thomas W. Hoya, ALJ and ALJ William B. Moran for Susan L. Biro, Chief ALJ
13	04/04/2002	Order of Designation – Barbara A. Gunning, Presiding	Susan L. Biro, Chief ALJ
14	04/30/2002	Prehearing Order	Barbara A. Gunning, ALJ
15	07/11/2002	Complainant's Prehearing Exchange	Richard J. Clarizio
16	08/12/2002	Respondent's Prehearing Exchange	Jeffrey K. Haynes
17	08/27/2002	Complainant's Rebuttal Prehearing Exchange	Richard J. Clarizio
18	08/28/2002	Complainant's Prehearing Exchange Attachment A Consolidated List of Documents	
19	10/16/2002	Order Scheduling Hearing for December 9, 2002 through December 12, 2002 at 9:30 am in Detroit, Michigan	Barbara A. Gunning, ALJ
20	10/17/2002	Complainant's Motion Requesting Rescheduling of Hearing	Richard J. Clarizio
21	11/06/2002	Respondent's Response in Opposition to Motion Requesting Rescheduling of Hearing	L. Rider Brice, III
22	11/08/2002	Respondent's Prehearing Exchange Supplement	Jeffrey K. Haynes and L. Rider Brice, III
23	11/12/2002	Complainant's Rebuttal Prehearing Exchange (First Supplement – Business Confidentiality Asserted – Redacted Version) NOT IN FILE - MISSING	Richard J. Clarizio
24	11/12/2002	Complainant's Prehearing Exchange (First Supplement)	Richard J. Clarizio
25	11/15/2002	Order Rescheduling Hearing	Barbara A. Gunning, ALJ
26	11/25/2002	Certificate of Service; Memorandum of Law in Support of Complainant's Motion for Accelerated Decision; Complainant's Memorandum of Law and Motion to Strike Defenses; and Complainant's Memorandum in Support of its Motion to Compel Discovery Related to	Richard J. Clarizio
27	11/26/2002	Certificate of Service and Complainant's Memorandum of Law and Motion to Strike Respondent's Witnesses and Documents	Richard J. Clarizio
28	12/12/2002	Dearborn Refining Company's Response to Complainant's Motion for Accelerated Decision	Jeffrey K. Hayner
29	12/12/2002	Dearborn Refining Company's Response to Complainant's Motion to Strike Affirmative Defenses	Jeffrey K. Hayner
30	12/12/2002	Dearborn Refining Company's Response to Complainant's Motion to Strike Respondent's Witnesses and Documents	Jeffrey K. Hayner
31	12/12/2002	Dearborn Refining Company's Response to Complainant's Motion to Compel Discovery	Jeffrey K. Hayner
32	12/23/2002	Complainant's Consolidated Memorandum of Law and Reply to Respondent's Response to Complainant's Motions to Strike Defenses, Witnesses and Exhibits and to Compel Financial Discovery; Motion and Memorandum of Law in Support of Complainant's Reply to	Richard J. Clarizio

Filing #	Filing Date	Description	Originator
33	01/03/2003	Notice of Hearing Location	Sonja Brooks-Woodard, RHC
34	01/03/2003	Faxed Order on Complainant's Motion to Strike Defenses	Barbara A. Gunning, ALJ
35	01/07/2003	Order on Complainant's Motion to Strike Defenses	Barbara A. Gunning, ALJ
36	01/13/2003	Complainant's Prehearing Exchange Second Supplement	Richard J. Clarizio
37	01/14/2003	Certificate of Service (Doreen R. Defauw); Respondent's Prehearing Exchange Supplement	Jeffrey K. Haynes
38	01/15/2003	Re-Location Notice of Hearing Scheduled for January 28-31, 2003 in Detroit, MI	Sonja Brooks-Woodard, RHC
39	01/15/2003	Faxed Respondent's Motion for Issuance of Subpoenas; Original Rec'd January , 2003	Jeffrey K. Haynes
40	01/17/2003	Faxed Order on Complainant's Motion for Accelerated Decision; Original Rec'd: January 22, 2003	Barbara A. Gunning, ALJ
41	01/21/2003	Notice of Appearance	James J. Cha for Complainant
42	01/21/2003	Respondent's Motion for Issuance of Subpoenas	Jeffrey K. Haynes
43	01/28/2003	Subpoena	Barbara A. Gunning, ALJ
44	03/31/2003	Transcripts Received attached w/Court Reporter's Copy of Complainant's Trial Exhibits (Volumes 1, 2, 3, 5 and 6) and discs	Lisa M. Bankhead w/New Century Court Reporting Service
45	04/01/2003	Certificate of Service of Transcripts NOT IN FILE - MISSING	Sonja-Brooks-Woodard, RHC
46	04/11/2003	Order Setting Briefing Schedule	Barbara A. Gunning, ALJ
47	05/06/2003	Respondent's Exhibit 27	Jeffrey K. Haynes
48	05/20/2003	Dearborn Refining Company's Proposed Findings of Facts and Conclusion of Law	Jeffrey K. Haynes
49	05/20/2003	Dearborn Refining Company's Brief in Support of its Proposed Findings of Fact, Conclusions of Law and Proposed Order	Jeffrey K. Haynes
50	05/22/2003	Complainant's Post Trial Brief and Findings of Fact	Richard J. Clarizio
51	05/30/2003	Complainant's Post Trial Reply Brief	Richard J. Clarizio
52	06/03/2003	Respondent Dearborn Refining Company's Post-Trial Reply Brief	Jeffrey K. Haynes
53	08/20/2003	Initial Decision	Barbara A. Gunning, ALJ
54	09/09/2003	Green Card # 7002 2030 0007 7352 1742 was signed on August 25, 2003 (Initial Decision) NOT IN FILE - MISSING	Registered Agent (L. Mallette)
55	09/09/2003	Green Card# 7003 2030 0007 7352 1735 was signed on August 27, 2003 (Initial Decision) NOT IN FILE - MISSING	Registered Agent (R. Gassam)
56	09/17/2003	Notice of Appeal; Dearborn Refining Company's Brief on Appeal and Oral Argument Request; Dearborn Refining Company's Alternate Finding of Facts and Conclusions of Law; and Certificate of Service (Doreen R. Defauw)	Richard J. Clarizio
57	09/17/2003	Complainant's Exhibits 91 & 92 (2 white oversized boards) retrieved from New Century Court Reporting Service (Note: These same exhibits are in the Complainant's Prehearing Exchange Second Supplement as Exhibits #58 and #81) NOT IN FILE - MISSING	Richard J. Clarizio

Filing #	Filing Date	Description	Originator
58	10/07/2003	Complainant's Response to February 17, 2003 letter from Respondent – Appeal Nos. CAA-02-06; CWA-05-06; RCRA-02-03 and MM-02-01 (NOTE: CBI)	Richard J. Clarizio
59	01/22/2003	ORDER ON COMPLAINANT'S MOTION FOR ACCELERATED DECISION	Barbara A. Gunning, ALJ
60	10/16/2003	Complex Index Record of Files from 2001 to 2003	Sonja Brooks-Woodard, RHC
61	12/03/2003	Dearborn Refining Company's Reply Brief	Respondent
62	07/19/2004	Notice of Appearance	EPA, REGION 5
63	09/10/2004	Final Order – Environmental Appeals Board	Scott C. Fulton, Environmental Appeals Judge
64	09/14/2004	Final Order - 9/14/2004	Scott C. Fulton, Environmental Appeals Judge
65	09/27/2004	Penalty Demand Letter	EPA, REGION 5
66	10/01/2004	Memorandum regarding EAB issued Final Order and Case file returned	Eurika Durr, Clerk of Board