

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR

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

Docket No. RCRA-05-2011-0009

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**JOINT STIPULATIONS AS TO EXPERT WITNESS QUALIFICATIONS**

Comes now Complainant United States Environmental Protection Agency (“EPA”) and Respondents Carbon Injection Systems LLC, Scott Forster and Eric Lofquist (hereinafter “Parties”), through counsel, pursuant to the May 22, 2012, Prehearing Conference Call with the Court, and hereby file the instant Joint Stipulations as to Expert Witness Qualifications.

On behalf of the Parties, the undersigned counsels of record for Complainant and Respondents hereby jointly stipulate as follows:

**I. Respondents’ Stipulations as to the Qualifications of Complainant’s Expert Witnesses**

Respondents hereby stipulate as follows regarding Complainant’s proposed expert witnesses Richard Fruehan, Gail Coad, Francis Awanya, and David Clark:

**a. Richard Fruehan**

Dr. Fruehan is an expert in the process of steelmaking.

**b. Gail Coad**

Ms. Coad is an expert in analyzing the financial condition of individuals and businesses.

Ms. Coad is an expert in U.S. EPA’s economic benefit model (BEN). Ms. Coad is also an expert

in calculating the economic benefit which has accrued to a business and/or individual as a result of violating the law.

**c. Francis Awanya**

Mr. Awanya is an expert in determining the flashpoint of materials and determining the carbon content of materials.

**d. David Clark**

Mr. Clark is an expert in organic chemical manufacturing and chemical process engineering.

**II. Complainant's Stipulations as to the Qualifications of Respondents' Expert Witnesses**

Complainant hereby stipulate as follows regarding Respondents' proposed expert witnesses Bruce Sass, Christopher McClure, Joseph Poveromo, Frederick Rorick, Joseph Prementine, Keith Klodnick:

**a. Bruce M. Sass, Ph.D.**

Dr. Sass is an expert in analytical and physical chemistry and the properties of organic and inorganic materials, including the chemistry of terpenes.

**b. Christopher McClure, CPA**

Christopher McClure is a Certified Public Accountant and is an expert in analyzing the financial condition of businesses. He is also an expert in applying the EPA "BEN" model to assess economic benefit in the context of civil penalties and analyzing calculations performed using this model.

**c. Joseph J. Poveromo, Ph.D.**

Dr. Poveromo is an expert in the field of ironmaking, including specifically the effect on blast furnace performance and economics (i.e., production, hot metal cost, and hot metal quality)

of various materials, including the components of the burden, coal mix changes and coke properties, various additives, and injectants (including natural gas, oil, tar and coal). Dr. Poveromo's expertise includes the related areas of blast furnace design and practice, and alternative ironmaking and direct reduction, including process assessment, economic analysis and the impact of raw material properties on process economics.

d. **Frederick J. Rorick**

Mr. Rorick is an expert in the field of ironmaking, including specifically blast furnace operations and the use of various types of injected reductants and their effect on operations. Mr. Rorick also is an expert on blast furnace design, including both equipment and technical aspects and blast furnace process analysis and optimization.

e. **Joseph Prementine**

Mr. Prementine is an expert in the area of the construction and maintenance of piping systems.

f. **Keith D. Klodnick, CPA**

Keith D. Klodnick, is a Certified Public Accountant and is an expert in the area of financial accounting.

**III. Effect of Stipulations**

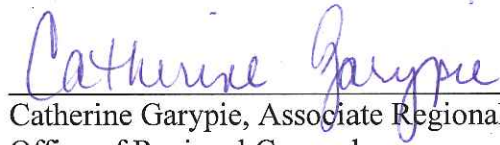
Complainant and Respondents hereby stipulate that each of the above-named witnesses is an expert in their field as described, and that each such expert witness may testify to opinions within their respective area of expertise. Nothing in this stipulation shall preclude any party from questioning any witness regarding the depth of their qualifications, as such testimony may be relevant to specific opinions offered in the case, including the weight to be given to such opinions. The parties wish to highlight for the Court that they were unable to

stipulate to all qualifications of the above-referenced witnesses. Additionally, the parties were unable to stipulate to the expert witness qualifications of all expert witnesses expected to be offered at trial. Therefore, at hearing the parties expect to tender some of the above-referenced witnesses as experts in additional areas of expertise, and the parties expect to tender additional expert witnesses.

Dated: June 13, 2012

SO STIPULATED:

Counsel for U.S. EPA:



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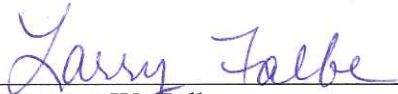
Catherine Garypie, Associate Regional Counsel  
Office of Regional Counsel  
U.S. EPA Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604  
PH (312) 886-5825  
Email: garypie.catherine@epa.gov

J. Matthew Moore, Assistant Regional Counsel  
Office of Regional Counsel  
U.S. EPA Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604  
PH (312) 886-5932  
Email: moore.matthew@epa.gov

Jeffrey A. Cahn, Associate Regional Counsel  
Office of Regional Counsel  
U.S. EPA Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604  
PH (312) 886-6670  
Email: cahn.jeff@epa.gov

Counsel for Respondents:

Keven Drummond Eiber  
Meagan L. Moore  
Brouse McDowell  
600 Superior Avenue East, Suite 1600  
Cleveland, OH 44114  
PH (216) 830-6830  
Email: keiber@brouse.com  
mmoore@brouse.com



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Lawrence W. Falbe  
Quarles & Brady LLP  
300 N. LaSalle St., Suite 4000  
Chicago, Illinois 60654  
PH (312) 715-5223  
Email: larry.falbe@quarles.com



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

**CERTIFICATE OF SERVICE**

I, Lawrence W. Falbe, an attorney, hereby certify that the foregoing Joint Stipulation as to Expert Witness Qualifications was sent on June 13, 2012, in the manner indicated, to the following:

Original and One Copy by hand delivery to:

LaDawn Whitehead, Regional Hearing Clerk  
U.S. EPA, Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604

Copy by Overnight Delivery to:

The Honorable Susan L. Biro, Chief Administrative Law Judge  
Office of Administrative Law Judges  
U.S. Environmental Protection Agency  
1099 14th Street, N.W., Suite 350  
Washington, DC 20005

Copy by hand delivery to:

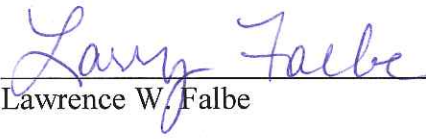
Catherine Garypie, Esq.  
Jeffrey Cahn, Esq.  
Matthew Moore, Esq.  
Office of Regional Counsel  
U.S. EPA Region 5  
77 West Jackson Blvd.  
Chicago, IL 60622

Copy by E-Mail to:

Keven Drummond Eiber, Esq.  
Meagan L. Moore, Esq.  
Brouse McDowell  
600 Superior Avenue East, Suite 1600

Cleveland, OH 44114

June 13, 2012

  
Lawrence W. Falbe