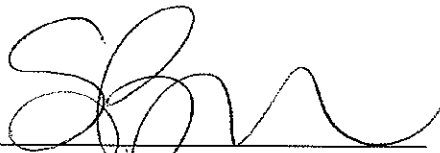


The revised subpoena *duces tecum* is enclosed with the copy of this Order sent to Respondent's Counsel, Mr. Lawrence Falbe. Mr. Falbe will be responsible for the proper service of the subpoena, and he will initiate questioning at the deposition. The parties are hereby directed to determine a mutually agreeable location for the deposition. The parties are also reminded that all discovery in this matter must be completed by February 24, 2012.

SO ORDERED.

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a cursive 'L' and 'Bito'.

Susan L. Bito
Chief Administrative Law Judge

Dated: February 13, 2012
Washington, D.C.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of:)
Carbon Injection Systems LLC;)
Scott Forster, President;)
Eric Lofquist, Vice President)
Gate #4 Blast Furnace Main Ave)
Warren Township, OH 44483)
EPA ID No. OHR000127910)
Respondents.)

Docket No. RCRA-05-2011-0009
Under Section 3008(a) of the Resource Conservation and Recovery Act, 42 U.S.C. § 6928(a)

SUBPOENA DUCES TECUM

To: Donald DuRivage
c/o Mara B. Levin
Herrick, Feinstein LLP
2 Park Avenue
New York, New York 10016

YOU ARE HEREBY COMMANDED, pursuant to Section 3008(b) of the Resources Conservation and Recovery Act, 42 U.S.C. § 6928(b), and Section 22.19(e) of the Consolidated Rules of Practice, 40 C.F.R. Part 22, TO APPEAR IN PERSON at the following place and times:

DATES AND TIMES: February 22, 2012, at 9:00 am, and continuing as needed
PLACE: To be agreed.

The deposition will be taken pursuant to Rule 30 of the Federal Rules of Civil Procedure, as applicable and may be continued from day to day until completed. The deposition will be recorded by stenographic means and may be recorded by sound and visual means.

YOU ARE FURTHER COMMANDED:

TO APPEAR IN PERSON at the above dates, time and place;

TO TESTIFY then and there under oath, make truthful response to all lawful inquiries and questions put to you by the Parties; and

TO REMAIN IN ATTENDANCE until excused.


YOU ARE FURTHER COMMANDED TO BRING WITH YOU AND PRODUCE at the earliest time and place identified above the following books, papers, letters or other documentary evidence related to the matters listed above:

1. Process diagrams that describe the manufacturing process at IFF's Augusta, GA, plant for Unitene AGR from 2005 to the present.
2. Process diagrams that describe the manufacturing process at IFF's Augusta, GA, plant for Unitene LE from 2005 to the present.
3. Documents sufficient to describe any process changes in the manufacture of Unitene AGR at IFF's Augusta, GA, plant from 2005 to the present.
4. Documents sufficient to describe any process changes in the manufacture of Unitene LE at IFF's Augusta, GA, plant from 2005 to the present.
5. All documents regarding the RCRA closure of any tank at IFF's Augusta, GA, plant used to store Unitene AGR and/or Unitene LE from 2005 to the present.
6. All documents consisting of or reflecting communications, whether written, oral or electronic, between IFF and any state or federal governmental agency, including U.S. EPA, regarding Unitene AGR and/or Unitene LE.
7. All documents that refer or relate to IFF's marketing and sale of Unitene AGR and/or Unitene LE.
8. All documents that refer or relate to IFF's undertaking to obtain trademark protection for its Unitene products.

PURSUANT TO THE AUTHORITY OF SECTION 3008(b) OF THE RESOURCE CONSERVATION AND RECOVERY ACT, 42 U.S.C. § 6928(b), FAILURE TO COMPLY WITH THIS SUBPOENA MAY RESULT IN INITIATION OF COURT PROCEEDINGS IN A UNITED STATES DISTRICT COURT AGAINST THE RECIPIENT OF THE SUBPOENA

TO COMPEL COMPLIANCE WITH THE SUBPOENA AND ANY FAILURE TO OBEY SUCH ORDER OF THE COURT MAY BE PUNISHED BY SUCH COURT AS CONTEMPT THEREOF.

ISSUED in Washington, DC, this 13th day of February, 2012.



Susan L. Biro
Chief Administrative Law Judge

This subpoena is to be served in accordance with Section 22.05(b)(1)(i) of the Consolidated Rules of Practice, 40 C.F.R. § 22.05(b)(1)(i).

Persons at whose request this Subpoena was issued:

Keven Drummond Eiber
Meagan L. DeJohn
Brouse McDowell, L.P.A.
1001 Lakeside Ave., Suite 1600
Cleveland, Ohio 44114
Telephone: (216) 830-6830
Facsimile: (216) 830-6807

Lawrence W. Falbe
Quarles & Brady LLP
300 N. LaSalle St., Suite 4000
Chicago, Illinois 60654
Telephone: (312) 715-5223
Facsimile: (312) 632-1792

**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 **Order Issuing Subpoena and a Subpoena Duces Tecum**, issued by Susan Biro, Chief Administrative Law Judge, in Docket No. RCRA-05-2011-0009, were sent to the following parties on this 13th day of February 2012, in the manner indicated:



Mary Angeles
Legal Staff Assistant

Original and One Copy by Email and Regular Mail to:

LaDawn Whitehead
Regional Hearing Clerk
U.S. EPA, Region V, MC-E-19J
77 West Jackson Blvd.,
Chicago, IL 60604-3590 (w/subpoena)



Copy by Email and Regular Mail to:

Catherine Garypie, Esq.
J. Matthew Moore, Esq.
Jeffrey A. Cahn, Esq.
Office of Regional Counsel
U.S. EPA / Region V
77 West Jackson Blvd.
Chicago, IL 60622 (w/o subpoena)

Copy by Email and Regular Mail to:

Lawrence W. Falbe, Esq.
Quarles & Brady, LLP
300 N. LaSalle Street, Suite 4000
Chicago, IL 60654 (w/subpoena)
Email: larry.falbe@quarles.com

Copy by Email and Regular Mail to:

Keven Drummond Eiber, Esq.
Meagan Moore, Esq.
Brouse McDowell, Esq.
600 Superior Avenue East, Ste. 1600
Cleveland, OH 44114 (w/o subpoena)
Email: keiber@brouse.com
Email: mmoore@brouse.com

**Dated: February 13, 2012
Washington, DC**