

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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ORDER GRANTING COMPLAINANT'S MOTION TO REPLACE
COMPLAINANT'S EXHIBIT 115

On October 27, 2011, Complainant filed a Motion to Replace Complainant's Exhibit 115 ("Motion"). In its Motion, Complainant explains that subsequent to the filing of Complainant's Initial Prehearing Exchange on October 14, 2011, Respondents brought to Complainant's attention a clerical error in Exhibit 115. Complainant asserts that as a result of the error a portion of the exhibit was unintentionally omitted. The omitted portion provides information from EPA's BEN computer program which Complainant used to calculate the "economic benefit of noncompliance" part of the penalty assessment. Complainant therefore requests leave to replace Exhibit 115 of the Initial Prehearing Exchange. In its Motion, Complainant states that Respondents have indicated they do not oppose the Motion.

For good cause shown, Complainant's Motion is GRANTED. Exhibit 115 of Complainant's Initial Prehearing Exchange shall be replaced with the version attached to Complainant's Motion.



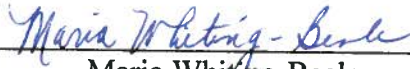
Susan L. Biro
Chief Administrative Law Judge

Dated: November 4, 2011
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 Granting Complainant's Motion To Replace Complainant's Exhibit 115**, dated November 4, 2011, was sent this day in the following manner to the addressees listed below.



Maria Whiting-Beale
Staff Assistant

Dated: November 4, 2011

Original And One Copy By Regular To:

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Regional Hearing Clerk
U.S. EPA
77 West Jackson Boulevard, E-19J
Chicago, IL 60604-3590

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