



UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
  
BEFORE THE ADMINISTRATOR

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

ORDER SCHEDULING HEARING

A review of the file reflects that the prehearing exchange process in this case has been completed and the case is ripe for scheduling for hearing. The parties have not reached a settlement in this matter to date, therefore they shall strictly comply with the requirements of this Order and prepare for a hearing.

In connection therewith, on or before **January 27, 2012**, the parties shall file a Joint Set of Stipulated Facts, Exhibits, and Testimony. The time allotted for the hearing is limited. Therefore, the parties must make a good faith effort to stipulate, as much as possible, to matters which cannot reasonably be contested so that the hearing can be concise and focused solely on those matters that can only be resolved after a hearing.

All pre-hearing motions, such as motions to supplement and motions *in limine*, must be filed on or before **January 6, 2012**.

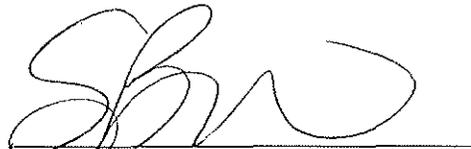
The parties may, if they wish, file prehearing briefs. The deadline for filing such briefs is Friday, **February 10, 2012**. A copy of the briefs should be faxed and/or hand-delivered to the undersigned by that date. The Complainant's brief should specifically state each count of the Complaint, and each claim therein, which are to be tried at the hearing and indicate which counts/claims are not. The Respondents' brief should identify each of the defenses the Respondents intends to pursue at the hearing.

The Hearing in this matter will be held beginning promptly at 9:30 a.m. on Tuesday, February 28, 2012, in Cleveland, Ohio, continuing if necessary, through March 16, 2012. The Regional Hearing Clerk will make appropriate arrangements for a Courtroom and court reporter. The parties will be notified of the exact location and of other procedures pertinent to the hearing when those arrangements are complete.

Individuals requiring special accommodations at the hearing, including wheelchair access, should contact the Regional Hearing Clerk as soon as possible so that appropriate arrangements can be made.

**THE RESPONDENTS ARE HEREBY ADVISED THAT FAILURE TO APPEAR AT THE HEARING, WITHOUT GOOD CAUSE BEING SHOWN THEREFOR, MAY RESULT IN A DEFAULT JUDGMENT BEING ENTERED AGAINST THEM.**

IF ANY PARTY DOES NOT INTEND TO ATTEND THE HEARING OR HAS GOOD CAUSE FOR NOT BEING ABLE TO ATTEND THE HEARING AS SCHEDULED, IT SHALL NOTIFY THE UNDERSIGNED AT THE EARLIEST POSSIBLE MOMENT.

A handwritten signature in black ink, appearing to read 'S. Biro', written over a horizontal line.

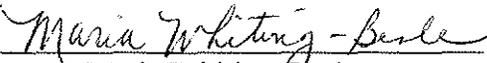
Susan L. Biro  
Chief Administrative Law Judge

Dated: November 28, 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 Scheduling Hearing**, dated November 28, 2011, was sent this day in the following manner to the addressees listed below.

  
\_\_\_\_\_  
Maria Whiting-Beale  
Staff Assistant

Dated: November 28, 2011

Original And One Copy By Regular To:

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

Copy By Regular Mail To:

Catherine Garypie, Esquire  
Associate Regional Counsel  
J. Matthew Moore, Esquire  
Assistant Regional Counsel  
U.S. EPA  
77 West Jackson Boulevard, C-14J  
Chicago, IL 60604-3590

Keven D. Eiber, Esquire  
Meagan L. DeJohn, Attorney  
Brouse McDowell  
600 Superior Avenue, East  
Suite 1600  
Cleveland, OH 44114-2603

Lawrence W. Falbe, Esquire  
Quarles & Brady LLP  
300 N. LaSalle Street, Suite 4000  
Chicago, IL 60654