



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 GRANTING COMPLAINANT'S MOTION TO REPLACE COMPLAINANT'S EXHIBITS 2, 3, 9, 12, 79-114, AND 135

On October 27, 2011, Complainant filed a Motion to Replace Complainant's Exhibit 115 to correct a clerical error by which a portion of the exhibit was unintentionally omitted. On November 4, 2011, Complainant's Motion to Replace Complainant's Exhibit 115 was granted.

Complainant filed a Motion to Replace Complainant's Exhibits 2, 3, 9, 12, 79-114 and 135 ("Motion") dated January 13, 2012. (The filing date is unclear from the U.S. EPA Region 5 timestamp.) In its Motion, Complainant explains that Exhibit 2 was not in the proper order, Exhibit 3 was not in the proper order and an unrelated privileged document was inadvertently disclosed, Exhibit 9 included an irrelevant document, Exhibit 12 inadvertently excluded one page, Exhibits 79-99 were difficult to open on disks in Complainant's possession, Exhibits 90-114 included a blank scanned page on every other page, and Exhibit 135 inadvertently excluded two pages. In its Motion, Complainant asserts that the replacement exhibits correct these errors. Complainant therefore requests leave to replace Exhibits 2, 3, 9, 12, 79-114 and 135. In its Motion, Complainant states that Respondents have indicated they do not oppose the Motion.

For good cause shown, Complainant's Motion is GRANTED. Exhibits 2, 3, 9, 12, 79-114 and 135 shall be replaced with the version attached to Complainant's Motion. Respondents are reminded to destroy the CD-ROM disks provided in Complainant's Initial Prehearing Exchange, as well as any paper copies of privileged documents which may have been created from those disks.

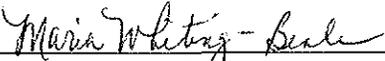
Susan L. Biro
Chief Administrative Law Judge

Dated: January 25, 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 Granting Complainant's Motion To Replace Complainant's Exhibits 2,3,9,12,79-114, and 135**, dated January 25, 2012, was sent this day in the following manner to the addressees listed below.



Maria Whiting-Beale
Staff Assistant

Dated: January 25, 2012

Original and One Copy By Regular To:

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