

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC**

In re:)	
)	
Carbon Injection Systems LLC,)	
Scott Forster,)	RCRA Appeal No. 15-01
and Eric Lofquist,)	
)	
Docket No. RCRA-05-2011-0009)	
_____)	

**UNOPPOSED MOTION OF APPELLANT EPA
TO EXTEND FILING DATE FOR POST-ARGUMENT BRIEFS**

1. On October 1, 2015, oral argument was held before the Environmental Appeals Board (the “EAB”) in this matter. At the conclusion of the oral argument, Judge Fraser informed the parties that the Board would accept post-argument briefs, to be submitted at the option of the parties, no later than Friday, October 9, 2015.
2. On Friday, October 2, 2015, the EAB issued an Order on Post-Argument Briefing, detailing the requirements for post-argument briefs and reiterating the deadline for filing an optional post-argument brief.
3. Jeffrey A. Cahn, one of Appellant’s counsel, will be out of the office and out of the state for part or all of October 6-9, 2015, because of family medical care issues. Specifically, an immediate elderly family member is in ill-health and is scheduled for surgery today, October 6, 2015.
4. Catherine Garypie, one of Appellant’s counsel, will be out of the office and out of the state October 7-9, 2015, on long-planned work travel. This was communicated to counsel for the Board by email on September 11, 2015. In addition, Ms. Garypie expects to combine this work travel with personal travel in order to assist in the care of an immediate elderly family

member who is in ill-health and recently suffered a stroke. She expects to return to the office on Wednesday, October 14, 2015.

5. Appellant EPA requests that the EAB extend the filing date for post-argument briefs in this matter to Friday, October 16, 2015.


6. Counsel for Appellant EPA has consulted counsel for the Respondents and has been informed that Respondents do not oppose this Unopposed Motion of Appellant EPA to Extend Filing Date for Post-Argument Briefs.

Wherefore, for good cause shown, Appellant EPA moves the EAB for an order in this matter to extend the filing date for post-argument briefs in this matter to Friday, October 16, 2015.

Respectfully Submitted,

Counsel for EPA:

10/6/15
Date



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CERTIFICATE OF SERVICE

**In re: Carbon Injection Systems LLC, Scott Forster, and Eric Lofquist
RCRA Appeal No. 15-1**

I certify that the foregoing "Unopposed Motion of Appellant EPA to Extend Filing Date for Post-Argument Briefs", dated October 6, 2015, was sent this day in the following manner to the addressees listed below:

An electronic filing was made to:

Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
1201 Constitution Avenue, NW
WJC East, Room 3332
Washington, DC

Copy hand-delivered to:

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

Copy via overnight mail to:

Attorneys for Respondents:

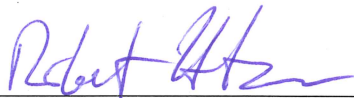
Carbon Injection Systems LLC, Scott Forster, Eric Lofquist
c/o Keven D. Eiber
Meagan Moore
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Cleveland, OH 44114

Presiding Judge:

The Honorable Susan L. Biro, Chief Administrative Law Judge
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Ronald Reagan Building, Rm. M1200
1300 Pennsylvania Ave., NW
Washington, DC 20004

10/6/2015

Date



Robert Hartzer, Legal Technician