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U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION V
77 West Jackson Boulevard
Chicago, Illinois 60604-3596
ENVIR. APPEALS BOARD

Reply to the Attention of:

E-19J

Date: October 15, 2003
Subject: Dearborn Refining Company
Docket No: RCRA-05-2001-0019
From: Sonja Brooks-Woodard
Regional Hearing Clerk
To: Eurika Durr, Clerk
Environmental Appeals Board
U.S. EPA
1341 G Street, NW
Suite 600
Washington, D.C. 20005
FedEx USA #: 806329468082

A handwritten signature in blue ink that reads "Sonja Brooks Woodard".

Pursuant to your e-mail request on October 10, 2003 and per the 40 C.F.R. §22.27(a), please find the original along with a complete index record of the proceeding in the above captioned matter to be reviewed by the Environmental Appeals Board.

Should have questions or need additional information, please feel free to contact me at (312) 886-3617.

Attachment

cc: w/complete index record of proceeding & Certificate of Service only:

Richard J. Clarizio, Esquire
Associate Regional Counsel, C-14J
by: **Inter-Office Mail**

L. Rider Brice, III, Esquire
Mr. Jeffrey Haynes, Esquire
Beier Howlett, P.C.
200 E. Long Lake Road
Suite 110
Bloomfield Hills, MI 48304-2361
by: **Regular US Mail**

Mr. Aram Moloian, President
Dearborn Refining Company
3901 Wyoming Avenue
Dearborn, MI 48120
by: **Regular US Mail**



**U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION V**

Reply to the Attention of:
E-19J

In the Matter of: Dearborn Refining Company, Respondent;
Docket #: RCRA-05-2001-0019

CERTIFICATE OF SERVICE

I certify that the entire foregoing **file and index in the above captioned matter** was sent on this 1st day of October, 2003 through **FedEx USA #: 806329468082** to:

**Eurika Durr, Clerk
Environmental Appeals Board
U.S. Environmental Protection Agency
1341 G Street, NW
Suite 600
Washington, DC 20005**

A handwritten signature in blue ink, reading "Sonja Brooks-Woodard", written over a horizontal line.

**Sonja Brooks-Woodard
Regional Hearing Clerk**

**U.S. EPA -- Region 5 -- ORA/OECA/RHC
Dearborn Refining Company; Docket #: RCRA-05-2001-0019**

Date Filed	Document Title	Submitter
09/28/2001	Administrative Complaint	Paul Little for Joseph M. Boyle, Chief WPTD
10/04/2001	Green Card #: 7099 3400 0000 9586 7526 was signed on October 2, 2001	Registered Agent
10/30/2001	Respondent's Answer to Complaint and Compliance Order and Request for Hearing	Jeffrey K. Haynes and L. Rider Brice, III
10/30/2001	Transmittal letter forwarding Complaint and Respondent's Answer to Complaint and Compliance Order and Request for Hearing	Sonja Brooks-Woodard, RHC
11/08/2001	Offer of ADR Process to facilitate the settlement	Susan L. Biro, Chief ALJ
11/19/2001	(FAX) Respondent's Status Report Accepting use of ADR Process	Jeffrey K. Haynes, Respondent
11/26/2001	(Original) Respondent's Status Report Accepting use of ADR Process	Jeffrey K. Haynes, Respondent
11/28/2001	Complainant's Acceptance Letter of ADR Process	Richard J. Clarizio
11/30/2001	Order Initiating ADR Process and Appointing Neutral -- Judge Thomas W. Hoya, presiding	Susan L. Biro, Chief ALJ
12/03/2001	Notice -- ADR is scheduled to end January 28, 2001	Thomas W. Hoya, ALJ
02/01/2002	Report Recommending Continuation of ADR Process	Thomas W. Hoya, ALJ & Susan L. Biro, Chief ALJ
04/04/2002	Report Recommending Termination of ADR Process and Assignment of a Judge for Litigation	Thomas W. Hoya, ALJ & ALJ, William B. Moran for Susan L. Biro, Chief ALJ
04/04/2002	Order of Designation -- Barbara A. Gunning, presiding	Susan L. Biro, Chief ALJ
04/30/2002	Prehearing Order	Barbara A. Gunning, ALJ
07/11/2002	Complainant's Prehearing Exchange (2 binders full)	Richard J. Clarizio
08/12/2002	Respondent's Prehearing Exchange	Jeffrey K. Haynes
08/27/2002	Complainant's Rebuttal Prehearing Exchange	Richard J. Clarizio
08/28/2002	Complainant's Prehearing Exchange Attachment A Consolidated List of Documents	Elizabeth Rosado
10/16/2002	Order Scheduling Hearing for December 9, 2002 through December 13, 2002 at 9:30 a.m. in Detroit, MI.	Barbara A. Gunning, ALJ
10/17/2002	Complainant's Motion Requesting Rescheduling of Hearing	Richard J. Clarizio
11/06/2002	Respondent's Response in Opposition to Motion Requesting Rescheduling of Hearing.	L. Rider Brice, III
11/08/2002	Respondent's Prehearing Exchange Supplement	Jeffrey K. Haynes & L. Rider Brice, III
11/12/2002	Complainant's Rebuttal Prehearing Exchange (First Supplement -- Business Confidentiality Asserted -- Redacted Version)	Richard J. Clarizio
11/12/2002	Complainant's Prehearing Exchange (First Supplement)	Richard J. Clarizio
11/15/2002	Order Rescheduling Hearing	Barbara A. Gunning, ALJ
11/25/2002	Certificate of Service: Memorandum of Law in Support of Complainant's Motion for Accelerated Decision; Complainant's Memorandum of Law and Motion to Strike Defenses; and Complainant's Memorandum in Support of its Motion to Compel Discovery Related to	Richard Clarizio

**U.S. EPA -- Region 5 -- ORA/OECA/RHC
Dearborn Refining Company; Docket #: RCRA-05-2001-0019**

Date Filed	Document Title	Submitter
11/26/2002	Certificate of Service and Complainant's Memorandum of Law and Motion to Strike Respondent's Witnesses and Documents.	Richard J. Clarizio
12/12/2002	Dearborn Refining Company's Response to Complainant's Motion for Accelerated Decision	Jeffrey K. Hayner
12/12/2002	Dearborn Refining Company's Response to Complainant's Motion to Strike Affirmative Defenses.	Jeffrey K. Haynes
12/12/2002	Dearborn Refining Company's Response to Complainant's Motion to Strike Respondent's Witnesses and Documents	Jeffrey K. Haynes
12/12/2002	Dearborn Refining Company's Response to Complainant's Motion to Compel Discovery.	Jeffrey K. Haynes
12/23/2002	Complainant's Consolidated Memorandum of Law and Reply to Respondent's Response to Complainant's Motions to Strike Defenses, Witnesses and Exhibits and to Compel Financial Discovery; Motion and Memorandum of Law in Support of Complainant's Reply to	Richard J. Clarizio
01/03/2003	Notice of Hearing Location	Sonja Brooks-Woodard, RHC
01/03/2003	Faxed Order on Complainant's Motion to Strike Defenses	Barbara A. Gunning, ALJ
01/07/2003	Order on Complainant's Motion to Strike Defenses	Barbara A. Gunning, ALJ
01/13/2003	Complainant's Prehearing Exchange Second Supplement (Black Binder)	Richard J. Clarizio
01/14/2003	Certificate of Service (Doreen R. Defauw); Respondent's Prehearing Exchange Supplement.	Jeffrey K. Haynes
01/15/2003	Re-Location Notice of Hearing scheduled for January 28-31, 2003 in Detroit, MI.	Sonja Brooks-Woodard, RHC
01/15/2003	Faxed Respondent's Motion for Issuance of Subpoenas; Original Rec'd: January , 2003.	Jeffrey K. Haynes
01/17/2003	Faxed Order on Complainant's Motion for Accelerated Decision; Original Rec'd: January 22, 2003.	Barbara A. Gunning, ALJ
01/21/2003	Notice of Appearance	James J. Cha, for Complainant
01/21/2003	Respondent's Motion for Issuance of Subpoenas	Jeffrey K. Haynes
01/28/2003	Subpoena	Barbara A. Gunning, ALJ
03/31/2003	Transcripts Received attached w/Court Reporter's copy of Complainant's Trial Exhibits (Volumes 1-6) and discs.	Lisa M. Bankhead w/New Century Court Reporting Service
04/01/2003	Certificate of Service of Transcripts	Sonja Brooks-Woodard, RHC
04/11/2003	Order Setting Briefing Schedule	Barbara A. Gunning, ALJ
05/06/2003	Respondent's Exhibit 27	Jeffrey K. Haynes
05/20/2003	Dearborn Refining Company's Proposed Findings of Fact and Conclusions of Law	Jeffrey K. Haynes
05/20/2003	Dearborn Refining Company's Brief in Support of its Proposed Findings of Fact, Conclusions of Law, and Proposed Order	Jeffrey K. Haynes
05/22/2003	Complainant's Post Trial Brief and Findings of Fact	Richard J. Clarizio
05/30/2003	Complainant's Post Trial Reply Brief	Richard J. Clarizio
06/03/2003	Respondent Dearborn Refining Company's Post-Trial Reply Brief	Jeffrey K. Haynes
08/20/2003	Initial Decision	Barbara A. Gunning, ALJ

**U.S. EPA -- Region 5 -- ORA/OECA/RHC
Dearborn Refining Company; Docket #: RCRA-05-2001-0019**

Date Filed	Document Title	Submitter
09/09/2003	Green Card #: 7002 2030 0007 7352 1742 was signed on August 25, 2003. (Initial Decision)	Registered Agent (L. Mallette)
09/09/2003	Green Card #: 7002 2030 0007 7352 1735 was signed on August 27, 2003. (Initial Decision)	Registered Agent (R. Gassam)
09/17/2003	Notice of Appeal; Dearborn Refining's Company's Brief on Appeal and Oral Argument Request; Dearborn Refining Company's Alternate Findings of Fact and Conclusions of Law; and Certificate of Service (Doreen R. Defauw).	Jeffrey K. Haynes, for Respondent
09/17/2003	Complainant's Exhibits 91 & 92 (2 white oversized boards) retrieved from New Century Court Reporting Service. (Note: These same exhibits are in the Complainant's Prehearing Exchange Second Supplement as Exhibits #58 & #81)	Richard Clarizio
10/07/2003	Complainant's Response to February 17, 2003 letter from Respondent -- Appeal Nos. CAA-02-06, CWA-02-06, RCRA-02-03 and MM-02-01. (NOTE: CBI)	Richard J. Clarizio