

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

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U.S. EPA REGION 5
2012 JUN -7 AM 9:00

In the Matter of:)
)
Carbon Injection Systems LLC,)
Scott Forster,)
and Eric Lofquist,)
)
)
)
Respondents.)
_____)

Docket No. RCRA-05-2011-0009

**JOINT NOTIFICATION REGARDING WRITTEN TESTIMONY
OF THOMAS GUIDO AND DAVID SHEPHERD**

Comes now Complainant United States Environmental Protection Agency (“EPA”) and Respondents Carbon Injection Systems LLC, Scott Forster and Eric Lofquist (hereinafter “Parties”), through counsel, pursuant to Rule 22.22(c) of the *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits* (Consolidated Rules or Rules) and the May 22, 2012, Prehearing Conference Call with the Court, and hereby file the instant Joint Notification Regarding Written Testimony of Thomas Guido and David Shepherd. 40 C.F.R. § 22.22(c).

On behalf of the Parties, the undersigned counsels of record for Complainant and Respondents hereby jointly notify the court that both Parties intend to present written testimony of Thomas Guido and David Shepherd. Specifically, the parties intend to present the January 31, 2012, deposition of Thomas Guido and the January 31-February 1, 2012, deposition of David Shepherd. These depositions have already been filed as part of Complainant’s First Supplemental Prehearing Exchange at CX161 and CX162 (see also the errata sheet to the Shepherd deposition, filed with Complainant’s Third Supplemental Prehearing Exchange at CX199). Pursuant to Rule 22.22(c), during their respective cases in chief, the Parties intend to

have Guido and Shepherd swear to or affirm the testimony, conduct brief direct examinations of Guido and Shepherd, and make them available for appropriate cross-examination. 40 C.F.R. § 22.22(c).

SO STIPULATED:

Counsel for U.S. EPA:

6/7/12
Date



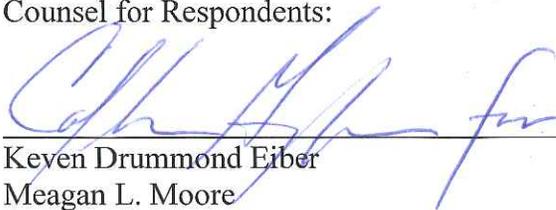
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Counsel for Respondents:



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CERTIFICATE OF SERVICE

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

I certify that the foregoing "Joint Notification Regarding Written Testimony of Thomas Guido and David Shepherd", dated June 7, 2012, was sent this day in the following manner to the addressees listed below:

Original and one 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:

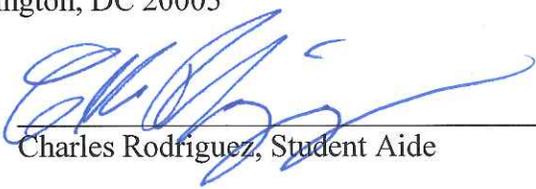
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Presiding Judge:

The Honorable Susan L. Biro, Chief Administrative Law Judge
U.S. EPA Office of the Hearing Clerk
1099 14th St. NW
Suite 350, Franklin Court
Washington, DC 20005

6/7/12
Date



Charles Rodriguez, Student Aide

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