



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BEFORE THE ADMINISTRATOR

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

Docket No. RCRA-05-2011-0009

ORDER ISSUING SUBPOENAS

On May 25, 2012, Respondents filed a Motion for Administrative Subpoenas ("Motion" or "Mot.") requesting the issuance of subpoenas for seven non-party witnesses (Troy Charpia, Robert Gephart, Ernie Willis, Zygmunt Osiecki, Rick Murray, Thomas Guido, and David Shepherd) to appear and testify at the hearing in this matter, which is scheduled to commence on June 18, 2012. Complainant does not oppose the Motion. Mot. at 1. In their Motion, Respondents assert that none of the identified witnesses will appear and testify at the hearing without a subpoena. Mot. at 3. Pursuant to Rule 22.21(b), 40 C.F.R. § 22.21(b), Respondents then set forth in substantial detail the asserted materiality and relevancy of the evidence to be adduced. Mot. at 3-7. Finding that Respondents have met the requirements of Rule 22.21(b), the unopposed Motion is GRANTED.1 Original subpoenas, which will accompany this Order, are being sent to Keven Eiber, designated counsel for Respondents, for proper service in accordance with 40 C.F.R. § 22.5(b)(1)(i).

SO ORDERED.

[Handwritten signature]

Susan L. Biro Chief Administrative Law Judge

Dated: May 31, 2012 Washington, D.C.

1 The granting of the Motion does not establish the admissibility of any of the testimony contemplated in the Motion. Specific testimony may be excluded upon a properly supported objection by an opposing party at hearing.

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CERTIFICATE OF SERVICE

I certify that the foregoing **Order Issuing Subpoenas**, dated May 31, 2012, was sent this day in the following manner to the addressees listed below,

*Maria Whiting-Beale*

Maria Whiting-Beale  
Staff Assistant

Dated: May 31, 2012

Original and One Copy By Regular To:

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