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November 16, 2012

United States EPA, Region 5  
Office of Regional Hearing Clerk  
Attn: La Dawn Whitehead  
77 W. Jackson Blvd.  
Mailcode: E-19J  
Chicago, IL 60604-3590



**Re: Carbon Injection Systems LLC, et al. Joint Motion to Supplement the Record  
Docket No. RCRA 05-2011-0009**

Dear Ms. Whitehead:

Enclosed please find an original and two copies of Carbon Injection Systems LLC, Scott Forster and Eric Lofquist's Joint Motion to Supplement the Record. Please contact me if you have any questions or concerns.

Sincerely,

A handwritten signature in blue ink that reads "Meagan L. Moore".

Meagan L. Moore

Enclosure

cc: Larry Falbe, Esq. (via email)  
The Honorable Susan L. Biro  
Catherine Garypie

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**In the Matter of:** )  
 )  
**Carbon Injection Systems LLC;** )  
**Scott Forster, President;** )  
**Eric Lofquist, Vice President** )  
**Gate #4 Blast Furnace Main Ave** )  
**Warren Township, OH 44483** )  
 )  
**EPA ID No. OHR000127910** )  
 )  
**Respondents.** )

**Docket No. RCRA-05-2011-0009**



**RESPONDENTS' JOINT MOTION TO SUPPLEMENT THE RECORD**

Respondents Carbon Injection Systems LLC (CIS), Scott Forster, and Eric Lofquist respectfully request permission to supplement the record with the RCRA Closure Report for the Main Street Commodities facility (the former CIS facility), located at Gate #4 Main Avenue, Warren, Ohio, dated November 2012.

The contents of this report are relevant to the relief sought by Complainant. In addition to the monetary penalty Complainant is seeking in this matter, Complainant also is asking that the former CIS facility be taken through RCRA closure. As testified to at the hearing, despite Respondents' position that the materials at issue are not regulated hazardous wastes, GT Environmental was retained to draft a closure plan for the former CIS facility in compliance with applicable Ohio law. (Tr., Vol. IX, pp. 2245-2249, CX 197). At the time of the hearing, the Ohio Environmental Protection Agency had yet to approve the closure plan. Since the hearing in this matter, closure activities for the tanks at Main Street Commodities were completed while access to the facility was still available. The RCRA Closure Report details the activities taken

by GT Environmental to close the facility and evidences that any potential hazardous waste management unit was properly closed pursuant to Ohio law.

Respondents respectfully request that this report be considered relevant to any possible penalty or other relief ordered in this matter.

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PROTECTION AGENCY

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

**CERTIFICATE OF SERVICE**

I, Meagan L. Moore, an attorney, hereby certify that the foregoing Respondents' Motion to Supplement the Record was sent on November 16, 2012, in the manner indicated, to the following:

Original and One Copy by Overnight Delivery to:

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

Copy by Overnight Delivery to:

The Honorable Susan L. Biro, Chief Administrative Law Judge  
Office of Administrative Law Judges  
U.S. Environmental Protection Agency  
1099 14th Street, N.W., Suite 350  
Washington, DC 20005

Catherine Garypie, Esq.  
Jeffrey Cahn, Esq.  
Matthew Moore, Esq.  
Office of Regional Counsel  
U.S. EPA Region 5  
77 West Jackson Blvd.  
Chicago, IL 60622

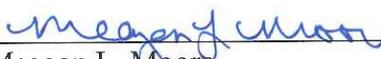
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Copy by E-Mail to:

Lawrence W. Falbe  
Quarles & Brady LLP  
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November 16, 2012

  
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Meagan L. Moore