

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the matter of)
)
Energy Gases, Inc.,) Docket No. EPCRA-02-2000-4002
)
Respondent)

ORDER ON DISCOVERY MATTERS

The U.S. Environmental Protection Agency (“EPA”) has filed a motion seeking certain discovery in this case. EPA’s discovery request is *granted* as follows: (1) EPA may interview Michael Walters, a witness listed by Energy Gases, Inc. (“Energy Gases”);¹ and (2) Energy Gases shall provide EPA with signed copies of its Federal income tax returns for the years 1998, 1999, and 2000. *See* EPA Reply at 2.²

Carl C. Charneski
Administrative Law Judge

Issued: October 31, 2001
Washington, D.C.

¹ The court notes that EPA has offered to make its expert witness, Ellen Banner, available for an interview or deposition. EPA Reply at 2.

² EPA’s blanket discovery request for all the other items listed in a September 1999 Penalty Policy manual is *denied* as being too broad. EPA Mot. at 3 n.3. Likewise, respondent’s rather general request to interview, and, or, depose EPA’s witnesses is also *denied* as being overly broad.