



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

In the Matter of:)
)
New Prime, Inc.,) Docket No. RCRA-08-2020-0007
)
Respondent.)

ORDER ON COMPLAINANT’S MOTION FOR VIRTUAL TESTIMONY

The hearing in this matter is scheduled to begin on October 24, 2022, in Springfield, Missouri. On October 7, 2022, Complainant U.S. Environmental Protection Agency, Region 8, filed an Unopposed Motion for Virtual Testimony of its Criminal Investigation Division (“CID”) Witness (“Motion”). As a basis for this request, Complainant states that the CID witness cannot attend in person for “uncommon personal reasons.” Mot. at 1. Complainant maintains that attending in person would pose difficulties for the CID witness. Mot. at 1-2. Complainant explains that it would be difficult for the witness because, although the witness is expected to testify at the beginning of the hearing, he would have to remain in Springfield for most of the week in case he is needed for rebuttal testimony. Mot. at 1-2. Moreover, Complainant suggests that back-and-forth travel is not practical since, according to the Motion, travel from where he lives to the hearing would take 6 to 10 hours one-way. Mot. at 1.

Complainant declares that Respondent does not oppose the motion. Mot. at 1.

As I believe the courthouse in Springfield, Missouri, has technology available for our use that is capable of hosting the virtual testimony of the CID witness, I am **GRANTING** the Motion. However, I reserve the authority to revisit the issue if it becomes known in the near future that virtual testimony is not feasible.

SO ORDERED.

Christine Donelian Coughlin

Christine Donelian Coughlin
Administrative Law Judge

Dated: October 12, 2022
Washington, D.C.

In the Matter of *New Prime, Inc.*, Respondent.
Docket No. RCRA-08-2020-0007

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order on Complainant's Motion for Virtual Testimony**, dated October 12, 2022, and issued by Administrative Law Judge Christine Donelian Coughlin, was sent this day to the following parties in the manner indicated below.


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Dated: October 12, 2022
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