

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

In the Matter of:	)	Docket No.
)	
Summit, Inc.	)	Proceeding to Assess a Civil Penalty
6901 West Chicago Avenue	)	Under Section 3008(a) of the Resource
Gary, Indiana	)	Conservation and Recovery Act,
	)	42 U.S.C. § 6928(a)
U.S. EPA ID #: INX 000 028 902)	
	)	RCRA-05-2014-0006
Respondent.)	
_____)	

Complainant's Prehearing Exchange

Complainant, by and through its counsel, in response to the June 10, 2014, *Prehearing Order*, respectfully submits Complainant's Prehearing Exchange as follows:

I. Prehearing Exchange Directed to All Parties.

A. Identification of Witnesses.

1. United States Environmental Protection Agency, USEPA, Region 5.

Spiros Bourgikos, Environmental Engineer. Fact and Penalty Witness.

Complainant may call Spiros Bourgikos as a potential fact and penalty witness. Mr. Bourgikos is an Environmental Engineer with a Bachelors of Science in Chemical Engineering. Mr. Bourgikos has been employed as an Environmental Engineer by U.S. EPA, Region 5 from May 1988 to the present. From November 2003, until the present Mr. Bourgikos has worked for U.S.EPA, Region 5, Land and Chemicals Division (LCD) as an Environmental Engineer. A copy of his resume is included as Complainant's Exhibit 21 (CX 21).

Mr. Bourgikos was responsible for USEPA's Resource Conservation and Recovery Act (RCRA) investigation of and enforcement actions related to Summit, Inc. located at 6901 W. Chicago Avenue, Gary, Indiana (hereinafter referred to as the Summit Site or Site). The Complainant anticipates that his testimony will include a discussion of his duties related to the Site, including, but not limited to, investigation of various databases; directing the April 2, 2008, and March 18, 2009, on-site inspections; drafting the information requests to Summit, Beaver Oil Co., Inc. (Beaver Oil) and T & S Trading Inc. (T&S); reviewing the responses from these companies; coordinating the inspection with the Indiana Department of Environmental Management (IDEM) and the other EPA inspectors; calculating the proposed penalty; maintaining the enforcement files; and other duties required for the site. Mr. Bourgikos will authenticate his inspection reports (CX 7 and 14) and other documents in the enforcement file. A more detailed summary narrative of his proposed testimony is included in CX 33 - 35.

Sue Rodenbeck Brauer, Environmental Scientist. Fact and Expert Witness.

Complainant may call Ms. Sue Rodenbeck Brauer as a fact witness and Used Oil Expert. Ms. Brauer will summarize her educational and work background. She will testify that she is the Region 5 RCRA Used Oil Expert. She has been employed by U.S. EPA, Region 5 for 26 years. Ms. Brauer has a Bachelor of Arts (Geology major) and the Area Certificate in Environmental Studies from Indiana University, Bloomington, Indiana. She earned two Master of Science degrees, Geology and Water Resources Management, from the University of Wisconsin at Madison. A copy of her resume is included as CX 22

Ms. Brauer will testify related to her observations during the April 2, 2008, and

March 18, 2009, inspections of the Summit Site. Ms. Brauer was responsible for examining Respondent's compliance with the Used Oil Management requirements of RCRA. Her testimony may include a discussion of her duties related to the Site, including but not limited to, investigation of various databases; her observations during the April 2, 2008, and March 18, 2009, inspections; her drafting and reviewing information requests to and related responses from Summit and Beaver Oil; and her drafting of inspection reports.

Complainant anticipates that Ms. Brauer, based on her involvement as a used oil expert at other scrapyards, will be able to testify that liquids observed at the Site were used oils and may have been used oils mixed with hazardous wastes. She may testify to the processes other scrapyards have employed to properly manage automotive liquids. She may provide her opinion that based on her observations the automotive liquids she observed were RCRA used oil. She may also testify to the hazardous constituents of concern that U.S. EPA has found in used oil.

Ms. Brauer may testify that based on her review of Summit's and Beaver Oil's responses to information requests she believes the 39 drums observed in the gasoline recovery area were shipped to Beaver Oil as non-hazardous waste, without a hazardous waste manifest and without an U.S. EPA identification number. She may also testify on Beaver Oil's handling of shipments from Summit. Ms. Brauer may testify to the significance of this inspection to the Northwest Indiana area and the Indiana Department of Environmental Management. Ms. Brauer will authenticate her inspection reports. CX 6 and 14. A more detailed summary narrative of her testimony is included in CX 36.

Jamie Pauline, Environmental Scientist. Fact and Expert Witness.

Ms. Paulin may be called as a fact witness to testify to her observations and activities related to and during the of the Summit site inspection on March 18, 2009, inspection. Ms. Paulin may also be called as an expert in chemistry and quality assurance for sampling.

Ms. Paulin has a Master's Degree in Environmental Occupational Health Science from the University of Illinois at Chicago (UIC) and a Bachelor's Degree in Chemistry from Kent State University. Ms. Paulin has been employed as a Chemist with USEPA, Region 5 since 2003. She is also a RCRA inspector. Her resume is included in CX 24.

Ms. Paulin's testimony may include information related to her sampling activities for the March 18, 2009, inspection and her review of sampling plans and results from that inspection. Ms. Paulin may explain her role and activities related to being the Quality Assurance Contact for the Summit inspection. Ms. Paulin may describe her review and approval of the Sampling Quality Assurances Project Plan (QAPP) for the March 18, 2009, sampling. She will explain how she ensured the Summit QAPP met U.S. EPA guidance for sampling, including, but not limited to *EPA Requirements for Quality Assurance Project Plans*, dated March 2001 (Reissued May 2006) and EPA's specifications for Quality Management Plans as specified in EPA QA/R-2, entitled *EPA Requirements for Quality Management Plans*, dated March 2001 (reissued May 2006). CX 2 and 3.

Ms. Paulin may describe the actions related to collection and transportation of samples from the Summit Site on March 18, 2009 to U.S. EPA's Central Regional Lab (CRL). Ms. Paulin may describe the quality assurance process and her role in reviewing the results of CRL's

analysis of the samples. Ms. Paulin may testify to the concentrations and results of the analysis as they pertain to the allegations in the complaint. Ms. Paulin may provide her opinion that the sampling and its analysis met the quality assurance objectives for such sampling. A more detailed summary narrative of her testimony is included as CX 37.

Lara Lasky, Environmental Justice Coordinator. Fact Witness.

Complainant may call Ms. Lara Lasky as a fact witness. Ms. Lasky has a Bachelors of Science in Biology and a Masters of Public Health. Ms. Lasky has been the Environmental Justice (EJ) Coordinator for U.S. EPA, Region 5 since 2010. From 2005 until 2010, Ms. Lasky worked for U.S. EPA, Region 5 as the Asthma Coordinator and the Indoor Air Program Specialist. Her resume is included in CX 23.

Ms. Lasky may discuss her duties as the Region 5 EJ Coordinator. She will explain that she is responsible for the operation of the EJ program throughout Region 5. Ms. Lasky may explain EPA's EJ policy under Executive Order 12,898. She may explain that EJ concerns are defined as the actual or potential lack of fair treatment or meaningful involvement of minority, low-income, or indigenous populations, or tribes in the development, implementation, and enforcement of environmental laws, regulations, and policies. She may explain that U.S. EPA has access to various databases which generate reports on the demographics of areas based on U.S. Census Bureau, Census 2010 Summary File 1 and American Community Survey (ACS) 2006-2010. These databases can identify minority and low-income populations. Additionally, these databases can identify the presence of vulnerable populations, including children and the

elderly, or populations which are isolated from meaningful involvement based on educational levels or linguistic isolation.

Ms. Lasky may testify, that one of the reports is EJView, (CX 25). She will explain that based on her review of the EJView reports, that within a 2-mile radius of the Summit Site there are 13,572 minority residents and the area is 96 % minority. She may testify as to the number of EPA-regulated facilities, including facilities regulated under RCRA, in this area. She may also testify as to any other information provided in the EJView reports that is pertinent to identifying the potential for EJ concerns. A more detailed narrative summary of her proposed testimony is included in CX 38.

2. Indiana Department of Environmental Management (IDEM)

Scott Draschil, Inspector. Fact Witness.

Complainant may call Scott Draschil as a fact witness. Mr. Draschil is employed by IDEM as an Environmental Manager. He has been in that position since April 1997. His duties include conducting hazardous waste, e-waste and used oil management inspections and investigating environmental complaints. From November 1994 until April 1997 he was employed by IDEM as an Environmental Scientist responsible for reviewing and certifying proper disposal of industrial waste streams. He conducted inspections, provided technical and regulatory assistance and wrote agency guidance and policy related to industrial, municipal and special waste and asbestos. He has a Bachelor of Arts in Communications from Purdue University and a Masters of Public Affairs/Environmental Management from Indiana University.

Mr. Draschil may explain that on March 15, 2005 and October 27, 2005, he conducted inspections of Summit, Inc. located in Gary, Indiana (CX 26 and 39). He may testify that based on his observations and knowledge the site is very close to Lake Michigan with ground water within a few feet of the ground surface.

He may testify that the March 15, 2005, inspection was in response to a complaint IDEM received related to releases of oil, anti-freeze, and brake fluid on the ground and broken batteries in several locations at the Summit Site. He may explain that he observed violations of the Indiana Code with used oil and coolant observed on the ground in areas, cracked battery casings strewn on the ground and waste fuel released. He may testify to the steps IDEM and the Summit took in relation to these violations. He may testify to his knowledge of the relationship between Western Scrap, Summit and Peter Coulopoulos. He may authenticate his inspection reports, photos, IDEM letters and related documents submitted by Summit to IDEM (CX 26, 28-32 and 39).

3. **Other**

Complainant reserves the right to call other witnesses identified by the Respondent or needed in response/rebuttal to Respondent's defenses and to call Peter Coulopoulos as an adverse witness.

B. Exhibits.

An index is provided for the list of exhibits included with this Prehearing Exchange. Copies of the documents are contained on a computer disc provided with this Prehearing Exchange. The computer disc is being provided in lieu of paper copies of the documents.

Two documents submitted by Beaver Oil (CX 12 and 18) were claimed as confidential business information (CBI) by Beaver Oil. Consistent with the Agency's CBI procedures, 40 C.F.R. § 2, Subpart B and 40 C.F.R. § 22.5(d) complainant has prepared a redacted and unredacted version of CX 12 and 18. Both versions of CX 12 and 18 are filed with the HQ Hearing Clerk and the Administrative Law Judge. A redacted version of CX 12 and 18 is provided to the Respondent.

C. Location of Hearing.

Pursuant to 40 C.F.R. §§ 22.21(d) and 22.19(d) Complainant requests that the hearing be located in the central business district of Chicago, Illinois which is the location of the Complainant's Region 5 office. The Administrative Law Judge may hold the hearing either in the location where the Respondent conducts business or where the U.S. EPA Regional Office is located. U.S. EPA Region 5 is located in the central business district of Chicago. Respondent's business is located in Gary, Indiana. Gary is approximately 30 miles from Chicago and within the commuting area of Chicago.

Complainant believes that conducting the hearing in Chicago is preferred since there may be more hearing rooms located in Chicago; Chicago will be a more convenient location for the airline flights; and Chicago is convenient for the Respondent. The Complainant anticipates that its direct case will take two days.

II. Prehearing Exchange Directed to Complainant

A. Documents in support of factual allegations not admitted.

All documents in support of the factual allegations in the complaint are included as exhibits.

B. EPA guidance documents.

U. S. EPA guidance documents are included as exhibits, including but not limited to CX 1-4.

C. Proposed penalty narrative.

Mr. Bourgikos will testify that he prepared the proposed penalty contained in the Complaint. He will explain that he used the RCRA Civil Penalty Policy, June 2003 (Penalty Policy) to calculate the proposed penalty and revisions to the penalty matrix dated January 12, 2009. See, CX 4 and 4-A.

Mr. Bourgikos will explain that the Penalty Policy is based upon Section 3008 of RCRA, 42 U.S.C. § 6928, which requires consideration of the seriousness of the violation (gravity-based penalty) and other factors such as good faith efforts to comply, willfulness or negligence, history of non-compliance, ability to pay and other factors as justice may require (adjustments).

Additionally, the proposed penalty includes consideration of whether a multi-day component is appropriate and any economic benefit derived from the violation. He will explain that since the violations occurred after January 12, 2009, the maximum penalty for each day for each separate violation was \$37,500.

Mr. Bourgikos will briefly explain the Penalty Policy methodology he used to determine the gravity component of the proposed penalty. He will explain that the gravity component examines two factors – the potential for harm as a result of the violations (Potential for Harm) and the extent of deviation from the regulatory requirement (Extent of Deviation). He will explain that the Penalty Policy directed him to consider whether each violation represented a Major, Moderate or Minor Potential for Harm and Extent of Deviation. He will explain that the Penalty Policy generally identifies a Major violation as one which represents either a substantial risk of exposure or a substantial deviation from the regulatory requirements. He will explain that a Moderate violation is generally one that represents a significant risk of exposure or significant deviation from the regulatory requirements. A Minor violation is one that represents a low risk of exposure or adverse impact on the regulatory program.

Mr. Bourgikos will explain that the Potential for Harm and Extent of Deviation factors form the x and y axes of a nine cell penalty matrix. Each axis is further divided into a Major, Moderate or Minor category. Within each cell is a monetary range for the appropriate proposed penalty.

Mr. Bourgikos will explain that he followed the Penalty Policy and examined two elements for Potential for Harm – the risk of harm or environmental exposure to hazardous waste and/or hazardous constituents that may be posed by non-compliance (Risk of Exposure) and the adverse effect non-compliance may have on regulatory or statutory purposes or procedures (Harm to the RCRA program).

Mr. Bourgikos will explain that when he examined the Risk of Exposure he looked at both the probability of a release and potential seriousness of contamination. He will testify that he examined the evidence of releases and mismanagement, the adequacy of provisions for detecting and preventing releases, the quantity and toxicity of wastes potentially released, and the likelihood of transport of contaminants to air, water or groundwater. Mr. Bourgikos will testify that when he examined Harm to the RCRA program the Penalty Policy directed him to consider all regulatory requirements as fundamental to the continued integrity of the RCRA program. It specifically identified failure to notify, failure to prepare or maintain a manifest and operating without a permit as examples of regulatory requirements that are fundamental to the continued integrity of the RCRA program. Mr. Bourgikos will explain that when he examined the Extent of Deviation he determined the degree of compliance with a particular regulation. He will explain that the Penalty Policy explains that the degree of compliance may range from substantial compliance to total disregard for the requirement.

Mr. Bourgikos will testify that he considered all the facts available to him as a result of his inspections, the information requests and other information available to him. A summary of those facts is included with this Prehearing Exchange as CX 34. Mr. Bourgikos will explain that he calculated the penalty based on the violations he observed during the March 18, 2009, inspection and not the violations observed on April 2, 2008. He will explain that consistent with the Penalty Policy he did not assess a penalty for the violations observed on April 2, 2008, because they were more than five years prior to the date the complaint was filed (March 17, 2014). He will testify that he used the information related to the April 2, 2008, inspection

primarily to determine whether the facility had improved operations; its response to the issues raised during the exit interview; and whether it had a history of non-compliance.

Mr. Bourgikos will testify that he developed the Penalty Summary Sheet included as Attachment A to the Complaint. He will explain that based on a recent review of the Penalty Summary Sheet he discovered that there was a duplicate penalty of \$3,190 for Count 7b and that the proper amount for Count 5 should have been \$13,455. He will explain that these two errors would normally result in an increase of the total civil penalty by \$1,145. He will explain that U.S. EPA is not seeking to change the total proposed penalty in the Complaint. He will explain that he developed a Revised Penalty Summary Sheet correcting these errors but leaving the proposed penalty as \$263,375. See, CX 35. He will explain that there were no other changes to from the initial Penalty Summary Sheet.

Mr. Bourgikos will explain that both the initial Penalty Summary Sheet and the Revised Penalty Summary Sheet identify his characterization of the Potential for Harm and Extent of Deviation, the initial gravity-based penalty, any multi-day penalties, any monetary adjustments, any calculated economic benefit and the total penalty for each violation. Mr. Bourgikos will explain that because he did not have sufficient evidence to assess the economic benefit or whether there were multiple days of violation he identified \$0 as the amount for economic benefit and multi-day for each violation.

Mr. Bourgikos will explain that he considered the adjustment factors when he made the initial characterization of the gravity component as Major, Moderate or Minor. He will explain

that all of the factors he considered are presented in his penalty summary included as part of this Prehearing Exchange. CX 33-35. In summary, he will state that he considered significant the location of the facility, the quantity and toxicity of the wastes involved, the extensive releases and mismanagement of used oil and hazardous wastes and Respondents' overall ignorance of its wastes and the regulatory requirements.

Mr. Bourgikos will explain that the Summit facility is located in a sensitive area. Lake Michigan is approximately one mile from the facility and there was wildlife located in wet areas near the site. Further, there are at least five schools located within 2 miles of the facility.

Mr. Bourgikos will explain that the wastes subject to the allegations in the Complaint were RCRA-regulated used oil and hazardous waste. He will explain that he considered Sue Brauer's expertise in determining that the constituents of concern for EPA for used oil typically are arsenic, barium, cadmium, chromium, lead, benzene, trichloroethylene, tetrachloroethylene, trichloroethane, benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(a)pyrene, polychlorinated biphenyls. He will explain that he considered that the U.S. EPA sampling showed that the 4 sampled drums in the gasoline recovery area contained automotive fluids with benzene at concentrations 10 to 200 times the acceptable level of 0.5 mg/l and were flammable at ambient temperatures. He will testify that he considered significant that the Respondent was unaware of these concentrations and mismanaged the handling of these wastes by mixing them with other wastes and shipping them off-site as non-hazardous wastes without an U. S. EPA identification number or manifest. Further, he will explain that the Respondent generated a significant amount of hazardous waste on the date of the March 18, 2009, inspection – approximately, 2,145 gallons

(39 drums at 55 gallons per drum). Mr. Bourgikos will explain that this may be a low estimate of the total amount of hazardous waste generated since Respondent employed the same process over the course of at least a year to generate the same used oil and hazardous waste streams and to manage those wastes in the same manner. Therefore, there was a significant likelihood that the Respondent generated other shipments of used oil and hazardous waste and similarly mismanaged them.

Mr. Bourgikos will testify that he considered significant the mismanagement of used oil and hazardous waste. There were drums of used oil and hazardous waste that were not labeled. There were extensive releases of used oil with large areas of soil on the property contaminated with used oil and other liquids leaking from crushed cars or near the crushers. He will explain that automotive batteries were stored open, cracked and unlabeled. He will testify that employees, third-parties and animals were able to come into contact with and track out the used oil and hazardous waste from simply walking around the facility.

Mr. Bourgikos will also explain that he considered it significant that Summit did not appear to realize the hazardousness of its wastes or that they were regulated. He will testify that this ignorance led to its failure to have training for its employees or a contingency plan for emergencies. This lack of training led to the mismanagement of the waste streams on-site and the improper transportation of the wastes off-site. He will explain that Summit, although it is a small company, should have known what it had to do to comply both because of the nature of the wastes (automotive liquids) and U.S. EPA's exit interview on April 2, 2008.

Based on all of these factors, Mr. Bourgikos will explain that he characterized many of the violations as Major for Potential for Harm and Major for Extent of Deviation and did not think it was appropriate to make any further adjustments from the mid-point of the penalty matrix.

D. Copy, statement or internet address for penalty policies and guidelines.

The 1990 RCRA Civil Penalty Policy is included as CX 4.

III. Request by Complainant

Complainant requests the Administrative Law Judge to take Judicial Notice that pursuant to 40 C.F.R. §§ 22.15(b) and (d) the Respondent has admitted the factual allegations contained in paragraphs 24-84 of the Complaint. Section 22.15(b) requires Respondent to “...clearly and directly admit, deny or explain each of the factual allegations contained in the complaint....[and].the facts which the respondent disputes...” If the Respondent fails to provide such a clear and direct admission, denial or explanation then section 22.15(d) treats such failure as an admission.

Paragraphs 24-84 of the Complaint identify specific facts. Respondent’s Answer does neither admits nor denies these facts. Consequently, Respondent has been deemed to have admitted the allegations in these paragraphs. This is supported by a review of Respondent’s Answer. Respondent has not denied the factual allegations in paragraphs 24-84. Instead, the Respondent’s Answer denies the legal conclusion – i.e. that the Respondent violated certain requirements. For example, Respondent’s Answer for Counts 1-4 denies that it did not make a waste determination, did not offer hazardous waste for off-site shipment without an EPA

identification number or manifest or stored hazardous waste without a permit. For all four counts it asserts defense that the wastes were not subject to regulation because they were recycled. This is a legal conclusion without factual support. For Count 5, improper labeling, the Respondent does not deny the factual allegations of missing labeling at the time of the inspections on April 2, 2008, or March 18, 2009. It references its procedures and a 2010 IDEM inspection that is irrelevant as a defense to the violations alleged in 2008 and 2009. Judicial Notice of the Respondent's admission of the facts in paragraphs 24-84 will be consistent with the Consolidated Rules of Practice and may lead to a more efficient administration of this proceeding.

Further Complainant does not state.

Respectfully submitted,



Richard J. Clarizio
Associate Regional Counsel
USEPA, Region 5, ORC (C-14J)
77 W. Jackson
Chicago, Illinois 60604
(312) 886-0559
Clarizio.richard@epa.gov

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

In the Matter of:	)	Docket No.
)	
Summit, Inc.	)	Proceeding to Assess a Civil Penalty
6901 West Chicago Avenue	)	Under Section 3008(a) of the Resource
Gary, Indiana	)	Conservation and Recovery Act,
	)	42 U.S.C. § 6928(a)
U.S. EPA ID #: INX 000 028 902)	
	)	RCRA-05-2014-0006
Respondent.)	
<hr/>)	

CERTIFICATE OF SERVICE

I certify that the Complainant's Prehearing Exchange was sent this day to the addressees as listed below as presented below:

PDF copy, without exhibits, by e-mail:

OALJfiling@eap.gov

Original and one copy, with exhibits on compact disk, by overnight delivery UPS:

Sybil Anderson
Headquarters Hearing Clerk
U.S. EPA, Office of Administrative Law Judges
1300 Pennsylvania Avenue, NW
Room M-1200
Washington, D.C. 20460

Copy with exhibits on compact disk, by overnight delivery UPS:

M. Lisa Buschmann, Administrative Law Judge
U.S.EPA, Office of Administrative Law Judges
Mail Code 1900R
1300 Pennsylvania Avenue, NW
Room M-1200
Washington, D.C. 20460

Copy with exhibits, except confidential business information (CBI) claimed exhibits (CX 12 and 18 redacted version only), on compact disk by overnight delivery UPS:

Mark A. Thiros, Esq.
Thiros & Stracci, P.C.
200 East 90th Drive
Merillville, Indiana 46410-8102



Elizabeth Rosado
U.S. Environmental Protection Agency, Region 5
77 West Jackson Boulevard (C-14J)
Chicago, Illinois 60604
(312) 886-1432

Dated: 7-17-2014

Index of Administrative Complaint Exhibits

Summit

CX#	Date of doc	Title/Description/Subject	Pages	Adressed to	Author/Sender
1	2/11/1994	Executive Order - Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations	CX 000001- CX 000006		
2	3/00/2001	EPA Requirements for Quality Assurance Project Plans - EPA QA/R-5	CX 000007- CX 000038		
3	3/00/2001	EPA Requirements for Quality Management Plans - EPA QA/R-2	CX 000039 - CX 000067		
4	6/23/2003	Revisions to the 1990 RCRA Civil Penalty Policy	CX 000068 - CX 000174	Regional Counsel, Regions 1-10, USEPA, et al.	John Peter Suarez, Assistant Administrator, USEPA
4-A	1/12/2009	RCRA Civil Penalty Matrix 1/12/2009	CX 000175 - CX 000175		
5	8/00/2007	ATSDR Benzene CAS#71-43-2 - Tox FAQs	CX 000176 - CX 000184		
6	4/11/2008	Inspection Report for Summit, Inc., 6901 West Chicago Avenue/Industrial Highway, Gary, Indiana	CX 000185 - CX 000208	Mary S. Setnicar, Acting Chief, CS-1, USEPA, Region 5	Sue Rodenbeck Brauer, RCRA Used Oil Expert, CS-2, RCRA Branch, Land and Chemicals Division, USEPA, Region 5
7	4/23/2008	Compliance Evaluation Inspection Report, Summit Inc.	CX 000209 - CX 000258	Mary S. Setnicar, Acting Chief, CS-1, USEPA, Region 5	Spiros Bourgikos, Environmental Engineer
8	7/24/2008	Request for Information, Beaver Oil Co. Inc.	CX 000259 - CX 000274	Ray Vintika, Vice President, Beaver Oil Co. Inc.	Mary S. Setnicar, Acting Chief, Compliance Section 1, RCRA Branch, USEPA, Region 5
9	undated	Request for Information, Summit, Inc.	CX 000275 - CX 000303	Peter Coulopoulos, Summit, Inc.	Mary S. Setnicar, Acting Chief, Compliance Section 1, RCRA Branch, USEPA, Region 5
10	7/24/2008	Request for Information, T & S Trading, Inc.	CX 000304 - CX 000309	Tom Hardiman, T & S Trading, Inc.	Mary S. Setnicar, Acting Chief, Compliance Section 1, RCRA Branch, USEPA, Region 5
11	8/12/2008	Information Request Response - T & S Trading	CX 000310 - CX 000318	Mary S. Setnicar, Acting Chief, CS-1, USEPA, Region 5	Tom Hardiman, T & S Trading, Inc.
12	8/19/2008	Information Request Response - Beaver Oil Co., Inc. - Confidential Business Information Claim	CX 000319 - CX 000395	Mary S. Setnicar, Acting Chief, CS-1, USEPA, Region 5	Ray Vinitka, Vice President, Beaver Oil Co. Inc.
13	9/18/2008	Information Request Response - Summit	CX 000398 - CX 000483	Spiros Bourgikos, USEPA, Region 5	Alison L. Benjamin, Cohen and Thiros
14	5/8/2009	Sampling Inspection Report with Attachment A (e-mail), B (Quality Assurance Project Plan) and C (Photograph Log)	CX 000484 - CX 000723	Lorna M. Jereza, Chief, Compliance Section 1, RCRA Branch, Land and Chemicals Division.	Spiros Bourgikos, Environmental Engineer
15	9/15/2009	Request for Information, Summit, Inc.	CX 000724 - CX 000735	Peter Coulopoulos, Summit, Inc.	Lorna M. Jereza, Chief, Compliance Section 1, RCRA Branch, Land and Chemicals Division
16	10/6/2009	Information Request Response - Summit	CX 000736 - CX 000758	Spiros Bourgikos, USEPA, Region 5	Alison L. Benjamin, Cohen and Thiros
17	10/27/2009	Request for Information, Beaver Oil Co. Inc.	CX 000759 - CX 000772	Ray Vintika, Vice President, Beaver Oil Co. Inc.	Lorna M. Jereza, Chief, Compliance Section 1, RCRA Branch, Land and Chemicals Division
18	12/4/2009	Information Request Response - Beaver Oil Co., Inc. - Confidential Business Information Claim	CX 000773 - CX 000815	Michael Valentino, USEPA, Region 5	Elizabeth S. Harvey, Swanson, Martin & Bell, LLP
19	2/24/2014	Pre-filing Notice and Opportunity to Confer - Summit Inc.	CX 000816 - CX 001007	Peter Coulopoulos, Summit, Inc.	Gary Victorine, Chief, RCRA Branch, Land and Chemicals Division
20	3/7/2014	Facsimile Request - 2/24/2014 Pre-filing Notice and Opportunity to Confer - Summit Inc.	CX 001008 - CX 001018	Peter Coulopoulos, Summit, Inc.	Spiros Bourgikos, Environmental Engineer

CX#	Date of doc	Title/Description/Subject	Pages	Adressed to	Author/Sender
20-A	7/7/2014	E-mail relating to Summit's receipt of Exhibits 19 and 20.	CX 001019 - CX 001020	Richard Clarizio, Attorney, USEPA, Region 5, Office of Regional Counsel	Spiros Bourgikos, Environmental Engineer
21		Resume - Spiros George Bourgikos	CX 001021 - CX 001022		
22		Resume - Sue Rodenbeck Bauer	CX 001023 - CX 001034		
23		Resume - Lara Lasky	CX 001035 - CX 001036		
24		Resume - Jamie Paulin	CX 001037 - CX 001039		
25		Google Maps and EJ Screen Report date 7-8-14	CX 001040 - CX 001048		
26	4/18/2005	Violation Letter and related documents.	CX 001049 - CX 001067	Peter Coulopoulos, Summit, Inc.	Joan Crawford, Section Chief, Industrial Waste Compliance Section, Compliance and Response Branch, Indiana Department of Environmental Management (IDEM)
27	1/9/2008	Various bills of lading and tickets received by Sue Brauer during April 2, 2008, inspection	CX 001068 - CX 001102		
28	3/23/2006	Phase II Environmental Site Assessment Report	CX 001103 - CX 001103	Peter Coulopoulos, Summit, Inc.	Robert B. Walker, LPG, ATC Associates Inc.
29	3/25/2005	Excavation Confirmation Sampling Report	CX 001104 - CX 001148	Peter Coulopoulos, Summit, Inc.	4 Seasons Environmental, LLC
30	5/30/2006	Split Sampling Report	CX 001149 - CX 001178	Peter Coulopoulos, Summit, Inc.	Robert B. Walker, LPG, ATC Associates Inc.
31	7/6/2006	Report of Soil and Groundwater Test Pit Investigation for Former Drum Storage Area	CX 001179 - CX 001206	Peter Coulopoulos, Summit, Inc.	Robert B. Walker, LPG, ATC Associates Inc.
32	7/22/2008	Corrective Action Plan - Former Berry Refinery	CX 001207 - CX 001293	Peter Coulopoulos, Summit, Inc.	ATC Associates Inc.
33		Proposed Testimony Summary Narrative - Spiros Bourgikos	CX 001294 - CX 001327		
34		Summary of RCRA Civil Penalty Calculation - Spiros Bourgikos	CX 001328 - CX 001347		
35		Revised Penalty Summary Sheet	CX 001348 - CX 001350		
36		Proposed Testimony Summary Narrative - Sue Rodenbeck Brauer	CX 001351 - CX 001356		
37		Proposed Testimony Summary Narrative - Jamie Paulin	CX 001357 - CX 001364		
38		Proposed Testimony Summary Narrative - Lara Lasky	CX 001365 - CX 001366		
39	3/15/2005	Inspection Photos - Summit March 15, 2005	CX 001367 - CX 001370		Scott Draschill IDEM