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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

IN THE MATTER OF:)	
)	Docket No. RCRA-08-2020-0007
New Prime, Inc.)	
)	RESPONDENT’S MOTION
Respondent.)	TO CONFORM TRANSCRIPT
)	
_____)	

Pursuant to the Presiding Officer’s Order dated November 9, 2022, and 40 C.F.R. § 22.25, Respondent moves to correct the transcript to conform it with the attached list of corrections submitted by the witness Kelly O’Neil.

In addition, Respondents move to correct the following lines:

V.1 67:21 change “draft” to “drafted”

V.1 68:3 change “draft” to “drafted”

V. 2 212:6-7 “from the July 19 NEIC inspection” not “from the 1:19:51.”
337:4 strike the word “Not”

In addition, Respondent moves to correct the following lines from Dr. Walker’s testimony in V. 4 of the transcript:

92:20 Gribble not Gerbel

95:4-5 “of methylmercury in processes during neurodevelopment that might be,” not “of methylmercury in households during the neurodevelopmental process might be”

95:9 cells, not hexacells

98:1 could, not would

99:17 is, not if

103:21 “that the trailer was covered the entirety,” not “that the trailer was part or the entirety”

105:15 paint, not pain

110:18-20 “probability of exposure to a toxicant, or, you know, potential organisms or receptors, either humans or ecological receptors” not “probability of exposure and relating into all of the toxins or, you know, potential organisms stored in the receptors, either genes”

110:22 “EPA used the term,” not “that means they used the term”

111:6 toxicant, not toxin

111:8 toxicant, not toxin

113:17 “hepatitis B,” not “with hepatitis B”

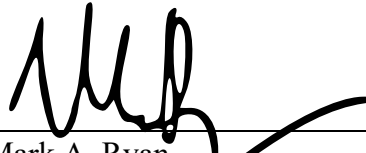
115:10-14 “some of the chemicals carried hazard with exposures, longer-term exposures experienced at lower doses over time.” not “some of the chemicals carrier hazard of exposures, longer-term exposures equally at lower doses over time.”

115:17-18 “in an acute setting as well,” not “in an acute, in an setting as well.”

115:20 “were certainly,” not “were certainly very”

116:16 about, not against
116:21 possesses, not assesses
117:9 “daughter’s nightstand,” not “daughter’s stand”
117:12 “same kind of signal warnings” not “same signed kind of warnings”
117:17-18 irritants, not irritations
118:1 sound, not are
120:10 EJ, not their
122:7 “through the bungholes,” not “the bungholes”
124:19 ways, not waste
124:21 ways, not waste
128:16 know, not show
129:9 cup, not up
132:20 paint, not point
134:12 would, not when
135:1 “or not the,” not “or not in the”
144:14 stored, not historic
148:22 incomplete, not complete
172:7 “hundreds or thousands,” not “hundreds of thousands.”

RESPECTFULLY SUBMITTED this 9th day of December 2022.

A handwritten signature in black ink, appearing to read 'M. Ryan', written over a horizontal line.

Mark A. Ryan
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CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of December 2022, I filed Respondent's Motion to Conform the Transcript via the OALJ E-filing system and via email to:

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Mark Ryan

Corrections to Kelly O'Neill Testimony Transcript
New Prime, Inc., Respondent
RCRA-08-2020-0007
Honorable Christine Coughlin
October 26, 2022

- Page 9, line 10 – Yuma, not “Newman”
- Page 13, line 4 – extraterritorial work in, not “extra territory on”
- Page 26, line 19 – Bakken, not “Vulcan”
- Page 32, line 15 – off-spec, not “office”
- Page 40, line 17 – fuzzed, not “fussed”
- Page 41, line 12 – he was pissed, not “he pissed”
- Page 42, line 4 – and, not “had”
- Page 49, line 7 – they first, not “the first”
- Page 81, line 17 – bungs, not “bones”
- Page 127, line 5 – Corder, not “Corner”
- Page 133, lines 12, 14, 20 – Corder, not “Quarter”
- Page 134, lines 1, 4, 5, 8, 9, 15, 22 – Corder, not “Quarter”
- Page 135, line 22 – Corder, not “Quarter”
- Page 147, line 13 – tow, not “third”
- Page 147, line 14 – B&W, not “D&W”
- Page 179, line 15 – possession, not “position”
- Page 181, line 10 – word “case” omitted after “criminal”
- Page 237, line 21 – PES, not “DES”
- Page 245, line 5 – Mogleston, not “Mogleston”
- Page 255, line 10 – Brett’s, not “Bud”

Page 265, lines 5, 11 – Corder, not “Quarter”

Page 266, line 22 – BLEVEing, not “leveeing”

Page 267, line 9 – bung, not “bun”

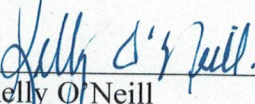
Page 267, line 13 – BLEVEing, not “levying”

Page 270, lines 2, 4, 6, 12, 13 – Oheim, not “Olheim”

Page 287, line 8 – Mogleston, not “Mogleston”

Testimony stopped in the middle of Page 268, line 6

CERTIFICATION: I hereby certify that, following a diligent review of the transcript of the testimony of Kelly O’Neill in the above reference matter, to the best of my knowledge, the above corrections to the transcript of the testimony of Kelly O’Neill are true and correct.



Kelly O’Neill



Date