

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

KCBX TERMINALS COMPANY,)	
)	
Petitioner,)	
)	
v.)	PCB 14-110
)	(Air Permit Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

TO: Mr. John Therriault	Mr. Bradley P. Halloran
Assistant Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
100 West Randolph Street	100 West Randolph Street
Suite 11-500	Suite 11-500
Chicago, Illinois 60601	Chicago, Illinois 60601
(VIA ELECTRONIC MAIL)	(VIA FIRST CLASS MAIL)

(SEE PERSONS ON ATTACHED SERVICE LIST)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board **NOTICE OF DISCOVERY DEPOSITION**, that was served upon Mr. Joseph Kotas in care of Christopher Grant, **NOTICE OF DISCOVERY DEPOSITION**, that was served upon Mr. Robert W. Bernoteit in care of Christopher Grant, **NOTICE OF DISCOVERY DEPOSITION**, that was served upon Mr. Michael Dragovich in care of Christopher Grant, and **NOTICE OF DISCOVERY DEPOSITION**, that was served upon Mr. Raymond Pilapil in care of Christopher Grant, copies of which are herewith served upon you.

Respectfully submitted,

KCBX TERMINALS COMPANY,
Petitioner,

Dated: March 28, 2014

By: /s/ Edward W. Dwyer
Edward W. Dwyer

Katherine D. Hodge
Edward W. Dwyer
Matthew C. Read
HODGE DWYER & DRIVER
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

CERTIFICATE OF SERVICE

I, Edward W. Dwyer, the undersigned, hereby certify that I have served the attached NOTICE OF DISCOVERY DEPOSITION, that was served upon Mr. Joseph Kotas in care of Christopher Grant, NOTICE OF DISCOVERY DEPOSITION, that was served upon Mr. Robert W. Bernoteit in care of Christopher Grant, NOTICE OF DISCOVERY DEPOSITION, that was served upon Mr. Michael Dragovich in care of Christopher Grant, and NOTICE OF DISCOVERY DEPOSITION, that was served upon Mr. Raymond Pilapil in care of Christopher Grant upon:

Mr. John Therriault
Assistant Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

via electronic mail on March 28, 2014 and upon:

Mr. Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

Division of Legal Counsel
Illinois Environmental Protection
Agency
1021 North Grand Avenue
Post Office Box 19276
Springfield, Illinois 62794-9276

by depositing said documents in the United States Mail, postage prepaid, in Springfield, Illinois on March 28, 2014 and upon:

Kathryn A. Pamenter, Esq.
Christopher J. Grant, Esq.
Assistant Attorney General
Office of the Attorney General
69 West Washington Street, Suite 1800
Chicago, Illinois 60602

via facsimile and by depositing said document in the United States Mail, postage prepaid, in Springfield, Illinois on March 28, 2014.

/s/ Edward W. Dwyer
Edward W. Dwyer

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

KCBX TERMINALS COMPANY,)	
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)	(Permit Appeal - Air)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF DISCOVERY DEPOSITION

TO: Mr. Joseph Kotas
c/o Christopher Grant
Illinois Attorney General's Office
69 West Washington Street
Suite 1800
Chicago, Illinois 60602

PLEASE TAKE NOTICE that on April 11, 2014, at 9:30 a.m., and continuing until completion, at the offices of Illinois Attorney General, 100 West Randolph Street, Chicago, Illinois, the discovery deposition of Joseph Kotas will be taken before a certified shorthand reporter and notary public in the above-referenced cause.

You are hereby further notified pursuant to the Illinois Code of Civil Procedure and the Rules of the Supreme Court of Illinois that you are by this Notice required to have present at the date, time and place stated, the said Deponent for oral examination for the purpose of discovery.

In addition, on that same day and in that same place, you are also required to produce for inspection and copying, before a notary public or other such person authorized to administer oaths, those documents listed in the attached deposition rider. You are also commanded to produce at the deposition the following documents for

inspection and copying: (a) all documents reviewed by the deponent in preparing for this deposition; and (b) to the extent not already produced, all documents relating to the subject matters identified in the attached deposition rider.

Respectfully submitted,

KCBX TERMINALS COMPANY,
Petitioner,

By: 
One of Its Attorneys

Dated: March 28, 2014

Katherine D. Hodge
Edward W. Dwyer
Matthew C. Read
HODGE DWYER & DRIVER
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

KCBX:004/Fil/Permit Appeal PCB 14-110/Notice of Deposition – Joseph Kotas

KCBX Terminals Company v. Illinois Environmental Protection Agency
PCB 14-110

DEPOSITION RIDER TO JOSEPH KOTAS

1. Notes related to your review of the July 23, 2013 construction permit application ("Request for Revision").
2. Notes and reports related to your observations made at the KCBX Terminals Co. facility at 10730 South Burley Avenue, Chicago, Illinois ("Facility").
3. Notes taken during meetings, telephone calls, or discussions where your observations at the Facility, the Request for Revision, or the decision to grant or deny the Request for Revision were discussed.

KCBX:004/Filings/PCB 14-110/Notice of Deposition Rider - Kotas

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

KCBX TERMINALS COMPANY,)	
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Petitioner,)	
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v.)	PCB 14-110
)	(Permit Appeal - Air)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF DISCOVERY DEPOSITION

TO: Mr. Robert W. Bernoteit
c/o Christopher Grant
Illinois Attorney General's Office
69 West Washington Street
Suite 1800
Chicago, Illinois 60602

PLEASE TAKE NOTICE that on April 9, 2014, at 1:30 p.m., and continuing until completion, at the offices of HODGE DWYER & DRIVER, 3150 Roland Avenue, Springfield, Illinois, the discovery deposition of Robert W. Bernoteit will be taken before a certified shorthand reporter and notary public in the above-referenced cause.

You are hereby further notified pursuant to the Illinois Code of Civil Procedure and the Rules of the Supreme Court of Illinois that you are by this Notice required to have present at the date, time and place stated, the said Deponent for oral examination for the purpose of discovery.

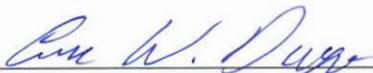
In addition, on that same day and in that same place, you are also required to produce for inspection and copying, before a notary public or other such person authorized to administer oaths, those documents listed in the attached deposition rider.

You are also commanded to produce at the deposition the following documents for

inspection and copying: (a) all documents reviewed by the deponent in preparing for this deposition; and (b) to the extent not already produced, all documents relating to the subject matters identified in the attached deposition rider.

Respectfully submitted,

KCBX TERMINALS COMPANY,
Petitioner,

By: 
One of Its Attorneys

Dated: March 28, 2014

Katherine D. Hodge
Edward W. Dwyer
Matthew C. Read
HODGE DWYER & DRIVER
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
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KCBX:004/Fil/Permit Appeal PCB 14-110/Notice of Deposition – Robert Bernoteit

KCBX Terminals Company v. Illinois Environmental Protection Agency
PCB 14-110

DEPOSITION RIDER TO ROBERT W. BERNOTEIT

1. Notes related to your review of the July 23, 2013 construction permit application ("Request for Revision").
2. Draft permits that address the activities described in the Request for Revision.
3. Notes taken during meetings, telephone calls, or discussions where the Request for Revision or the decision to grant or deny the Request for Revision was discussed.

KCBX:004/Filings/PCB 14-110/Notice of Deposition Rider - Bernoteit

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

KCBX TERMINALS COMPANY,)	
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v.)	PCB 14-110
)	(Permit Appeal - Air)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF DISCOVERY DEPOSITION

TO: Mr. Michael Dragovich
c/o Christopher Grant
Illinois Attorney General's Office
69 West Washington Street
Suite 1800
Chicago, Illinois 60602

PLEASE TAKE NOTICE that on April 9, 2014, at 9:00 a.m., and continuing until completion, at the offices of HODGE DWYER & DRIVER, 3150 Roland Avenue, Springfield, Illinois, the discovery deposition of Michael Dragovich will be taken before a certified shorthand reporter and notary public in the above-referenced cause.

You are hereby further notified pursuant to the Illinois Code of Civil Procedure and the Rules of the Supreme Court of Illinois that you are by this Notice required to have present at the date, time and place stated, the said Deponent for oral examination for the purpose of discovery.

In addition, on that same day and in that same place, you are also required to produce for inspection and copying, before a notary public or other such person authorized to administer oaths, those documents listed in the attached deposition rider. You are also commanded to produce at the deposition the following documents for

inspection and copying: (a) all documents reviewed by the deponent in preparing for this deposition; and (b) to the extent not already produced, all documents relating to the subject matters identified in the attached deposition rider.

Respectfully submitted,

KCBX TERMINALS COMPANY,
Petitioner,

By:  _____
One of Its Attorneys

Dated: March 28, 2014

Katherine D. Hodge
Edward W. Dwyer
Matthew C. Read
HODGE DWYER & DRIVER
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

KCBX:004/Fil/Permit Appeal PCB 14-110/Notice of Deposition – Michael Dragovich

KCBX Terminals Company v. Illinois Environmental Protection Agency
PCB 14-110

DEPOSITION RIDER TO MICHAEL DRAGOVICH

1. Notes related to your review of the July 23, 2013 construction permit application ("Request for Revision").
2. Draft permits that address the activities described in the Request for Revision.
3. Notes taken during meetings, telephone calls, or discussions where the Request for Revision or the decision to grant or deny the Request for Revision was discussed.

KCBX:004/Filings/PCB 14-110/Notice of Deposition Rider - Dragovich

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

KCBX TERMINALS COMPANY,)	
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Petitioner,)	
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v.)	PCB 14-110
)	(Permit Appeal - Air)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF DISCOVERY DEPOSITION

TO: Mr. Raymond Pilapil
c/o Christopher Grant
Illinois Attorney General's Office
69 West Washington Street
Suite 1800
Chicago, Illinois 60602

PLEASE TAKE NOTICE that on April 10, 2014, at 9:00 a.m., and continuing until completion, at the offices of HODGE DWYER & DRIVER, 3150 Roland Avenue, Springfield, Illinois, the discovery deposition of Raymond Pilapil will be taken before a certified shorthand reporter and notary public in the above-referenced cause.

You are hereby further notified pursuant to the Illinois Code of Civil Procedure and the Rules of the Supreme Court of Illinois that you are by this Notice required to have present at the date, time and place stated, the said Deponent for oral examination for the purpose of discovery.

In addition, on that same day and in that same place, you are also required to produce for inspection and copying, before a notary public or other such person authorized to administer oaths, those documents listed in the attached deposition rider.

You are also commanded to produce at the deposition the following documents for

inspection and copying: (a) all documents reviewed by the deponent in preparing for this deposition; and (b) to the extent not already produced, all documents relating to the subject matters identified in the attached deposition rider.

Respectfully submitted,

KCBX TERMINALS COMPANY,
Petitioner,

By: 
One of Its Attorneys

Dated: March 28, 2014

Katherine D. Hodge
Edward W. Dwyer
Matthew C. Read
HODGE DWYER & DRIVER
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

KCBX:004/Fil/Permit Appeal PCB 14-110/Notice of Deposition – Raymond Pilapil

KCBX Terminals Company v. Illinois Environmental Protection Agency
PCB 14-110

DEPOSITION RIDER TO RAYMOND PILAPIL

1. Notes related to your review of the July 23, 2013 construction permit application ("Request for Revision").
2. Draft permits that address the activities described in the Request for Revision.
3. Notes taken during meetings, telephone calls, or discussions where the Request for Revision or the decision to grant or deny the Request for Revision was discussed.

KCBX:004/Filings/PCB 14-110/Notice of Deposition Rider - Pilapil