ILLINOIS POLLUTION CONTROL BOARD March 19, 2009

| KCBX TERMINALS COMPANY, |) | |
|------------------------------|--------|-----------------------|
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | |
| |) | PCB 08-103 |
| ILLINOIS ENVIRONMENTAL PROTE | ECTON) | (Permit Appeal – Air) |
| AGENCY, |) | , , , |
| |) | |
| Respondent. |) | |
| |) | |

HEARING OFFICER ORDER

On March 19, 2009, a telephonic status conference was held. The respondent did not appear. The petitioner represented that it is still reviewing a revised construction permit from the Illinois Environmental Protection Agency.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on April 16, 2009, at 11:15 a.m. The telephonic status conference must be initiated by the petitioner, but each party is nonetheless responsible for its own appearance. At the status conference, the parties must be prepared to discuss the status of the above-captioned matter and their readiness for hearing.

IT IS SO ORDERED.

Bradley P. Halloran

Hearing Officer

Illinois Pollution Control Board

James R. Thompson Center, Suite 11-500

Bradley P. 12000-

100 W. Randolph Street

Chicago, Illinois 60601

312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on March 19, 2009, to each of the persons on the attached service list.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on March 19, 2009:

John T. Therriault Illinois Pollution Control Board James R. Thompson Center 100 W. Randolph St., Ste. 11-500 Chicago, Illinois 60601

Bradley P. Halloran

Hearing Officer

Illinois Pollution Control Board

James R. Thompson Center

100 West Randolph Street, Suite 11-500

Bradly P. Jelon

Chicago, Illinois

PCB 2008-103 IEPA 1021 North Grand Avenue East P.O. Box 19276 Springfield, IL 62794-9276 PCB 2008-103 Katherine D. Hodge Hodge Dwyer Zeman 3150 Roland Avenue Post Office Box 5776 Springfield, IL 62705-5776

PCB 2008-103 Lauren C. Lurkins Hodge Dwyer Zeman 3150 Roland Avenue Post Office Box 5776 Springfield, IL 62705-5776