

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

| | | |
|-------------------------|---|---------------------|
| KCBX TERMINALS COMPANY, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | PCB 11-43 |
| |) | (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 the **SUBPOENA DUCES TECUM**, that was served upon Mr. George Kennedy, a copy of which is herewith served upon you.

Respectfully submitted,

KCBX TERMINALS COMPANY,
Petitioner,

Dated: March 22, 2011

By: /s/ Katherine D. Hodge
Katherine D. Hodge

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

CERTIFICATE OF SERVICE

I, Katherine D. Hodge, the undersigned, hereby certify that I have served the attached SUBPOENA DUCES TECUM 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 22, 2011 and upon:

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

Christopher Grant, Esq.
Illinois Attorney General's Office
69 West Washington Street
Suite 1800
Chicago, Illinois 60602

by depositing said documents in the United States Mail, postage prepaid, in Springfield, Illinois on March 22, 2011.

/s/ Katherine D. Hodge
Katherine D. Hodge

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| |) | |
| Respondent. |) | |

SUBPOENA DUCES TECUM

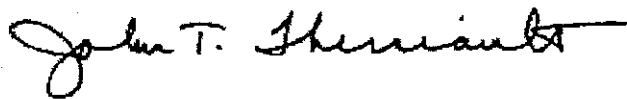
TO:

Mr. George Kennedy
c/o Christopher Grant, Esq.
Illinois Attorney General's Office
69 West Washington Street
Suite 1800
Chicago, Illinois 60602

Pursuant to Section 5(e) of the Environmental Protection Act (415 ILCS 5/5(e) (2006)) and 35 Ill. Adm. Code 101, Subpart F, you are ordered to attend and give testimony at the discovery deposition in the above-captioned matter at 9:00 a.m. on April 14, 2011, at the offices of HODGE DWYER & DRIVER, 3150 Roland Avenue, Springfield, Illinois.

Failure to comply with this subpoena will subject you to sanctions under 35 Ill. Adm. Code 101.622(g) and 101.802.

ENTER:

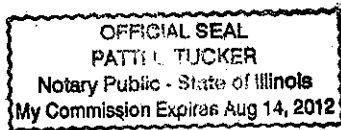


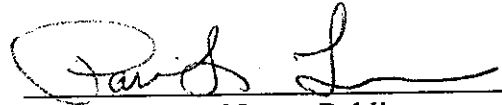
John T. Therriault, Assistant Clerk
Pollution Control Board
Date: March 3, 2011

I served this subpoena duces tecum by mailing a copy via Certified Mail/Return Receipt Requested #70100780000157644398 on Mr. George M. Kennedy, c/o Christopher Grant, Esq. Illinois Attorney General's Office, 69 West Washington Street, Suite 1800, Chicago, Illinois 60602, and paying witness fees of \$20.00 and mileage fees of \$2.00, on March 22, 2011.



Subscribed and sworn to before me this 22nd day of March, 2011.





Notary Public