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MAY 06 2014

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD
May 6, 2014

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



ORIGINAL

HEARING REPORT

On April 29 and 30, 2014 and on May 1 and 2, 2014, hearings were held in the above-captioned appeal. The hearings were held at the James R. Thompson Center (JRTC), 100 West Randolph Street, Chicago, Illinois 60601. On April 29, 2014, the hearing was held in Room 9-31 of the JRTC. On April 30, 2014, and May 1, 2014, the hearings were held in Room 9-40 of the JRTC. On May 2, 2014, the hearing was held in Room 2-25 of the JRTC. Attorneys Edward Dwyer, Katherine D. Hodge, Matthew C. Reed, Michelle Schmit and Stephen A. Swedlow appeared on behalf of the petitioner, KCBX Terminals Company (KCBX). Attorneys Kathryn A. Pamenter, Christopher J. Grant and Robert W. Petti appeared on behalf of the respondent, Illinois Environmental Protection Agency (Agency).

Preliminary Matter

On April 25, 2014, KCBX filed a "Motion to Compel Production of Documents Responsive to Deposition Rider for Julie Armitage". On May 2, 2014, KCBX filed a "Notice of Withdrawal of Petitioner's Motion to Compel Production of Documents Responsive to Deposition Rider for Julie Armitage".

Exhibits

A list itemizing the parties' exhibits and status is attached to this order.

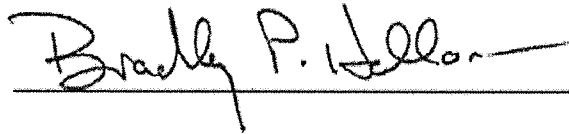
Briefing Schedule

A post-hearing briefing schedule was addressed in the March 25, 2014 Hearing Officer Order and again at the close of the May 2, 2014 hearing and is as follows: KCBX's post-hearing brief is due to be filed on or before May 9, 2014; the Agency's post-hearing brief is due to be

filed on or before May 16, 2014; Public Comment must be filed on or before May 6, 2014. The record in the above-captioned appeal closes on May 16, 2014.

The mailbox rule does not apply to any of the above-mentioned post-hearing schedules, and all electronic or approved telefax filings must be received by the Clerk's Office no later than 4:30 p.m. of the due date.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Bradley P. Halloran". The signature is written in a cursive style and is positioned above a solid horizontal line.

Bradley P. Halloran
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PCB 14-110

Exhibit List

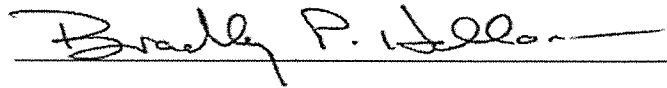
Exhibit	Description	Status
Petitioner's Exhibit 1	Opinion witness disclosure(Kolaz, Steinert, Estadt)	Admitted
Petitioner's Exhibit 2	Curriculum vitae for Kolaz	Admitted
Petitioner's Exhibit 3	Section 201.158 of the Ill. Adm. Code	Admitted
Respondent's Exhibit 1	Section 201.152 of the Ill. Adm. Code	Admitted
Respondent's Exhibit 2	Section 212.321 of the Ill. Adm. Code	Admitted
Respondent's Exhibit 3	Enlarged photograph of KCBX site	Taken with case as offer of proof

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on May 6, 2014, 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 May 6, 2014:

John T. Therriault
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100 W. Randolph St., Ste. 11-500
Chicago, Illinois 60601

A handwritten signature in black ink, reading "Bradley P. Halloran", is written over a horizontal line.

Bradley P. Halloran
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