

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

KCBX TERMINALS COMPANY,)
)
Petitioner,)
)
v.)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

PCB No. 14-110
(Air Permit Appeal)

NOTICE OF ELECTRONIC FILING

To: *Via Facsimile and Regular Mail*
Katherine D. Hodge
Edward W. Dwyer
Matthew C. Read
Hodge Dwyer & Driver
3150 Roland Avenue
Springfield, IL 62705

Via Email
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601

PLEASE TAKE NOTICE that on the 4th day of April, 2014, the Respondent's Witness Disclosure was filed with the Illinois Pollution Control Board, a true and correct copy of which is attached hereto and is hereby served upon you.

PEOPLE OF THE STATE OF ILLINOIS,
ex rel. LISA MADIGAN, Attorney General
of the State of Illinois

By: 
Kathryn A. Pamerter
Christopher J. Grant
Assistant Attorneys General
Environmental Bureau
69 W. Washington St., 18th Floor
Chicago, IL 60602
(312) 814-0608
(312) 814-5388

DATE: April 4, 2014

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

KCBX TERMINALS COMPANY,)	
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Petitioner,)	
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v.)	PCB No. 14-110
)	(Air Permit Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

RESPONDENT'S WITNESS DISCLOSURE

Respondent, Illinois Environmental Protection Agency, pursuant to the Hearing Officer Order entered on March 25, 2014, hereby submits its Witness Disclosure as follows:

1. Respondent may call the following witnesses at the hearing scheduled on April 29, 2014 in response to KCBX Terminals Company's ("KCBX") presented case-in-chief:

- A. Robert Bernoteit, Air Permit Section Manager, Illinois Environmental Protection Agency, Permits Section, Bureau of Air, 1021 North Grand Avenue East, Springfield, IL 62794.
- B. Michael Dragovich, Permit Analyst, Illinois Environmental Protection Agency, Permits Section, Bureau of Air, 1021 North Grand Avenue East, Springfield, IL 62794.
- C. Julie Armitage, Chief, Bureau of Air, Illinois Environmental Protection Agency, 1021 North Grand Avenue East, Springfield, IL 62794.
- D. Michael Estadt, Operations Manager, KCBX Terminals Chicago South, 10730 Burley Avenue, Chicago, IL 60617.
- E. Katherine D. Hodge, Hodge Dwyer & Driver, 3150 Roland Avenue, Springfield, IL 62705.

2. Respondent may call the following opinion witness at the hearing scheduled on April 29, 2014 in response to KCBX's presented case-in-chief:

- A. Julie Armitage, Chief – Bureau of Air, Illinois Environmental Protection Agency, 1021 North Grand Avenue East, Springfield, IL 62794. To the

extent that it may be considered opinion testimony, Ms. Armitage would tender the following opinion: KCBX Terminals Company did not present sufficient information to the Illinois Environmental Protection Agency in support of its July 23, 2013 construction permit application to establish that the facility located at 10730 S. Burley Avenue, Chicago, Illinois would not cause a violation of the Illinois Environmental Protection Act and the corresponding regulations, namely 415 ILCS 5/9 and 35 Ill. Adm. Code 201.152, 201.160(a), 212.301 and 212.321, if the July 23, 2013 construction permit application was granted. The basis for Ms. Armitage's opinion is the Administrative Record.

Respectfully Submitted,

PEOPLE OF THE STATE OF ILLINOIS
ex. rel. LISA MADIGAN, Attorney General
of the State of Illinois

BY:



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CERTIFICATE OF SERVICE

I, KATHRYN A. PAMENTER, an Assistant Attorney General, do certify that I caused to be served this 4th day of April, 2014, the attached Notice of Electronic Filing and Respondent's Witness Disclosure upon (a) Katherine D. Hodge, Edward W. Dwyer and Matthew C. Read *via facsimile and via regular mail* addressed as set forth on said Notice of Electronic Filing by placing a true and correct copy in an envelope addressed as set forth on said Notice of Electronic Filing, first class postage prepaid, and depositing same with the United States Postal Service at 100 West Randolph Street, Chicago, Illinois, at or before the hour of 5:00 pm, and (b) Bradley P. Halloran *via email*.


KATHRYN A. PAMENTER