

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 **SUPPLEMENTATION OF AFFIDAVIT**, a copy of which is herewith served upon you.

Respectfully submitted,

KCBX TERMINALS COMPANY,  
Petitioner,

Dated: August 6, 2014

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

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

Stephen A. Swedlow, Esq.  
Michelle Schmit, Esq.  
Quinn Emanuel Urquhart Sullivan LLP  
500 West Madison Street, Suite 2450  
Chicago, Illinois 60661

CERTIFICATE OF SERVICE

I, Katherine D. Hodge, the undersigned, hereby certify that I have served the attached SUPPLEMENTATION OF AFFIDAVIT 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 August 6, 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 August 6, 2014 and upon:

Kathryn A. Pamenter, Esq.  
Christopher J. Grant, Esq.  
Robert R. Petti, 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 August 6, 2014.

/s/ Katherine D. Hodge  
Katherine D. Hodge

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**SUPPLEMENTATION OF AFFIDAVIT**

NOW COMES Petitioner, KCBX TERMINALS COMPANY (“KCBX”), a North Dakota corporation, by and through its attorneys, HODGE DWYER & DRIVER and QUINN EMANUEL URQUHART SULLIVAN LLP, and files the attached Affidavit of Katherine D. Hodge (“Affidavit”) in support of the KCBX’s Motion for Reconsideration and Modification. The attached Affidavit is a signed copy and is meant to replace the copy previously filed with the Illinois Pollution Control Board on July 28, 2014.

Respectfully submitted,

KCBX TERMINALS COMPANY,

Dated: August 6, 2014

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

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QUINN EMANUEL URQUHART  
SULLIVAN LLP  
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**AFFIDAVIT OF  
KATHERINE D. HODGE SUPPORTING  
PETITIONER'S MOTION FOR RECONSIDERATION AND MODIFICATION**

Katherine D. Hodge, being first duly sworn, deposes and states as follows:

1. I have been counsel to the Petitioner at all times pertinent to this matter.
2. I participated in the preparation of Petitioner's Motion for Reconsideration and Modification, and I reviewed the same prior to filing.
3. The statements set forth in Petitioner's Motion for Reconsideration and Modification are true and correct, to the best of my knowledge.

FURTHER AFFIANT SAYETH NOT.

*Katherine D. Hodge*  
\_\_\_\_\_

Katherine D. Hodge

Subscribed and sworn to before me this 6<sup>th</sup> day of ~~July~~ August 2014.

*Angela M. Buhl*  
\_\_\_\_\_  
Notary Public

