

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
) AS 19-002
Petition of Emerald Polymer)
Additives, LLC for an Adjusted) (Adjusted Standard)
Standard from 35 Ill. Adm. Code)
304.122(b))

AFFIDAVIT OF KATHY L. JOHNSON

I, KATHY L. JOHNSON, being first duly sworn upon oath deposes and states as follows:

1. I am a Certified Court Reporter within and for the State of Illinois.
2. On December 17, 2019, I conducted the telephonic depositions of Amy Harding and Chris Wrobel, by stenographic means, to the best of my ability and thereafter reduced them to print under my direction.
3. At the top of both depositions, I characterized the depositions as “telephonic discovery depositions” without direction from either party.
4. My basis for that designation was after my review of the Notice of Deposition for each witness that read: “for purposes of discovery and/or for use in evidence.”
5. I was not aware of the parties’ intentions, previous discussions, or any, if any, stipulations regarding the type of deposition to be taken.
6. Upon further review of the Notice of Deposition for each witness, I believe these two depositions could have also been characterized by me as evidence depositions.
7. Thus, and because I was not aware of discussions between the parties, I provided my employer with a corrected version that read: “telephonic deposition”.
8. However, in lieu of making that change, I was asked by counsel from IEPA to not make any changes and to simply provide this statement about what I did and why I did it.

9. I certify, under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, that the statements set forth here are true and correct, except as to matters therein stated to be on information and belief, and as to such matters, I certify, as aforesaid, that I believe the same to be true.

Kathy L. Johnson
KATHY L. JOHNSON

1-1-20
DATE