

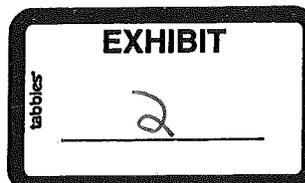
STATE OF ILLINOIS)
)
COUNTY OF COOK) SS:

SUPPLEMENTAL DECLARATION OF KARL LEINBERGER

Karl Leinberger, being first duly sworn on oath, states that he has personal knowledge of the information contained in this declaration, and if called as witness, he could competently testify as follows:

1. I am over the age of 18 and not under any legal disability.
2. I am one of the attorneys for Andrew H. Leinberger Family Trust, DJL Farm LLC, William Critchelow, and Sharon Critchelow (collectively, "Petitioners") in the proceeding before the Environmental Appeals Board entitled *In re FutureGen Industrial Alliance, Inc.*, UIC Appeal Nos. 14-68, 14-69, 14-70, and 14-71 (the "Proceeding").
3. On May 22, 2015, I viewed the entrance to the FutureGen Industrial Alliance's ("FutureGen") proposed injection site in Morgan County from the adjacent public road. I observed signs of construction in the form of placement of gravel to access the injection site.
4. On February 10, 2015, the Environmental Appeals Board ("Board") held a telephonic status hearing regarding whether the Proceeding should continue in light of the U.S. Department of Energy withdrawing its financial support from FutureGen. At this hearing, one of FutureGen's attorneys informed the Board that FutureGen's carbon sequestration project was not canceled, that FutureGen intended to pursue its project and get its federal funding reinstated, and that Petitioners' appeal to the Board was not moot.

Under penalties as provided by law pursuant to 28 U.S.C. § 1746, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily



believes the same to be true.

Dated: May 26, 2015



KARL LEINBERGER