

RECEIVED

CLERK'S OFFICE

JUN 23 2003

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
Complainant,)
v.)
PEABODY COAL COMPANY, a Delaware)
corporation,)
Respondent.)

PCB 99-134
STATE OF ILLINOIS
Pollution Control Board

NOTICE OF FILING AND PROOF OF SERVICE

To: Jane E. McBride (via hand delivery) David Joest (via U.S. mail)
Environmental Bureau Peabody Coal Company
Attorney General's Office 1951 Barrett Court
500 S. Second St. P.O. Box 1990
Springfield, IL 62706 Henderson, KY 42419-1990

Pollution Control Board, Attn: Clerk Bradley Halloran, Hearing Officer
(via U.S. mail) (via U.S. mail)
100 West Randolph Street Illinois Pollution Control Board
James R. Thompson Center James R. Thompson Center
Suite 11-500 100 West Randolph Street, Suite 11-500
Chicago, IL 60601-3218 Chicago, Illinois 60601

W.C. Blanton (via U.S. mail)
Blackwell Sanders Peper Martin LLP
Two Pershing Square
2300 Main St., Suite 1000
Kansas City, MO 64108

PLEASE TAKE NOTICE that on the 20th day of June, 2003, we sent to the Clerk of the Pollution Control Board the original and nine copies of the Respondent's Notices of Deposition - Edwin Bakowski, Larry Crislip, Tom McSwiggin, Gary Styzens, Bill Buscher, Joyce Munie, Kurt Niebergall, Don Pflederer, Connie Sullinger, and Rick Cobb, for filing in the above entitled cause.

The undersigned certifies that true and correct copies of the above-described document were served as stated above upon the above-identified individuals, those via U.S. mail by enclosing the same in envelopes properly addressed, with postage fully prepaid, and by depositing said envelopes in a U.S. Post Office mail box, on the 20th day of June, 2003.

Stephen F. Hedinger
Stephen F. Hedinger

Hedinger Law Office
2601 South Fifth Street
Springfield, IL 62703
(217) 523-2753 phone
(217) 523-4366 fax

THIS FILING IS SUBMITTED ON RECYCLED PAPER

FILE COPY
COPY

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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JUN 29 2003

STATE OF ILLINOIS
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.)
)
PEABODY COAL COMPANY, a Delaware)
corporation,)
)
Respondent.)

PCB 99-134

NOTICE OF DEPOSITION

TO: Gary Styzens
c/o Jane McBride
Attorney General's Office, Environmental Bureau
500 South Second Street
Springfield, Illinois 62706

YOU AND EACH OF YOU WILL HEREBY TAKE NOTICE that on July 2, 2003, at 8:00 a.m., at the Illinois Environmental Protection Agency, 1021 North Grand Avenue East, Springfield, Illinois 62794, the Respondent, PEABODY COAL COMPANY, will take the deposition of GARY STYZENS pursuant to Hearing Officer Order, 35 Ill. Adm. Code 101.616 and 101.622, Illinois Supreme Court Rules 202 and 204, agreement of the parties, and other applicable rules and statutes, before a Notary Public and Certified Shorthand Reporter, said deposition to be for purposes of discovery, at which time and place the said Gary Styzens is requested to appear for said deposition.

FURTHER, on July 1, 2003, at 12:00 noon, at said place, the deponent is instructed to produce, for purposes of inspection and reproduction and subsequent questioning, the following documents:

- (1) Any and all documents relied upon by the deponent in drafting his report.
- (2) Any and all other documents considered by the deponent in drafting his report.
- (3) Any and all documents referenced in the deponent's report.
- (4) Any and all drafts of his report.

(5) Any and all written communication with any person regarding the preparation of his or any other witness' report.

(6) Any and all documents known by Complainant, the Illinois Environmental Protection Agency, and/or the deponent that support or tend to support or provide evidence in support of any opinion expressed by deponent.

(7) Any and all documents known by Complainant, the Illinois Environmental Protection Agency, and/or the deponent that in any way and to any degree are in opposition to or tend to be in opposition to or provide evidence in opposition to any opinion expressed by deponent.

(8) Any and all written communications between the deponent and any person regarding the preparation of, conclusions or opinions expressed in, or any draft of, the deponent's report.

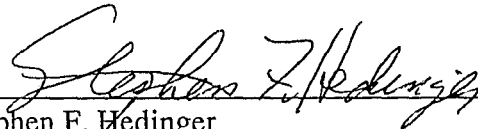
Respectfully submitted,

PEABODY COAL COMPANY

By its attorneys



W. C. Blanton *By 574*
BLACKWELL SANDERS PEPER MARTIN LLP
Two Pershing Square, Suite 1000
2300 Main Street
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hedinger@cityscape.net (e-mail)

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Respondent.)

PCB 99-134

NOTICE OF DEPOSITION

TO: Edwin Bakowski
c/o Jane McBride
Attorney General's Office, Environmental Bureau
500 South Second Street
Springfield, Illinois 62706

YOU AND EACH OF YOU WILL HEREBY TAKE NOTICE that on July 2, 2003, at 10:00 a.m., at the Illinois Environmental Protection Agency, 1021 North Grand Avenue East, Springfield, Illinois 62794, the Respondent, PEABODY COAL COMPANY, will take the deposition of EDWIN BAKOWSKI pursuant to Hearing Officer Order, 35 Ill. Adm. Code 101.616 and 101.622, Illinois Supreme Court Rules 202 and 204, agreement of the parties, and other applicable rules and statutes, before a Notary Public and Certified Shorthand Reporter, said deposition to be for purposes of discovery, at which time and place the said Edwin Bakowski is requested to appear for said deposition.

FURTHER, on July 1, 2003, at 12:00 noon, at said place, the deponent is instructed to produce, for purposes of inspection and reproduction and subsequent questioning, the following documents:

- (1) Any and all documents relied upon by the deponent in drafting his report.
- (2) Any and all other documents considered by the deponent in drafting his report.
- (3) Any and all documents referenced in the deponent's report.
- (4) Any and all drafts of his report.

(5) Any and all written communication with any person regarding the preparation of his or any other witness' report.

(6) Any and all documents known by Complainant, the Illinois Environmental Protection Agency, and/or the deponent that support or tend to support or provide evidence in support of any opinion expressed by deponent.

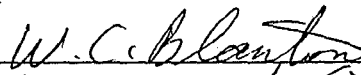
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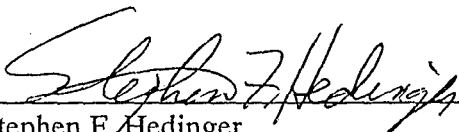
Respectfully submitted,

PEABODY COAL COMPANY

By its attorneys



W. C. Blanton *By SFT*
BLACKWELL SANDERS PEPER MARTIN LLP
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STATE OF ILLINOIS
Pollution Control Board

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v.)	PCB 99-134
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PEABODY COAL COMPANY, a Delaware)	
corporation,)	
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Respondent.)	

NOTICE OF DEPOSITION

TO: Larry Crislip
c/o Jane McBride
Attorney General's Office, Environmental Bureau
500 South Second Street
Springfield, Illinois 62706

YOU AND EACH OF YOU WILL HEREBY TAKE NOTICE that on July 2, 2003, at 11:30 a.m., at the Illinois Environmental Protection Agency, 1021 North Grand Avenue East, Springfield, Illinois 62794, the Respondent, PEABODY COAL COMPANY, will take the deposition of LARRY CRISLIP pursuant to Hearing Officer Order, 35 Ill. Adm. Code 101.616 and 101.622, Illinois Supreme Court Rules 202 and 204, agreement of the parties, and other applicable rules and statutes, before a Notary Public and Certified Shorthand Reporter, said deposition to be for purposes of discovery, at which time and place the said Larry Crislip is requested to appear for said deposition.

FURTHER, on July 1, 2003, at 12:00 noon, at said place, the deponent is instructed to produce, for purposes of inspection and reproduction and subsequent questioning, the following documents:


- (1) Any and all documents relied upon by the deponent in drafting his report.
- (2) Any and all other documents considered by the deponent in drafting his report.
- (3) Any and all documents referenced in the deponent's report.
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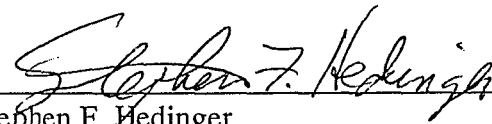
Respectfully submitted,

PEABODY COAL COMPANY

By its attorneys



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PCB 99-134

NOTICE OF DEPOSITION

TO: Tom McSwiggin
c/o Jane McBride
Attorney General's Office, Environmental Bureau
500 South Second Street
Springfield, Illinois 62706

YOU AND EACH OF YOU WILL HEREBY TAKE NOTICE that on July 2, 2003, at 2:00 p.m., at the Illinois Environmental Protection Agency, 1021 North Grand Avenue East, Springfield, Illinois 62794, the Respondent, PEABODY COAL COMPANY, will take the deposition of TOM MCSWIGGIN pursuant to Hearing Officer Order, 35 Ill. Adm. Code 101.616 and 101.622, Illinois Supreme Court Rules 202 and 204, agreement of the parties, and other applicable rules and statutes, before a Notary Public and Certified Shorthand Reporter, said deposition to be for purposes of discovery, at which time and place the said Tom McSwiggin is requested to appear for said deposition.

FURTHER, on July 1, 2003, at 12:00 noon, at said place, the deponent is instructed to produce, for purposes of inspection and reproduction and subsequent questioning, the following documents:

- (1) Any and all documents relied upon by the deponent in drafting his report.
- (2) Any and all other documents considered by the deponent in drafting his report.
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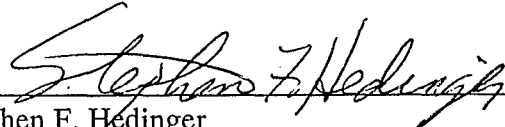
Respectfully submitted,

PEABODY COAL COMPANY

By its attorneys



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NOTICE OF DEPOSITION

TO: Bill Buscher
c/o Jane McBride
Attorney General's Office, Environmental Bureau
500 South Second Street
Springfield, Illinois 62706

YOU AND EACH OF YOU WILL HEREBY TAKE NOTICE that on July 3, 2003, at 9:00 a.m., at the Illinois Environmental Protection Agency, 1021 North Grand Avenue East, Springfield, Illinois 62794, the Respondent, PEABODY COAL COMPANY, will take the deposition of BILL BUSCHER pursuant to Hearing Officer Order, 35 Ill. Adm. Code 101.616 and 101.622, Illinois Supreme Court Rules 202 and 204, agreement of the parties, and other applicable rules and statutes, before a Notary Public and Certified Shorthand Reporter, said deposition to be for purposes of discovery, at which time and place the said Bill Buscher is requested to appear for said deposition.

FURTHER, on July 1, 2003, at 12:00 noon, at said place, the deponent is instructed to produce, for purposes of inspection and reproduction and subsequent questioning, the following documents:

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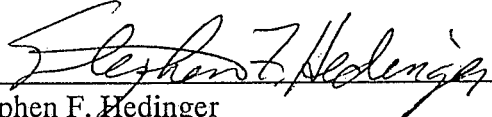
Respectfully submitted,

PEABODY COAL COMPANY

By its attorneys



W. C. Blanton *ky 57H*
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Pollution Control Board

NOTICE OF DEPOSITION

TO: Connie Sullinger
c/o Jane McBride
Attorney General's Office, Environmental Bureau
500 South Second Street
Springfield, Illinois 62706

YOU AND EACH OF YOU WILL HEREBY TAKE NOTICE that on July 15, 2003, at 8:00 a.m., at the Illinois Environmental Protection Agency, 1021 North Grand Avenue East, Springfield, Illinois 62794, the Respondent, PEABODY COAL COMPANY, will take the deposition of CONNIE SULLINGER pursuant to Hearing Officer Order, 35 Ill. Adm. Code 101.616 and 101.622, Illinois Supreme Court Rules 202 and 204, agreement of the parties, and other applicable rules and statutes, before a Notary Public and Certified Shorthand Reporter, said deposition to be for purposes of discovery, at which time and place the said Connie Sullinger is requested to appear for said deposition.

FURTHER, on July 1, 2003, at 12:00 noon, at said place, the deponent is instructed to produce, for purposes of inspection and reproduction and subsequent questioning, the following documents:

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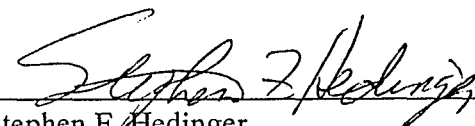
Respectfully submitted,

PEABODY COAL COMPANY

By its attorneys



W. C. Blanton *by 57H*
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PCB 99-134

NOTICE OF DEPOSITION

TO: Joyce Munie
c/o Jane McBride
Attorney General's Office, Environmental Bureau
500 South Second Street
Springfield, Illinois 62706

YOU AND EACH OF YOU WILL HEREBY TAKE NOTICE that on July 15, 2003, at 10:00 a.m., at the Illinois Environmental Protection Agency, 1021 North Grand Avenue East, Springfield, Illinois 62794, the Respondent, PEABODY COAL COMPANY, will take the deposition of JOYCE MUNIE pursuant to Hearing Officer Order, 35 Ill. Adm. Code 101.616 and 101.622, Illinois Supreme Court Rules 202 and 204, agreement of the parties, and other applicable rules and statutes, before a Notary Public and Certified Shorthand Reporter, said deposition to be for purposes of discovery, at which time and place the said Joyce Munie is requested to appear for said deposition.

FURTHER, on July 1, 2003, at 12:00 noon, at said place, the deponent is instructed to produce, for purposes of inspection and reproduction and subsequent questioning, the following documents:


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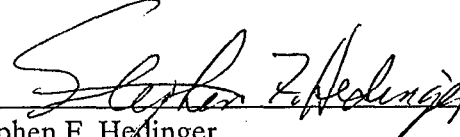
Respectfully submitted,

PEABODY COAL COMPANY

By its attorneys



W. C. Blanton ^{by 57H}
BLACKWELL SANDERS PEPER MARTIN LLP
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NOTICE OF DEPOSITION

TO: Kurt Niebergall
c/o Jane McBride
Attorney General's Office, Environmental Bureau
500 South Second Street
Springfield, Illinois 62706

YOU AND EACH OF YOU WILL HEREBY TAKE NOTICE that on July 15, 2003, at 11:30 a.m., at the Illinois Environmental Protection Agency, 1021 North Grand Avenue East, Springfield, Illinois 62794, the Respondent, PEABODY COAL COMPANY, will take the deposition of KURT NIEBERGALL pursuant to Hearing Officer Order, 35 Ill. Adm. Code 101.616 and 101.622, Illinois Supreme Court Rules 202 and 204, agreement of the parties, and other applicable rules and statutes, before a Notary Public and Certified Shorthand Reporter, said deposition to be for purposes of discovery, at which time and place the said Kurt Niebergall is requested to appear for said deposition.

FURTHER, on July 1, 2003, at 12:00 noon, at said place, the deponent is instructed to produce, for purposes of inspection and reproduction and subsequent questioning, the following documents:

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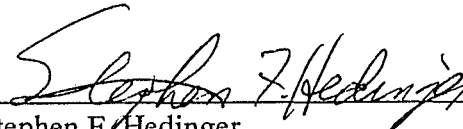
Respectfully submitted,

PEABODY COAL COMPANY

By its attorneys



W. C. Blanton *by SFH*
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NOTICE OF DEPOSITION

TO: Don Pflederer
c/o Jane McBride
Attorney General's Office, Environmental Bureau
500 South Second Street
Springfield, Illinois 62706

YOU AND EACH OF YOU WILL HEREBY TAKE NOTICE that on July 15, 2003, at 2:00 p.m., at the Illinois Environmental Protection Agency, 1021 North Grand Avenue East, Springfield, Illinois 62794, the Respondent, PEABODY COAL COMPANY, will take the deposition of DON PFLEDERER pursuant to Hearing Officer Order, 35 Ill. Adm. Code 101.616 and 101.622, Illinois Supreme Court Rules 202 and 204, agreement of the parties, and other applicable rules and statutes, before a Notary Public and Certified Shorthand Reporter, said deposition to be for purposes of discovery, at which time and place the said Don Pflederer is requested to appear for said deposition.

FURTHER, on July 1, 2003, at 12:00 noon, at said place, the deponent is instructed to produce, for purposes of inspection and reproduction and subsequent questioning, the following documents:

- (1) Any and all documents relied upon by the deponent in drafting his report.
- (2) Any and all other documents considered by the deponent in drafting his report.
- (3) Any and all documents referenced in the deponent's report.
- (4) Any and all drafts of his report.

- (5) Any and all written communication with any person regarding the preparation of his or any other witness' report.
- (6) Any and all documents known by Complainant, the Illinois Environmental Protection Agency, and/or the deponent that support or tend to support or provide evidence in support of any opinion expressed by deponent.
- (7) Any and all documents known by Complainant, the Illinois Environmental Protection Agency, and/or the deponent that in any way and to any degree are in opposition to or tend to be in opposition to or provide evidence in opposition to any opinion expressed by deponent.
- (8) Any and all written communications between the deponent and any person regarding the preparation of, conclusions or opinions expressed in, or any draft of, the deponent's report.

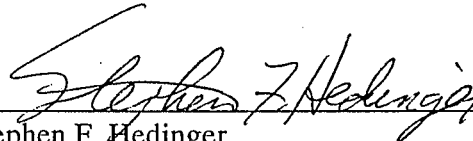
Respectfully submitted,

PEABODY COAL COMPANY

By its attorneys



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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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JUN 23 2003

STATE OF ILLINOIS
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 99-134
)	
PEABODY COAL COMPANY, a Delaware)	
corporation,)	
)	
Respondent.)	

NOTICE OF DEPOSITION

TO: Rick Cobb
 c/o Jane McBride
 Attorney General's Office, Environmental Bureau
 500 South Second Street
 Springfield, Illinois 62706

YOU AND EACH OF YOU WILL HEREBY TAKE NOTICE that on July 16, 2003, at 9:00 a.m., at the Illinois Environmental Protection Agency, 1021 North Grand Avenue East, Springfield, Illinois 62794, the Respondent, PEABODY COAL COMPANY, will take the deposition of RICK COBB pursuant to Hearing Officer Order, 35 Ill. Adm. Code 101.616 and 101.622, Illinois Supreme Court Rules 202 and 204, agreement of the parties, and other applicable rules and statutes, before a Notary Public and Certified Shorthand Reporter, said deposition to be for purposes of discovery, at which time and place the said Rick Cobb is requested to appear for said deposition.

FURTHER, on July 1, 2003, at 12:00 noon, at said place, the deponent is instructed to produce, for purposes of inspection and reproduction and subsequent questioning, the following documents:

- (1) Any and all documents relied upon by the deponent in drafting his report.
- (2) Any and all other documents considered by the deponent in drafting his report.
- (3) Any and all documents referenced in the deponent's report.
- (4) Any and all drafts of his report.

(5) Any and all written communication with any person regarding the preparation of his or any other witness' report.

(6) Any and all documents known by Complainant, the Illinois Environmental Protection Agency, and/or the deponent that support or tend to support or provide evidence in support of any opinion expressed by deponent.


(7) Any and all documents known by Complainant, the Illinois Environmental Protection Agency, and/or the deponent that in any way and to any degree are in opposition to or tend to be in opposition to or provide evidence in opposition to any opinion expressed by deponent.

(8) Any and all written communications between the deponent and any person regarding the preparation of, conclusions or opinions expressed in, or any draft of, the deponent's report.

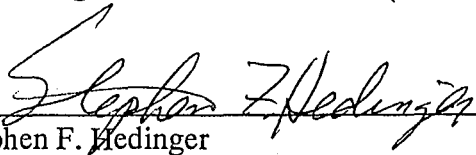
Respectfully submitted,

PEABODY COAL COMPANY

By its attorneys



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