

ILLINOIS POLLUTION CONTROL BOARD
September 20, 2006

GRAND PIER CENTER LLC and)	
AMERICAN INTERNATIONAL)	
SPECIALTY LINES INSURANCE CO., as)	
subrogee of GRAND PIER CENTER LLC,)	
)	
Complainants,)	
)	
v.)	PCB 05-157
)	(Citizens Enforcement – Land)
RIVER EAST LLC, CHICAGO DOCK)	
AND CANAL TRUST, CHICAGO DOCK)	
AND CANAL COMPANY, and TRONOX LLC,)	
)	
Respondents.)	

TRONOX LLC,)	
)	
Counter-Complainants,)	
)	
v.)	PCB 05-157
)	(Citizens Enforcement – Land)
GRAND PIER CENTER LLC, and)	
AMERICAN INTERNATIONAL)	
SPECIALTY LINES INSURANCE CO., as)	
subrogee of Grand Pier Center LLC,)	
)	
Counter-Respondents.)	

HEARING OFFICER ORDER

The complainants served the original complaint in this matter on the law firms Pederson and Houpt and Covington and Burling. The former firm appeared on behalf of River East LLC (River East) and the Chicago Dock and Canal Trust (Trust). Appearances on behalf of respondent Tronox LLC (formerly Kerr-McGee) were filed by individuals from the firms Connelly Roberts and McGivnery, LLC and Covington and Burling. No appearance or filings have ever been received on behalf of Chicago Dock and Canal Company (Company).

On February 16, 2006, Pedersen and Houpt, the attorney of record for River East and Trust, filed a motion to withdraw its representation of River East and Trust due to non-payment of fees. No responses were filed. On April 5, 2006, the hearing officer granted the motion to

withdraw. It appears that River East, Trust, and the Company were never served with the motion or any orders or pleadings thereafter.

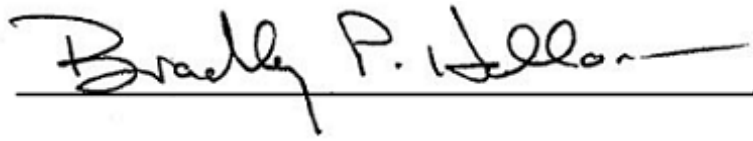
Since then, no appearance has been filed on behalf of River East and/or Trust. These respondents have not appeared at status conferences held since April 5, 2006, as noted in the hearing officer orders following those status conferences. No appearance has ever been filed on behalf of Company, which has never participated in status conferences.

In August 2006, the hearing officer directed the Clerk to contact Pederson and Hout to obtain current addresses for respondents other than Tronox. On or about August 29, 2006, Pedersen and Hout forwarded a list of names and addresses of 15 individuals. To correct any deficiencies in service on respondents other than Tronox, the hearing officer directs the Clerk to serve copies of Pederson and Hout's February 16, 2006 motion to withdraw and all Board and hearing officer orders entered in this case since then.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on November 2, 2006, at 10:00 a.m. The parties are reminded that in an adjudicatory proceeding before the Board, like this enforcement matter, only individuals may represent themselves and appear *pro se*. Trusts, companies, and other legal entities must be represented by a licensed attorney. *See* 35 Ill. Adm. Code 101.400 (a) (2). Since River East, Trust, and Company are corporate respondents, they must be represented by an attorney who has filed an appearance with the Board. In other words, the 15 individuals being served consistent with this order may not participate in the status conference; the only appropriate participants are attorneys for complainants, Tronox, and any attorney who has filed an appearance on behalf of River East, Trust, and/or the Company.

The November 2, 2006 telephonic status conference must be initiated by the complainants but each party is nonetheless responsible for its own appearance. At the status conference, the parties must be prepared to discuss the status of the above-captioned matter and their readiness for hearing. Prior to that date, complainants are also directed to file proof that the original complaint was properly served on the Company, so as to give the Board jurisdiction of this respondent.

IT IS SO ORDERED

A handwritten signature in black ink, reading "Bradley P. Halloran", is positioned above a solid horizontal line.

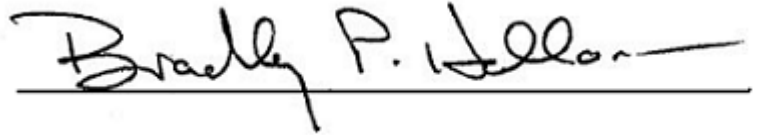
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on September 20, 2006, to each of the persons on the attached service list.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on September 20, 2006:

Dorothy M. Gunn
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Ste. 11-500
Chicago, Illinois 60601

A handwritten signature in black ink, reading "Bradley P. Halloran", is written over a horizontal line.

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601
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