

ILLINOIS POLLUTION CONTROL BOARD

October 22, 2009.

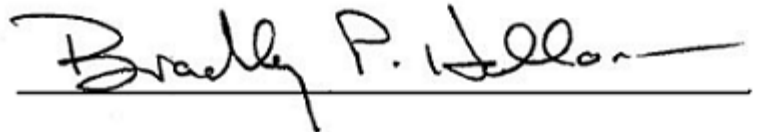
PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 99-134
)	(Enforcement - Water)
HERITAGE COAL COMPANY, L.L.C.)	
(f/k/a PEABODY COAL COMPANY, L.L.C.),)	
)	
)	
Respondent.)	

HEARING OFFICER ORDER

On October 22, 2009, a telephonic status conference was held. The complainant did not appear. The respondent represented that it appears that the complainant is still awaiting additional discovery documents from the Illinois Environmental Protection Agency. The complainant will forward the discovery materials to the respondent for its review.

The parties are reminded that they are to participate in a telephonic status conference on January 7, 2010, at 11:30 a.m. The telephonic status conference must be initiated by the complainant, 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.

IT IS SO ORDERED.



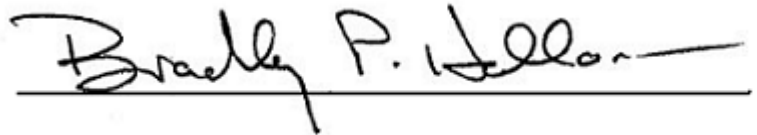
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois, 60601
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing hearing officer order were mailed, first class, on October 22, 2009, 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 October 22, 2009:

John T. Therriault
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Ste. 11-500
Chicago, Illinois 60601

A handwritten signature in black ink that reads "Bradley P. Halloran". The signature is written in a cursive style and is positioned above a solid horizontal line.

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

PCB 1999-134
Thomas Davis
Office of the Attorney General
Environmental Bureau
500 South Second Street
Springfield, IL 62706

PCB 1999-134
Michael D. Mankowski
Office of the Attorney General
Environmental Bureau
500 South Second Street
Springfield, IL 62706

PCB 1999-134
Stephen Janasie
Office of the Attorney General
Environmental Bureau
500 South Second Street
Springfield, IL 62706

PCB 1999-134
Stephen F. Hedinger
Hedinger Law Office
2601 South Fifth Street
Springfield, IL 62703

PCB 1999-134
W.C. Blanton
Blackwell Sanders Peper Martin LLP
4801 Main Street
Suite 1000
Kansas City, MO 64112