ILLINOIS POLLUTION CONTROL BOARD December 1, 2009

RANDY GRANT, DONALD GRANT, and)	
PATRICIA WALLACE,)	
)	
Complainants,)	
-)	PCB 07-145
v.)	(Citizens Enforcement - Noise)
)	
CLINE RESOURCE AND DEVELOPMENT)	
COMPANY and MACH MINING, L.L.C.,)	
)	
Respondents		

HEARING OFFICER ORDER

On December 1, 2009, the parties participated in a telephone status conference with the hearing officer. The parties have exchanged discovery, and taken all depositions except for complainant's expert. If settlement appears unlikely at the next status conference, the parties may discuss a deadline for the final deposition, as well as a tentative hearing date.

The parties are directed to participate in a telephone status conference with the hearing officer at 1:30 p.m. on January 12, 2010. The status conference shall be initiated by the complainants.

IT IS SO ORDERED.

Carol Webb Hearing Officer Illinois Pollution Control Board

Carol Webb

1021 North Grand Avenue East P.O. Box 19274

Springfield, Illinois 62794-9274

217/524-8509

webbc@ipcb.state.il.us

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on December 1, 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 December 1, 2009:

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

Carol Webb

Carol Webb

Carol Webb Hearing Officer Illinois Pollution Control Board 1021 North Grand Avenue East P.O. Box 19274 Springfield, Illinois 62794-9274 217/524-8509 webbc@ipcb.state.il.us PCB 2007-145 Scott C. Helmholz Bailey & Glasser, LLP One North Old State Capitol Plaza Ste. 560 Springfield, IL 62701 PCB 2007-145 Jay Schafer Winters, Brewster, Crosby & Schafer 111 West Main P. O. Box 700 Marion, IL 62959

PCB 2007-145 Patricia Wallace 17235 Liberty School Road Marion, IL 62959 PCB 2007-145 Donald E. Grant 17712 Dean Road Johnston City, IL 62951

PCB 2007-145 Randy Grant 17235 Liberty School Road Marion, IL 62959 PCB 2007-145 Attn: Christopher Cline Cline Resource and Development Company 430 Harper Park Drive Suite A Burkley, WV 25801

PCB 2007-145 Mach Mining 16468 Liberty School Road Marion, IL 62959