ILLINOIS POLLUTION CONTROL BOARD

June 17, 2010

JUN 1 7 2010

| NIEBRUGGE OIL COMPANY, |) | STATE OF ILLINOIS Pollution Control Board |
|---|-------------------------------|---|
| Petitioner, |) | |
| v. |) PCB 10-37) (UST Appeal) | DORIGINAL |
| ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, |) (OST rippout)) | |
| Respondent. |) | |

HEARING OFFICER ORDER

On June 17, 2010, the parties participated in a telephone status conference with the hearing officer. The parties continue to discuss settlement, and a meeting is planned for this month. Petitioner agreed to file a deadline waiver to December 16, 2010.

The parties are directed to participate in a telephone status conference with the hearing officer at 9:30 a.m. on September 9, 2010. The status conference shall be initiated by the petitioner.

The decision deadline is October 7, 2010.

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 June 17, 2010, 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 June 17, 2010:

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 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 2010-037
Patrick D. Shaw
Willia
Mohan, Alewelt, Prillaman & Adami
First of America Center
1 North Old State Capitol Plaza
Suite 325
Springfield, IL 62701-1323

PCB 2010-037 William Ingersoll IEPA 1021 North Grand Avenue East P.O. Box 19276 Springfield, IL 62794-9276

PCB 2010-037 Melanie A. Jarvis IEPA 1021 North Grand Avenue East P.O. Box 19276 Springfield, IL 62794-9276