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OCT 28 2010

STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD  
October 28, 2010

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.	)	

ORIGINAL

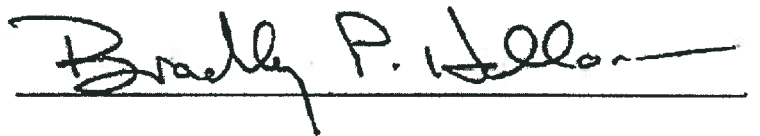
**HEARING OFFICER ORDER**

On October 27, 2010, the parties informed the hearing officer that they agreed on a modification of the briefing schedule for respondent's upcoming motion for summary judgment. To that end, respondent's motion for summary judgment is now due to be filed on or before November 19, 2010. Complainant's response is due to be filed on or before December 23, 2010. Respondent's reply is due to be filed on or before January 14, 2011.

The November 10, 2010, telephonic status conference is cancelled and rescheduled to the date and time noted below.

The parties are reminded that they are to participate in a telephonic status conference on January 20, 2011, at 10:30 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.



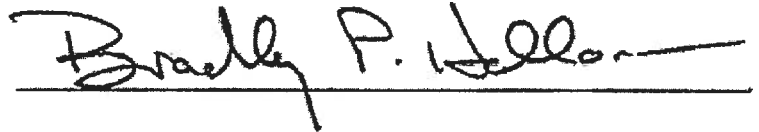
Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, Illinois, 60601  
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing hearing officer order were mailed, first class, on October 28, 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 October 28, 2010:

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  
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