

ILLINOIS POLLUTION CONTROL BOARD
November 24, 2010

RECEIVED
CLERK'S OFFICE
NOV 24 2010
STATE OF ILLINOIS
Pollution Control Board

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

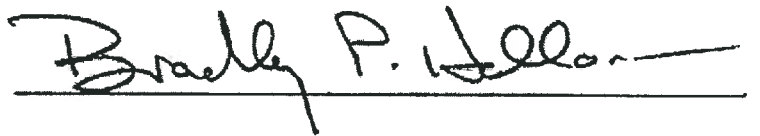
HEARING OFFICER ORDER

On November 18, 2010, the respondent filed a motion for an extension of time to file its motion for partial summary judgment. On November 23, 2010, the complainant filed its response stating that it had no objection to the motion.

Respondent's motion is granted to the extent that its motion for partial summary judgment is now due to be filed on or before December 20, 2010. Complainant's response is now due to be filed on or before February 10, 2011. Respondent's reply is now due to be filed on or before February 24, 2011.

The parties are hereby notified that the previously scheduled status conference call for January 20, 2011, is hereby cancelled and rescheduled to March 3, 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.



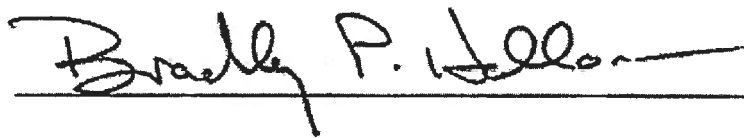
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois, 60601
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing hearing officer order were mailed, first class, on November 24, 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 November 24, 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
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
Sorling, Northrup, Hanna, etal.
Suite 800 Illinois Building
P. O. Box 5131
Springfield, IL 62705

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