

ILLINOIS POLLUTION CONTROL BOARD

August 30, 2011

RECEIVED  
AUG 30 2011

STATE OF ILLINOIS  
Pollution Control Board

INDIAN CREEK DEVELOPMENT )  
COMPANY, an Illinois partnership, )  
individually as beneficiary under trust 3291 of )  
the Chicago Title and Trust Company, dated )  
December 15, 1981 and the Chicago Title and )  
Trust Company, as trustee under trust 3291, )  
dated December 15, 1981, )

PCB 07-44  
(Citizens Enforcement – Land, Water)

Complainant, )

v. )

The BURLINGTON NORTHERN SANTA FE )  
RAILWAY COMPANY, a Delaware )  
corporation, )

Respondent. )

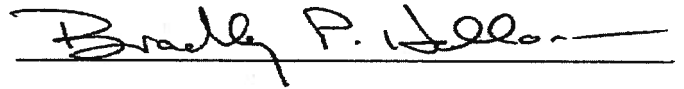
ORIGINAL

**HEARING OFFICER ORDER**

On August 25, 2011, all parties participated in a telephonic status conference with the hearing officer. The parties stated that the parties have signed an access agreement for purposes of sampling and that sampling is proceeding. The parties stated that they will submit a written briefing schedule on or before September 6, 2011.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on October 27, 2011, at 11:30 a.m. The telephonic status conference must be initiated by the complainant, but each party is nonetheless responsible for their 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.



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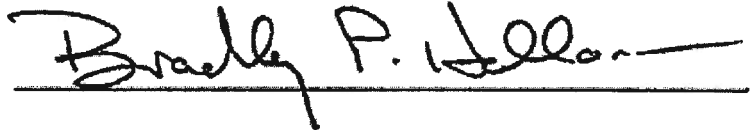
Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, Illinois 60601  
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on August 30, 2011, 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 August 30, 2011:

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 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601  
312.814.8917

PCB 2007-044  
Burlington Northern and Santa Fe Railway  
Company  
R/A CT Corporation System  
208 S. LaSalle Street  
Chicago, IL 60604

PCB 2007-044  
Robert M. Baratta, Jr.  
Freeborn & Peters  
311 S. Wacker Drive  
Suite 3000  
Chicago, IL 60606-6677

PCB 2007-044  
Weston W. Marsh  
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PCB 2007-044  
James H. Wiltz  
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PCB 2007-044  
Stuart A. Petersen  
Law Office of Stuart A. Petersen, Ltd.  
601 N. Farnsworth  
Aurora, IL 60505

PCB 2007-044  
Richard S. Porter  
Hinshaw & Culbertson  
100 Park Avenue  
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Rockford, IL 61105-1389

PCB 2007-044  
Charles F. Helsten  
Hinshaw & Culbertson  
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