

ILLINOIS POLLUTION CONTROL BOARD
June 27, 2013

RECEIVED
CLERK'S OFFICE

JUN 27 2013

STATE OF ILLINOIS
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 99-134
) (Enforcement - Water)
HERITAGE COAL COMPANY, LLC.)
(f/k/a PEABODY COAL COMPANY, LLC),)
)
)
Respondent.)



ORIGINAL

HEARING OFFICER ORDER

On June 27, 2013, all parties participated in a telephonic status conference with the hearing officer. Discussions centered on the United States Bankruptcy proceedings relative to the above-captioned enforcement matter and the automatic stay provisions. The respondent stated that a reorganization plan should be approved in the next three months. The complainant emphasized that it is still open to settlement discussions and mulling whether or not to file a motion to proceed with this enforcement case with the Bankruptcy Court.

The parties or their legal representatives are directed to appear at a telephonic status conference with the hearing officer on October 10, 2013, at 10:00 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.

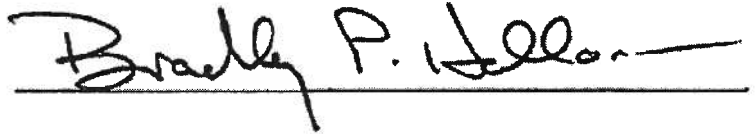
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois, 60601
312.814.8917
Brad.Halloran@illinois.gov

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing hearing officer order were mailed, first class, on June 27, 2013, 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 27, 2013:

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, reading "Bradley P. Halloran", is written over 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, et al.
1 North Old State Capitol Plaza
Suite 200, 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