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STATE OF ILLINOIS
Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD
December 4, 2014

BNSF RAILWAY COMPANY, f/k/a THE)
BURLINGTON NORTHERN AND SANTA)
FE RAILWAY COMPANY,)

Complainant,)

v.)

INDIAN CREEK DEVELOPMENT)
COMPANY, an Illinois partnership,)
individually and 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, and JB)
INDUSTRIES, INC.,)

Respondents.)

 ORIGINAL

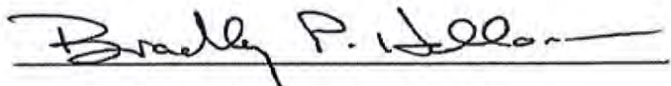
PCB 14-81
(Citizens Enforcement - Land)

HEARING OFFICER ORDER

On December 4, 2014, all parties participated in a telephonic status conference with the hearing officer. It was noted that complainant on December 3, 2014, filed a motion to consolidate this matter with the related complaint docketed as PCB 7-44. The respondents stated that they have yet to decide whether they will file a response.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on February 5, 2015, at 9:00 a.m. The telephonic status conference must be initiated by the complainant, but each party is nonetheless responsible for its own appearance. At the conference, the parties must be prepared to discuss the status of the above-captioned matter and their readiness for hearing.

IT IS SO ORDERED.



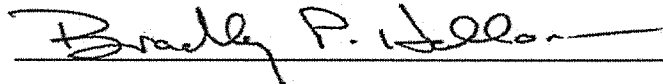
Bradley P. Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601
312.814.8917
Brad.Halloran@illinois.gov

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on December 4, 2014, 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 December 4, 2014:

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 horizontal line.

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

SERVICE LIST

PCB 2014-081
Matthew E. Cohn
Arnstein & Lehr
120 S. Riverside Plaza
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Chicago, IL 60606-3910

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Daley Mohan Groble, P.C.
55 W. Monroe
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PCB 2014-081
JB Industries, Inc.
601 North Farnsworth Avenue
Aurora, IL 60505

PCB 2014-081
Indian Creek Development Company
601 North Farnsworth Avenue
Aurora, IL 60505