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 STATE OF ILLINOIS  
 Pollution Control Board

**ILLINOIS POLLUTION CONTROL BOARD**  
 September 22, 1999

IN THE MATTER OF: )  
 )  
 PETITION OF HORSEHEAD RESOURCE ) AS 00-2  
 DEVELOPMENT COMPANY, Inc. ) (Adjusted Standard - RCRA)  
 FOR ADJUSTED STANDARD )  
 FROM 35 ILL. ADM. CODE 720.131(c) )

HEARING OFFICER ORDER

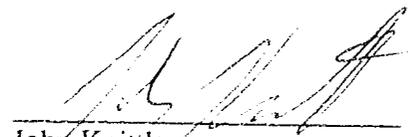
On September 16, 1999, a telephone status conference was held. Both parties appeared. The parties requested that a hearing be scheduled. The parties anticipate that a hearing could be completed in one day. Based upon this representation, and the dates mutually available to all of the parties, a hearing was scheduled for October 28, 1999. As noted in the corresponding notice of hearing, the hearing will be held in room 11-512 of the James R. Thompson Center, 100 West Randolph Street, Chicago, Illinois. The hearing will commence at 1:30 p.m. and proceed, as necessary, until 5:00 p.m.

The parties represented that no discovery will be necessary, and that no dispositive motions or pre-filed testimony will be filed. Any additional pleading is subject to the pleading requirements contained within the Board's general provisions. The mailbox rule will not apply to the filing of any prehearing pleadings.

The parties are directed to participate in a final prehearing conference call with the hearing officer on October 22, 1999, at 11:00 a.m. The conference call shall be initiated by the petitioner. At that time, the parties must be prepared to discuss the status of the above-captioned matter and their readiness for hearing. The parties must notify the hearing officer of any other preferences or special needs regarding the hearing that have arisen since the previous telephone status conference.

In compliance with the Americans with Disabilities Act and other applicable federal and State laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact Dorothy Gunn, Clerk of the Board, at 100 West Randolph St., Suite 11-500, Chicago, Illinois 60601, at telephone number 312-814-6931, fax number 312-814-3659, or TDD number 312-814-6932, five days prior to the hearing.

IT IS SO ORDERED.



John Knittle

Hearing Officer

Illinois Pollution Control Board

James R. Thompson Center, Suite 11-500

100 West Randolph Street

Chicago, Illinois 60601

312.814.3473

## CERTIFICATION OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, to each of the following on September 22, 1999:

Paul E. Gutermann  
Akin, Gump, Strauss, Hauer &  
Feld  
1333 New Hampshire Avenue  
N.W.  
Washington, DC 20036

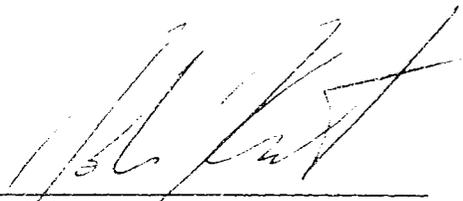
Peter E. Orlinsky  
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Maywood, IL 60153

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Law Offices of John N. Moore  
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Suite 2200  
Chicago, IL 60601-1095

Robert T. Lawley  
Chief Legal Counsel  
Illinois Department of Natural Resources  
524 South Second Street  
Room 400  
Springfield, IL 61701-1787

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on September 22, 1999:

Dorothy M. Gunn  
Illinois Pollution Control Board  
James R. Thompson Center  
100 W. Randolph St., Ste. 11-500  
Chicago, Illinois 60601



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John Knittle  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 West Randolph Street  
Chicago, IL 60601  
312.814.3473