

ILLINOIS POLLUTION CONTROL BOARD
June 7, 2010

RECEIVED
CLERK'S OFFICE

JUN 07 2010

STATE OF ILLINOIS
Pollution Control Board

ORIGINAL

ZERVOS THREE, INC.,)
)
Petitioner,)
)
v.)
)
ILLINOIS ENVIRONMENTAL PROTECTON) PCB 10-54
AGENCY,) (UST Fund Appeal)
)
Respondent.)
)

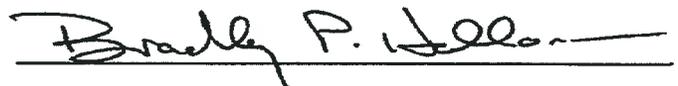
HEARING OFFICER ORDER

On June 7, 2010, all parties participated in a telephonic status conference with the hearing officer. Petitioner stated that it has initiated discussions with the respondent and the parties agreed that the above-captioned appeal involves a question of law. To that end, the parties stated that they will draft a stipulation of facts and anticipate that motions for summary judgment will follow.

The petitioner stated that it will file a 90-day additional waiver of the statutory decision deadline.

The parties or their legal representatives are directed to participate in a telephonic pre-hearing conference with the hearing officer on July 15, 2010, at 2:00 p.m.. The telephonic status conference must be initiated by the petitioner, 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.



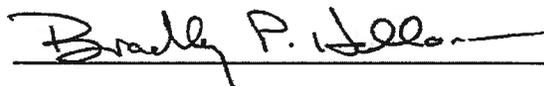
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on June 7, 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 June 7, 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, reading "Bradley P. Halloran", is written over a horizontal line.

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

PCB 2010-054
Division of Legal Counsel
IEPA
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

PCB 2010-054
William J. Anaya
Arnstein & Lehr
120 S. Riverside Plaza
Suite 1200
Chicago, IL 60606-3910

PCB 2010-054
Robert A. McKenzie
Arnstein & Lehr
120 S. Riverside Plaza
Suite 1200
Chicago, IL 60606-3910