

ILLINOIS POLLUTION CONTROL BOARD  
August 26, 2010

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AUG '26 2010

STATE OF ILLINOIS  
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS )  
)  
Complainant, )  
)  
v. ) PCB 10-89  
) (Enforcement - Water)  
FREEPORT AREA ECONOMIC )  
DEVELOPMENT FOUNDATION d/b/a )  
NORTHWEST ILLINOIS DEVELOPMENT )  
ALLIANCE, and WEITZ INDUSTRIAL, LLC, )  
)  
Respondents. )

ORIGINAL

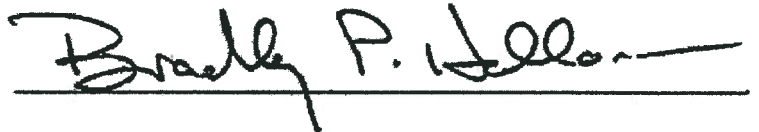
**HEARING OFFICER ORDER**

On August 23, 2010, respondent Weitz Industrial, LLC (Weitz), filed with the Board a "Motion For Leave To File Third Party Complaint And Cross Claim." Weitz did not serve the motion on Fischer Excavating, Inc. (Fischer), the potential third-party.

Weitz is directed to serve Fischer, the potential third-party, with the motion and any other pleadings regarding Fischer sought to be filed with the Board.

The parties or their legal representatives are directed to appear at a telephonic status conference with the hearing officer on September 23, 2010, at 9:30 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.



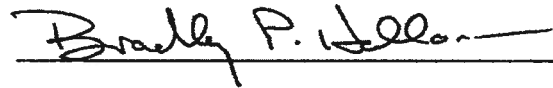
Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, Illinois 60601  
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on August 26, 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 August 26, 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 that reads "Bradley P. Halloran" with a horizontal line underneath.

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

PCB 2010-089  
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Freeport, IL 61032

PCB 2010-089  
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PCB 2010-089  
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