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OCT 1 2014

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD

October 1, 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 September 25, 2014, all parties participated in a telephonic status conference with the hearing officer. It is noted that the above-captioned matter is related to PCB 7-44, and the parties are in discussions of whether to file a motion to consolidate. Further, PCB 7-44 is related to a circuit court case where discovery is proceeding.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on December 4, 2014, at 9:45 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.

A handwritten signature in black ink, reading "Bradley P. Halloran", is written over a horizontal line.

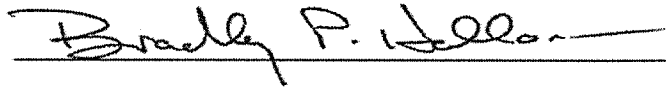
Bradley P. Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601
312.814.8917
Brad.Halloran@illinois.gov

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on October 1, 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 October 1, 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
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Suite 1200
Chicago, IL 60606-3910

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Sean M. Sullivan
Daley Mohan Groble, P.C.
55 W. Monroe
Suite 1600
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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