

ILLINOIS POLLUTION CONTROL BOARD  
March 2, 2007

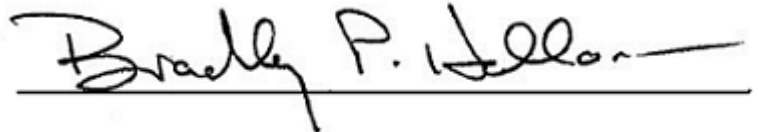
|                                  |   |                       |
|----------------------------------|---|-----------------------|
| PEOPLE OF THE STATE OF ILLINOIS, | ) |                       |
|                                  | ) |                       |
| Complainant,                     | ) |                       |
|                                  | ) |                       |
| v.                               | ) | PCB 99-134            |
|                                  | ) | (Enforcement - Water) |
| PEABODY COAL COMPANY, LLC, a     | ) |                       |
| Delaware corporation,            | ) |                       |
|                                  | ) |                       |
| Respondent.                      | ) |                       |

**HEARING OFFICER ORDER**

On March 1, 2007, all parties participated in a telephonic status conference with the hearing officer. The parties represented that the technical compliance issues have been resolved, but it appears that the parties are at an impasse regarding penalty. To that end, the parties agreed that they anticipate submitting a proposed revised discovery schedule on or before March 30, 2007. The parties also indicated that they will discuss outstanding discovery issues as well prior to the next status conference. Finally, the respondent represented that it will be filing a motion for leave to amend the answer.

The parties are directed to participate in a telephonic status conference on May 3, 2007, at 1:00 p.m.. The telephonic status conference must be initiated by the complainant, 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.



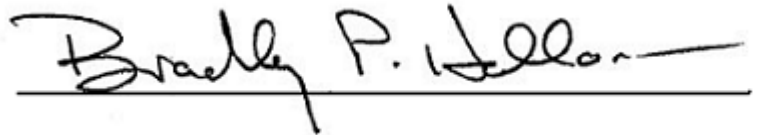
Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, Illinois, 60601  
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing hearing officer order were mailed, first class, on March 2, 2007, 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 March 2, 2007:

Dorothy M. Gunn  
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". The signature is written in a cursive style and is positioned above a solid horizontal line.

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

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