

ILLINOIS POLLUTION CONTROL BOARD  
December 17, 2009

NORTH AURORA GAS STATION (F/N/A )	)	
INTERMART, INC.),	)	
	)	
Petitioner,	)	
	)	
v.	)	
	)	PCB 10-35
ILLINOIS ENVIRONMENTAL PROTECTON)	)	(UST Appeal)
AGENCY,	)	
	)	
Respondent.	)	

**HEARING OFFICER ORDER**

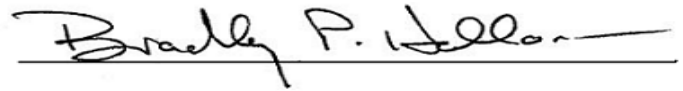
On December 17, 2009, all parties participated in a telephonic status conference with the hearing officer. An attorney from the Illinois Environmental Protection Agency (Agency), stated that to date, no attorney is authorized to represent the Agency, either by Special Assistant designation or otherwise. The Agency attorney stated that he has been in contact with the Illinois Attorney General’s Office regarding this issue, and plans to pursue the dilemma.

At the next telephonic status conference, a hearing will be scheduled if waiver of the statutory decision deadline is not filed. Additionally, the record in the above-captioned matter was due to be filed on December 17, 2009. To date, it has not been filed. That issue, along with the representation issue, will be revisited at the next telephonic status conference.

The hearing officer directs an attorney to appear and participate on behalf of the respondent at the next status conference.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on December 21, 2009, at 2:00 p.m. The telephonic status conference must be initiated by the petitioners, 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.

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

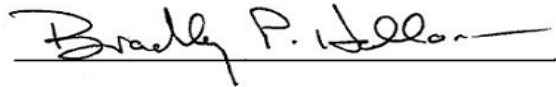
Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, Illinois 60601  
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on December 17, 2009, 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 December 17, 2009:

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

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PCB 2010-035  
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