

ILLINOIS POLLUTION CONTROL BOARD  
April 27, 2011

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APR 27 2011

STATE OF ILLINOIS  
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. ) PCB 99-134  
) (Enforcement - Water)  
HERITAGE COAL COMPANY, L.L.C. )  
(f/k/a PEABODY COAL COMPANY, L.L.C.), )  
)  
)  
Respondent. )

ORIGINAL

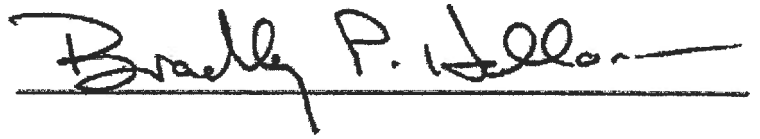
**HEARING OFFICER ORDER**

On April 11, 2011, the complainant filed its response to respondent's motion for partial summary judgment and a motion to exceed page limitation. On April 22, 2011, the respondent filed a motion for leave to reply to complainant's response to motion for partial summary judgment. In the respondent's motion, respondent states that it has no objection to complainant's motion to exceed page limitation. On April 21, 2011, the complainant filed its response to respondent's motion for leave to reply, stating that it has no objection to respondent's motion for leave to reply.

Complainant's motion to exceed page limitation is granted. Respondent's motion for leave to reply is granted. The respondent's reply is now due to be filed on or before May 20, 2011.

The parties are hereby reminded that a telephonic status conference is scheduled for May 19, 2011, at 10:30 a.m. The telephonic status conference must be initiated by the complainant, but each party is nonetheless responsible for its own appearance. At the 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 that reads "Bradley P. Halloran". The signature is written in a cursive style and is positioned above a solid horizontal line.

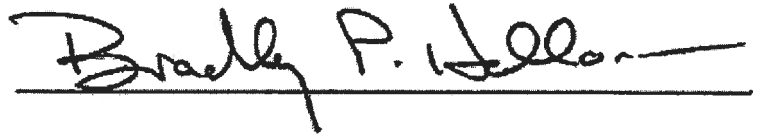
Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, Illinois, 60601  
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing hearing officer order were mailed, first class, on April 27, 2011, 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 April 27, 2011:

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". 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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