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MAR 22 2012

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD
March 22, 2012

INDIAN CREEK DEVELOPMENT)
COMPANY, an Illinois partnership,)
individually 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,)

PCB 07-44
(Citizens Enforcement – Land, Water)

Complainant,)

v.)

The BURLINGTON NORTHERN SANTA FE)
RAILWAY COMPANY, a Delaware)
corporation,)

Respondent.)

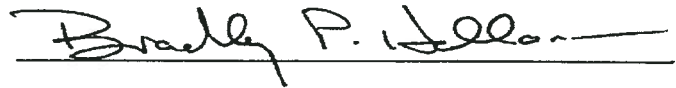
ORIGINAL
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HEARING OFFICER ORDER

On March 22, 2012, a telephonic status conference was held. The parties stated that they continue their attempts to resolve some discovery issues, including lease copies and split sampling. The respondent stated that it is working on an access agreement to allow the requested sampling.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on May 24, 2012, at 11:30 a.m. The telephonic status conference must be initiated by the complainant, but each party is nonetheless responsible for their 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.



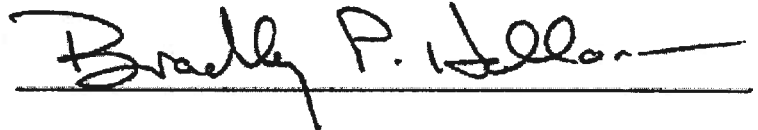
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on March 22, 2012, 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 22, 2012:

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 West Randolph Street, Suite 11-500
Chicago, Illinois 60601
312.814.8917

PCB 2007-044
Burlington Northern and Santa Fe Railway
Company
R/A CT Corporation System
208 S. LaSalle Street
Chicago, IL 60604

PCB 2007-044
Richard T. Sikes.
Daley Mohan Groble, P.C.
55 W. Monroe
Suite 1600
Chicago, IL 60603

PCB 2007-044
Pamela Nehring.
Daley Mohan Groble, P.C.
55 W. Monroe
Suite 1600
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PCB 2007-044
Charles F. Helsten
Hinshaw & Culbertson
100 Park Avenue
P.O. Box 1389
Rockford, IL 61105-1389

PCB 2007-044
Stuart A. Petersen
Law Office of Stuart A. Petersen, Ltd.
601 N. Farnsworth
Aurora, IL 60505

PCB 2007-044
Richard S. Porter
Hinshaw & Culbertson
100 Park Avenue
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Rockford, IL 61105-1389