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STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD

October 3, 2012

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

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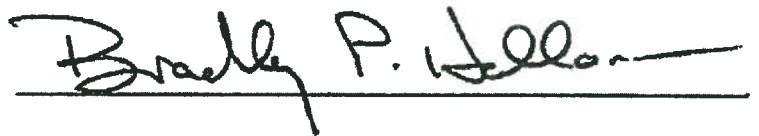
**HEARING OFFICER ORDER**

On October 3, 2012, all parties participated in a telephonic status conference with the hearing officer. The parties stated that they have received and read the September 6, 2012, Board order denying respondent's motion for partial summary judgment.

The complainant stated that the site at issue is in compliance and all that remains to be resolved are monetary penalty issues. The complainant further stated that it intends to comply with automatic stay conditions inherent in United States Bankruptcy proceedings. The respondent filed with the Board "Notification of Bankruptcy" on July 12, 2012.

The parties or their legal representatives are directed to appear at a telephonic status conference with the hearing officer on January 10, 2013, at 10:00 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.



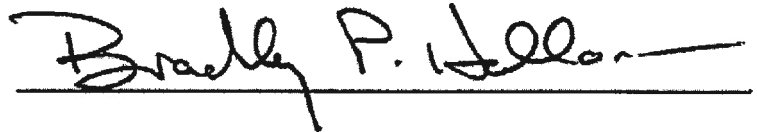
Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, Illinois, 60601  
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing hearing officer order were mailed, first class, on October 3, 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 October 3, 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, reading "Bradley P. Halloran", is written over a solid horizontal line. The signature is cursive and includes a long horizontal stroke at the end.

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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