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MAR 03 2014

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD
March 3, 2014

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,)

Complainant,)

v.)

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

Respondent.)



ORIGINAL

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

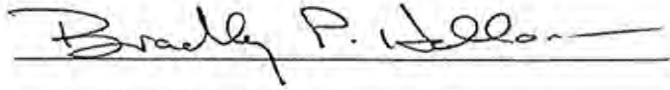
HEARING OFFICER ORDER

On March 3, 2014, all parties participated in a telephonic status conference with the hearing officer. The parties stated that proceedings are continuing in the related case in circuit court, including depositions and disclosure of witnesses in the upcoming months. The proceedings in circuit court are relative to this matter before the Board. It is noted that the respondent has filed a complaint for allocation and proportionate share of responsibility with the Board, docket number PCB 14-81.

The parties were directed to submit a proposed discovery on or before April 22, 2014.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on May 22, 2014, at 9:30 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.

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

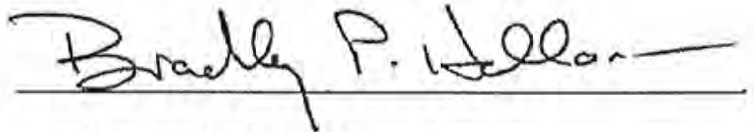
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
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100 W. Randolph Street
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312.814.8917
Brad.Halloran@illinois.gov

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on March 3, 2014, 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 3, 2014:

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" with a horizontal line underneath.

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
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Chicago, Illinois 60601
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