

ILLINOIS POLLUTION CONTROL BOARD
September 20, 2018

INDIAN CREEK DEVELOPMENT)
COMPANY, an Illinois Partnership,)
individually and as beneficiary under trust 3291)
of the Chicago Title and Trust Company dated)
December 15, 1981 and the Chicago Title &) PCB 07- 44
Trust Company, as trustee under trust 3291,) (Citizen's Enforcement – Water, Land)
dated December 15, 1981, and JB)
INDUSTRIES, INC.,)
)
Complainants,)
)
v.)
)
BNSF RAILWAY COMPANY, f/k/a The)
Burlington Northern and Santa Fe Railway)
Company,)
)
Respondents.)

BNSF RAILWAY COMPANY, f/k/a The)
Burlington Northern and Santa Fe Railway)
Company,)
) PCB 14-81
Complainants,) (Citizen's Enforcement – Water, Land)
) (Consol.)
v.)
)

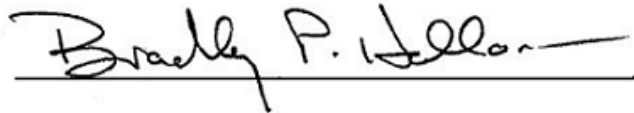
INDIAN CREEK DEVELOPMENT)
COMPANY, an Illinois Partnership,)
individually and as beneficiary under trust 3291)
of the Chicago Title and Trust Company dated)
December 15, 1981 and the Chicago Title &)
Trust Company, as trustee under trust 3291,)
dated December 15, 1981, and JB)
INDUSTRIES, INC.,)
)
Respondents.)

HEARING OFFICER ORDER

On September 20, 2018, all parties participated in a telephonic status conference with the hearing officer. The parties stated that the circuit court trial, related to these matters, has been completed and that a decision in BNSF Railway Company's favor was issued. Counsel for Indian Creek Development Company stated that the appeal process has been initiated and that he anticipates briefing will be completed by the end of 2018. Counsel will apprise me of the appeal status at the next status conference.

The parties or their legal representatives are directed to appear at a telephonic status conference with the hearing officer on January 10, 2019, at 11:00 a.m. The telephonic status conference must be initiated by the complainant, but each party is nonetheless responsible for its own appearance. At the 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" with a horizontal line underneath it.

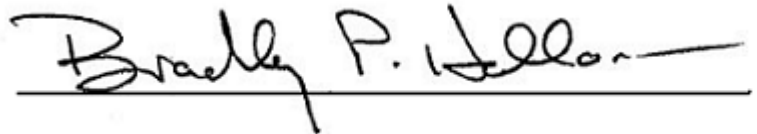
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601
312.814.8917
Brad.Halloran@illinois.gov

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were e-mailed on September 20, 2018, to each of the persons on the attached service list.

It is hereby certified that a true copy of the foregoing order was e-mailed to the following on September 20, 2018:

Don Brown
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Ste. 11-500
Chicago, Illinois 60601



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

@Consents to Electronic Service.

SERVICE LIST

PCB 2007-004@
Sean M. Sullivan
Daley Mohan Groble, P.C.
55 W. Monroe, Ste. 1600
Chicago, IL 60603

PCB 2007-044@
Richard T. Sikes
Daley Mohan Groble, P.C.
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Greenfelder, Hemker & Gale, P.C.
200 W. Madison, Ste. 3300
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