

JUN 11 2014

ILLINOIS POLLUTION CONTROL BOARD
June 11, 2014

STATE OF ILLINOIS
Pollution Control Board

BNSF RAILWAY COMPANY, f/k/a THE)
BURLINGTON NORTHERN AND SANTA)
FE RAILWAY COMPANY,)
)
Complainant,) PCB 14-81
) (Citizens Enforcement -- Land)
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 and)
Trust Company, as trustee under trust 3291,)
dated December 15, 1981, and JB)
INDUSTRIES, INC.,)
)
Respondents.)

HEARING OFFICER ORDER

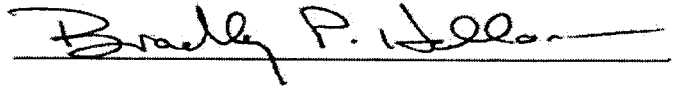
On June 11, 2014, all parties participated in a telephonic status conference with the hearing officer. It is noted that this matter and PCB 7-44 are related and both are related to an ongoing circuit court case.

The complainant stated that it intends to file a motion to consolidate the above-captioned matter with PCB 7-44. Both parties agree that when the case management order is entered in circuit court in the near future, the parties hope submit a briefing schedule in this case that mirrors the circuit case matter.

By agreement, respondent's answer is due to be filed on or before July 2, 2014.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on July 17, 2014, at 9:30 a.m. The telephonic status conference must be initiated by the complainant, but each party is nonetheless responsible for its own appearance. At the 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.

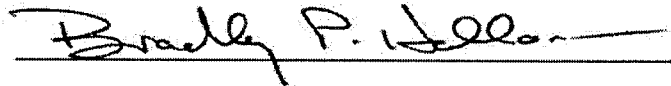
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601
312.814.8917
Brad.Halloran@illinois.gov

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on June 11, 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 June 11, 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, reading "Bradley P. Halloran", is written over a horizontal line.

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

SERVICE LIST

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Daley Mohan Groble, P.C.
55 W. Monroe
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PCB 2014-081
JB Industries, Inc.
601 North Farnsworth Avenue
Aurora, IL 60505

PCB 2014-081
Indian Creek Development Company
601 North Farnsworth Avenue
Aurora, IL 60505