

ILLINOIS POLLUTION CONTROL BOARD  
March 25, 1993

JAMES M. TONNE and )  
JEANINE F. TONNE, )  
 )  
Petitioners, )  
 )  
v. ) PCB 93-44  
 ) (Enforcement)  
 )  
LEAMINGTON FOODS, )  
 )  
Respondent. )


ORDER OF THE BOARD (by J. Anderson):

On March 2, 1993 James M. Tonne and Jeanine F. Tonne (Tonne) filed a formal complaint against Leamington Foods (respondent). The Tonnes allege that the refrigeration fans at respondents' store are emitting noise in violation of Sections 23 and 24 of the Environmental Protection Act, 415 ILCS 5/23 and 24 (1992).<sup>1</sup>

The Board finds that this matter is not duplicitous or frivolous. Accordingly, this matter is accepted for hearing.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 25<sup>th</sup> day of March, 1993, by a vote of 6-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board

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<sup>1</sup>These sections were formally codified at Ill. Rev. Stat. (1992), ch. 111½, pars. 1023 and 1024.

0140-0249