

Paragraph 6 of the Stipulation lists actions which were taken by Mr. Rankin or Mr. Kasler to eliminate this noise. These actions include installation of an engine muffler and sound-proofing the pumphouse structure.

While the Board does find the stated noise emissions to have constituted "noise pollution" under Rule 102 of the Noise Regulations and Section 24 of the Act, the problem now appears to have been corrected. The Board finds no reason to reject the proposed Settlement in this cause. However, the Board will make binding Mr. Kasler's commitment to properly maintain and repair or replace all the aforementioned noise abatement techniques described in paragraph 6 of the Stipulation, and to cease and desist from the violation found in this cause. No monetary penalty will be imposed.

This opinion constitutes the Board's findings of fact and conclusions of law.

ORDER

1. Respondent James Rankin, d/b/a South Shore Golf Course is hereby found to have violated Rule 102 of the Board's Noise Regulations and Section 24 of the Act.

2. Respondent James Rankin and Mr. James H. Kasler are hereby ordered to cease and desist the aforesaid violations.

3. Mr. James H. Kasler is hereby ordered to maintain the noise abatement techniques indicated in paragraph 6 of the Stipulation so as to prevent the emission of any sound beyond the boundaries of the South Shore Golf Course which unreasonably interferes with the enjoyment of life or with any lawful business or activity.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 18th day of June, 1976 by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board