

ILLINOIS POLLUTION CONTROL BOARD
August 8, 1972

JOHN MALNERICK)
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)
 v.) #72-323
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 OWENS ILLINOIS PLASTIC PRODUCT DIV.)

Opinion & Order of the Board (by Mr. Currie):

This citizen complaint charges noise pollution and seeks to have an "investigation" resulting in having the company "stop the noise for good." It is denominated a "formal" complaint, which requires us to decide whether or not to schedule a hearing. The relief requested suggests this is not what the complainant really wants, and if it were more detail in specifying the facts on which the complaint is based would be required to give adequate notice to the respondent. In any event we must dismiss the formal complaint because the statute does not itself outlaw noise; no action can be brought for noise pollution until regulations are adopted. Regulations on the subject are presently the subject of public hearings in which all interested persons are invited to take part. The complaint will be referred to the Environmental Protection Agency for investigation.

It is so ordered.

I, Christan Moffett, Clerk of the Pollution Control Board, certify that the Board adopted the above Opinion and Order this 8th day of August, 1972, by a vote of 5-0.

