

ILLINOIS POLLUTION CONTROL BOARD
March 28, 2019

CELESTE TAPIA AND MICHAEL W.)
EDWARDS,)
)
Complainants,)
)
v.) PCB 19-71
) (Citizens Enforcement - Noise
MILLER CONTAINER CORPORATION,)
)
Respondent.)

ORDER OF THE BOARD (by C.M. Santos):

On November 7, 2018, Celeste Tapia and Michael W. Edwards (collectively, complainants) filed a *pro se* complaint (Comp.) alleging noise pollution violations at Miller Container Corporation's facility located at 3402 78th Avenue West in Rock Island, Rock Island County. Comp. at 2. On January 3, 2019, Miller Container filed a motion to dismiss the complaint as frivolous (Mot.). Complainants did not respond to the motion.

In an order dated February 14, 2019, the Board found that each of the violations alleged in the complaint is frivolous because it failed to state a cause of action on which the Board can grant relief.

In the same order, however, the Board allowed complainants until March 4, 2019, to file an amended complaint correcting the deficiencies identified in the Board's order. To date, complainants have not filed an amended complaint. Accordingly, the Board dismisses the case and closes the docket. If complainants wish, they may file a new complaint, which would be treated as a new case and assigned a new docket number.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on March 28, 2019, by a vote of 5-0.



Don A. Brown, Clerk
Illinois Pollution Control Board