

ILLINOIS POLLUTION CONTROL BOARD
January 25, 1990

THOMAS & LISA ANNINO)
)
Complainants,)
)
v.) PCB 87-139
) (Enforcement)
BROWNING-FERRIS INDUSTRIES)
OF ILLINOIS,)
)
Respondent.

ORDER OF THE BOARD (by J.D. Dumelle):

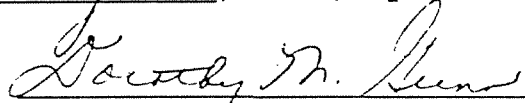
This matter comes before the Board upon its own motion. On August 18, 1988, the Board adopted an Interim Opinion and Order finding that Browning-Ferris Industries of Illinois (BFI) violated Ill. Rev. Stat. (1987) ch. 111 1/2 par. 1023, 1024, and 35 Ill. Adm. Code 900.102 and directing BFI to comply with a list of 22 items. Items 20, 21, and 22 required BFI to respond to the Board with certain information no later than October 15, 1988. On October 17, 1988, BFI filed its response.

BFI states that the first 19 items set out in the Board Order are steps that BFI instituted in 1980 and which have continued to the present. BFI responded adequately to the remaining 3 items. BFI states that since the hearing in this matter on January 13, 1988, it has received no complaints regarding sound levels from the condominium residents. BFI requests the Board to consider the lack of recent complaints and BFI's own action and conclude that no further action is needed by BFI.

The Board notes that there has been no activity in this proceeding for quite some time. The Board hereby requests a status report from the Complainants, Thomas and Lisa Annino. The Petitioners are directed to inform the Board as to whether there remain any issues left to be resolved and/or whether this proceeding should be dismissed. If there is no response to this Order by February 28, 1990, this proceeding shall be subject to dismissal.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 25th day of January, 1990, by a vote of 7-0.


Dorothy M. Gunn, Clerk,
Illinois Pollution Control Board