

ILLINOIS POLLUTION CONTROL BOARD  
August 30, 1990

FLAMINGO LAKE, JOSEPH P. )  
COMER and MICHELLE S. COMER, )  
 )  
Complainants, )  
 )  
v. ) PCB 90-145  
 ) (Enforcement)  
 )  
GALLATIN NATIONAL COMPANY )  
and SENATOR ROGER A. KEATS, )  
President, )  
 )  
Respondent. )

ORDER OF THE BOARD BY (J. C. Marlin):

On August 2, 1990, the complainants filed a formal enforcement action against the respondents alleging noise pollution. The respondents filed a Motion to Dismiss on August 13, 1990. The Board hereby orders the complainants to file a response addressing the duplicitous and frivolous allegations. Complainant's response is to be received in the Board's office by September 19, 1990.

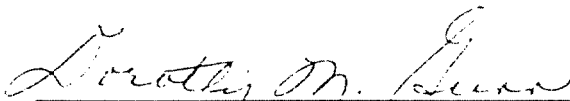
The Board's initial review of the complaint to determine whether it is duplicitous or frivolous will occur after receiving complainant's response. This determination is based upon the following definitions:

Duplicitous - means that a similar case is pending in another court or in another action before the Board.

Frivolous - means that the requested relief is beyond the Board's authority to grant.

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 30<sup>th</sup> day of August, 1990, by a vote of 7-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board