CLERK'S OFFICE

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD JUL 1 5 2003

BARBARA STUART STUART,	and RONALI	Ć			STATE OF ILLINOIS Pollution Control Boa	rđ
·	v.)	No.	PCB 0 Citizer	2-164 n Enforcement	
FRANKLIN FISHER FISHER,	and PHYLLIS)				
•	Respondents.	ý				
		Barbara & Ronald Stuart			Bradley P. Halloran	
Suite 11-500		213 E. Corning Road			Suite 11-500	
100 W. Randolph St.		Beecher, IL 60401			100 W. Randolph St.	
Chicago, IL 6060	1				Chicago, IL 60601	

NOTICE OF FILING

PLEASE TAKE NOTICE that I have, on July 15, 2003, filed with the Office of the Clerk of the Pollution Control Board the Respondent's Motion for Site Visit, recaptioned as such, but otherwise identical to that filed July 10, 2003, a copy of which is herewith served upon you.

David G. Harding

Attorneys for Respondents

100 N. LaSalle St., Suite 1107

Chicago, IL 60602-3803

(312) 782-3039

CERTIFICATE OF SERVICE

I, David G. Harding, certify that on July 15, 2003, I served the attached Motion for Site Visit by delivery to Dorothy M. Gunn and Bradley Halloran at their address as shown above, and by pre-paid first class mail upon all others to whom directed to their addresses as shown above.

RECEIVED

CLERK'S OFFICE

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD, JUL 1 5 2003

BARBARA STUART STUART,	BARA STUART and RONALD ART, Complainants,		4	STATE OF ILLINOIS Pollution Control Board	
	v.)		PCB 02-164 Citizen Enforcement	
FRANKLIN FISHER FISHER,	and PHYLLIS)			
•	Respondents.)			

MOTION FOR SITE VISIT

Respondent, Franklin Fisher, herein moves the Board, pursuant to 35 Ill.Adm.Code § 101.632 to conduct a site visit in order to make a more comprehensive record, and in support thereof, states as follows:

- 1. The sound of which Complainants have complained is produced in a context.
- 2. The presence of growing crops, distance from Complainants to source, nature of the sound itself and the sounds otherwise associated with the vicinity, is relevant to the determination of whether there is pollution under applicable standards.
- 3. On or about October 1 of each year, the context in which the sound is produced is altered and the sound is no longer produced until the following year.
 - 4. Winding up discovery, the setting of a hearing is imminent.

WHEREFORE, Respondents, Franklin Fisher and Phyllis Fisher, move the Board to conduct a site visit before the end of September, 2003.

Respectfully submitted,

David G. Harding

Attorney for Respondents 100 N. LaSalle St., Suite 1107

Chicago, IL 60602-3803

(312) 782-3039