

ILLINOIS POLLUTION CONTROL BOARD
July 3, 1990

BRIAN J. PETER,)
)
 Complainant,)
)
 v.) PCB 89-151
) (Noise Enforcement)
 GENEVA MEAT AND FISH MARKET and)
 GARY PIKULSKI,)
)
 Respondent.)

ORDER OF THE BOARD (by R. C. Flenal):

This matter comes before the Board upon Respondent's motion for additional time filed June 14, 1990. No response was received from Complainant, and this matter is now ripe for decision.

On March 22, 1990 the Board found, inter alia, that Respondent had violated 35 Ill. Adm. Code 900.102 and 901.102 of the Board's noise regulations and ordered Respondent to cease and desist from violations of the Board's regulations. Paragraph 2 of that order required Respondent to submit a report describing noise abatement alternatives not later than April 30, 1990, and to demonstrate compliance not later than June 15, 1990. Paragraph 2 of that Order further required Respondent to send Complainant a copy of the report.

On April 27, 1990, Respondent submitted a report indicating that it has installed a three-sided plywood enclosure with a roof around the rooftop condensers. Respondent also had ninety-degree elbows fitted to the exhausts of the heat pumps, and disconnected three rooftop air cooled condensers. Respondent also submitted results of noise measurements taken since installation of the abatement devices which show substantial noise reductions.

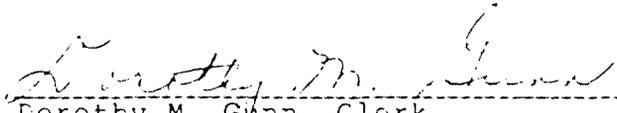
After receipt of a letter from Complaint contesting the information contained in Respondent's April 27 report, on May 24, 1990, the Board ordered Respondent to respond to the letter and certain questions. Such responses were also to be received by the Board not later than June 15, 1990.

In its present motion, Respondent states that believes that it has complied with the requirements of the March 22, 1990 Board Order, but asks for additional time until July 31, 1990 to demonstrate compliance to the Board, and to respond to the letter and questions.

The Respondent's motion is hereby granted. Respondent shall send a report to the Board and Complainant, Brian J. Peter, showing that compliance has been demonstrated, and shall respond to the Board questions contained in the May 24, 1990 Order and Complainant's letter on or before July 31, 1990.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above and Order was adopted on the 3rd day of July, 1990, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board