

ILLINOIS POLLUTION CONTROL BOARD
March 26, 1992

MICHAEL L. CHRISTIANSON,)
)
 Complainant,)
)
v.)
)
)
THE AMERICAN MILLING CO.)
)
)
 Respondent.)

PCB 90-59
(Enforcement)

ORDER OF THE BOARD (by M. Nardulli):

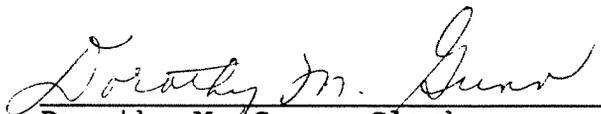
This matter is before the Board on the March 16, 1992 filing of complainant's memorandum to request hearing. No response has been filed by respondent.

On February 27, 1992, the Board entered an order in this citizen enforcement action denying complainant's motions to supplement the record with information which allegedly established repeated violations of the Board's November 21, 1991 cease and desist order. The Board noted that such allegations needed to be addressed at hearing and that complainant could notify the Board if it wished a hearing. However, on March 11, 1992, the Board entered its final opinion and order in this case directing respondent to take certain actions to reduce noise. The Board declined complainant's request to retain jurisdiction, noting that complainant is "free to pursue allegations of repeated violations by filing a new complaint with the Board or bringing a an action in circuit court to enforce the Board's November 21, 1991 cease and desist order.

Consistent with the Board's March 11, 1992 opinion and order, the Board denies complainant's request for another hearing in this matter. The docket in this case is closed. If complainant desires a hearing on the allegations of repeated violations, he must file a new complaint.

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 26th day of March, 1992 by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board