

ILLINOIS POLLUTION CONTROL BOARD
January 6, 1994

JOSEPH A. SCHRANTZ, CHARLES)
HULLIHAN, FRANK OWOC, and)
ELIZABETH STEARNS,)
)
Complainants,)
)
v.) PCB 93-161
) (Enforcement)
VILLAGE OF VILLA PARK, DUPAGE)
COUNTY DIVISION OF TRANSPORTATION,)
VILLA PARK ROTARY CLUB, VILLA PARK)
KIWANIS CLUB, and VILLA PARK MASONIC)
LODGE,)
)
Respondents.)

ORDER OF THE BOARD (by C. A. Manning):

This matter is before the Board pursuant to a formal complaint filed August 31, 1993 by Joseph A. Schrantz, Charles Hullihan, Frank Owoc, and Elizabeth Stearns against the Village of Villa Park, DuPage County Division of Transportation, Villa Park Rotary Club, Villa Park Kiwanis Club and the Villa Park Masonic Lodge. The gravamen of the complaint is that respondents sponsored two entertainment events, Summerfest '93¹ and the Summer Concert Series², on the Illinois Prairie Path right-of-way in Villa Park during the month of July, 1993, and these events were conducted in a manner which violated the Board's Noise Pollution Emission regulations found at 35 Ill. Adm. Code Subtitle H, Section 900 et seq. adopted pursuant to Section 24 of the Environmental Protection Act (415 ILCS 5/24).

On December 20, 1993, the Board received a Motion to Dismiss filed on behalf of Frank Owoc by his attorney, Frank P. Tighe, III. The filing contains one statement: "Frank Owoc, by his attorney, moves for voluntary dismissal of the above action, as to all parties and all claims."

We construe this filing as a motion for voluntary dismissal as to Frank Owoc solely, and accordingly, we grant the motion.

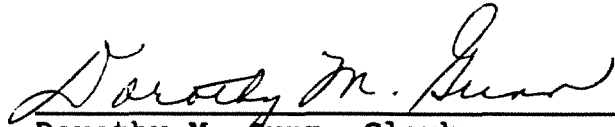
¹Summerfest '93 is alleged to have been sponsored by the Villa Park Masonic Lodge, the Villa Park Rotary Club, the Villa Park Kiwanis Club and the Village of Villa Park. (Complaint, at 6, attachment.)

²The Summer Concert series is alleged to have been sponsored by the Village of Villa Park and the Kiwanis Club. (Complaint, at 7, attachment.)

Hereafter, this case shall be captioned with Joseph Schrantz, Charles Hullivan, and Elizabeth Stearns as the complainants.

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 6th day of January, 1994, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board