

ILLINOIS POLLUTION CONTROL BOARD
July 13, 1989

WILLIAM E. BRAINERD,)
)
 Complainant,)
)
 v.) PCB 88-171
)
 DONNA HAGAN, DAVID BROMAGHIM,)
 and PHIL ROBBINS, d/b/a THE)
 GABLES RESTAURANT,)
)
 Respondent.)

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

This matter comes before the Board on Respondent's motion filed June 12, 1989 for extension of the deadline set by the Board in its Order of April 27, 1989. On July 7, 1989 Complainant filed a tardy response expressing concern over an extension during the summer months.

On April 27, 1989 the Board found, inter alia, that Respondents violated 35 Ill. Adm. Code 900.102 of the Board's noise regulations and ordered Respondents to cease and desist from violations of the Act and Board's regulations. Paragraph three of that Order also included a June 27, 1989 deadline date for the installation and operation of noise abatement devices. It is this deadline date which Respondents request be extended. In support of its motion, Respondent states that on May 30, 1989 it received information on manufacturers of silencers from the Gregory T. Zak, Agency Noise Technical Advisor. Respondent further states that sufficient time is needed for competitive bidding and installation of the silencers which are presently estimated to cost \$2663.00. Therefore, Respondent requests that the deadline established in paragraph three of the Board's April 27, 1989 order be extended until September 27, 1989.

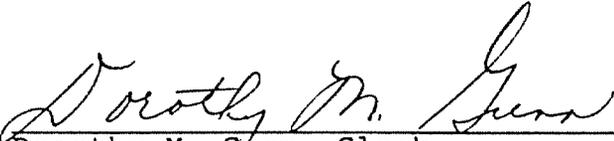
Respondent's motion for extension is granted. The Board accordingly modifies its April 27, 1989 order to read as follows:

3. On or before September 27, 1989, Respondents shall have in functional operation noise abatement devices sufficient to prevent future violations of the kind alleged by complainant.

IT IS SO ORDERED.

Board Member Jacob D. Dumelle concurred.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 13th day of July, 1989, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board