

ILLINOIS POLLUTION CONTROL BOARD
March 4, 1982

ALICE WEICH AND HULDA WEICH,)
)
 Complainants,)
)
 v.)
)
 PCB 81-175
)
WILLIARD VAN DRUNEN, WARREN)
LINDELOF, BEN BACHRACH, AND JOHN)
BROWN,)
 Respondents.)


ORDER OF THE BOARD (by J.D. Dumelle):

On February 9, 1982 Williard Van Drunen filed a motion to dismiss him from this action in that he is "only the lessor of the business premises" upon which the allegedly improper conduct took place in this action. The Illinois Environmental Protection Agency filed a response to that motion on March 3, 1982.

Rule 102 of Chapter 8: Noise Pollution, states that "no person shall cause or allow" noise pollution "beyond the boundaries of his property." Van Drunen owns the property in question and whether he has "caused or allowed" the alleged violations must be determined from the facts of the case. The motion is hereby denied.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 4th day of March, 1982 by a vote of 4-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board