

ILLINOIS POLLUTION CONTROL BOARD
December 2, 1993

CARL MADOUX, ALICE MADOUX,)
GLENN MOODY, AND MARGARET)
MOODY,)
)
Complainants,) PCB 90-148
) (Enforcement)
v.)
)
B & M STEEL SERVICE CENTER,)
INC.,)
)
Respondent.)

ORDER OF THE BOARD (by G.T. Girard):

On November 3, 1993, the Board received a motion filed by the complainants asking for clarification of the Board's November 19, 1992 opinion and order in this matter. (See Madoux v. B & M Steel, (November 19, 1992) PCB 90-148, 137 PCB 141.) The respondents have not filed a response to this motion. In the November 19, 1992 order the Board directed:

The respondent, B & M Steel, shall undertake all measures necessary to cease and desist from further violations of Section 24 of the Act. In addition respondent shall undertake the following measures to reduce noise emissions:

1. the respondent shall install Nelson Model 400 mufflers on its Pettibones if it has not already done so;
2. the respondent shall apply fiberglass insulation to the interior walls and roof of its existing building;
3. the respondent shall close all doors leading in or out of its building during operation except for when entering or exiting;
4. the respondent shall redesign all sorting facilities as set forth in its response to the Board;
5. the respondent shall cease and desist from further violation of Section 24 of the Act. (137 PCB 147.)

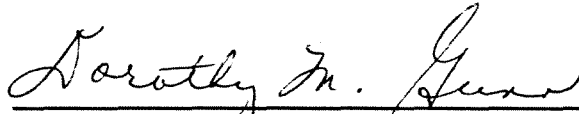
The complainants' motion requests that the Board establish a deadline of not more than 30 days for the completion of all

modifications to the vehicles and buildings as well as for the completion of all modifications to the pipe sorting racks. The complainants also ask that the Board require respondent to provide verification of the completion of the work to the complainants and allow for inspection of the facilities by Gregory Zak or "such other qualified individual as may be designated by the Complainants or the Board". (Mot. at 4.)

The Board will grant the motion to clarify its November 19, 1992 order. The Board inadvertently failed to include a deadline for completion of all noise reduction measures in the prior order. The Board notes that the respondent has had almost a year to complete the measures ordered by the Board. Therefore, the Board directs the respondents to complete all such measures within 60 days of the date of this order. The Board also notes that failure to comply with a Board order could subject respondent to additional enforcement proceedings and which could result in a civil penalty.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above order was adopted on the 27th day of December, 1993, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board