

ILLINOIS POLLUTION CONTROL BOARD
January 21, 1988

ANTHONY W. KOCHANSKI,)
)
 Complainant,)
)
 v.) PCB 88-16
)
HINSDALE GOLF CLUB,)
)
 Respondent.)

ORDER OF THE BOARD (by B. Forcade):

On January 15, 1988, Anthony W. Kochanski filed a complaint against the Hinsdale Golf Club asserting that the discharging of shotguns violates certain Board regulations governing noise pollution. The Board notes that Section 25 of the Environmental Protection Act places restrictions on the Board's ability to hear noise violation proceedings involving certain sporting activities:

No Board standards for monitoring noise or regulations prescribing limitations on noise emissions shall apply to any organized amateur or professional sporting activity except as otherwise provided in this Section. Baseball, football or soccer sporting events played during nighttime hours, by professional athletes, in a city with more than 1,000,000 inhabitants, in a stadium at which such nighttime events were not played prior to July 1, 1982, shall be subject to nighttime noise emission regulations promulgated by the Illinois Pollution Control Board.


The Board will require each party in this proceeding to file a written document discussing whether the complained of activity is an "organized amateur or professional sporting activity," which is outside the Board's authority. Any facts contained in these documents must be sworn and notarized. The parties shall file one original and 10 copies of their document, and proof that the document was served on the opposing party, not later than February 2, 1988.

At the February 4, 1988 Board meeting, both parties are encouraged to attend to address whether the Board has authority to proceed with this matter.

The Clerk of the Board shall forward a copy of the Environmental Protection Act, as well as the Board's procedural rules with this Order to the parties.

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 21st day of January, 1988, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board