

Notice of filing 08/03/2026

We are submitting supplemental exhibits regarding local/state health department contacts under Docket **PCB 26-42**

Exhibits

Letter sent to Gia Burtley, IDPH

Response from Gia Burtley, IDPH

I certify that I emailed a copy to Carol Webb, Don Brown, and Knight Hawk's Attorney Gene Gross

July 23, 2026

Gia Burtley, Regional Health Officer

Illinois Department of Public Health – Marion Regional Office

2309 West Main Street

Marion, IL 62959

SUBJECT: Formal Administrative Grievance – Failure of Perry County Health Department to Investigate Public Health Nuisance

Dear Regional Health Officer Burtley:

I am writing to formally lodge an administrative grievance regarding the Perry County Health Department's failure to fulfill its basic mandate to protect resident health and investigate environmental noise pollution affecting my home and land in Perry County, Illinois.

Background & Local Department Refusal: On July 1, 2026, I submitted a formal complaint detailing continuous, high-decibel industrial noise pollution generated by adjacent commercial operations (Knight Hawk Coal, LLC). This is a followup to a March 2025 contact I had with the Perry County Health Department. I heard nothing back from that contact. Instead of conducting a basic site visit, environmental assessment, or acoustic evaluation, the Perry County Health Department referred the matter to local legal counsel. (fan put into service January 15, 2025. We have lived at our once peaceful rural residence for 26+ years. We did not move in next to noise and start complaining, this nuisance noise pollution source moved in next to us and has made our property all but un-inhabitable. We have neighbors including elderly suffering similarly. They have no voice and Perry County leaves it to the individual to go against a large corporation at the ILPCB level. These folks do not have the fortitude to do that)

On July 9, 2026, county legal counsel issued a formal refusal (attached), taking the stance that local ordinances "do not govern or regulate" the operation. Shifting all responsibility to state enforcement bodies without conducting any preliminary local health assessment. The health effects of this noise pollution are substantial.. EVERY night we are forced to sleep with earplugs. The enjoyment of our property is gone. When the decibels outside our bedroom window register low 70 decibels, we are forced to sleep in an alternate bedroom that puts an extra interior wall between us and the noise pollution. Perry County Health Department has asked us nothing about the severe health consequences we suffer, sleep deprivation and its corresponding stress effects on our health.

Basis for Grievance:

1. **Conflict with IEPA Guidance:** Official published guidance from the Illinois EPA regarding noise pollution explicitly instructs affected citizens to contact their **local health department** or local law enforcement. Perry County's blanket refusal directly contradicts state environmental agency guidance.
2. **Abdication of Local Public Health Duty:** While an action is currently pending before the Illinois Pollution Control Board (IPCB), the existence of state-level regulatory boards does not strip local certified public health departments of their fundamental obligation under the Illinois Local Health Department Code to evaluate and document severe environmental conditions affecting resident health.

Requested Action: I request that the IDPH Regional Office:

1. Review the administrative response of the Perry County Health Department regarding its refusal to investigate environmental nuisances.
2. Clarify whether local certified health departments in Region 4 are permitted to issue blanket denials of health investigations in direct opposition to IEPA referral guidance.
3. Provide guidance or intervention to ensure local health concerns are formally logged and evaluated at the county level.

Thank you for your time and prompt attention to this matter.

Sincerely,

Michael and Angela Griffin

4179 New Church Road

Pinckneyville, IL 62274

Enclosure:

Copy of Letter from Aaron A. Atkins, dated July 9, 2026



2309 West Main Street • Marion, Illinois 62959-1187 • www.dph.illinois.gov

Michael and Angela Griffin
4179 New Church Road
Pinckneyville, IL 62274

Dear Mr. and Mrs. Griffin,

Thank you for your correspondence and for sharing your concerns. As the Illinois Department of Public Health (IDPH) Regional Health Officer (RHO) for Marion Region 5, my role is to support Local Health Departments through coordination, communication, and general public health guidance. Matters involving regulatory determinations, legal decisions, or formal grievance reviews, however, fall outside the jurisdiction and authority of my position. Additionally, neither the Department nor I have the legal authority to override a decision of a Local Health Department (LHD), the State Attorney's office, or any other agency.

Any further review or action related to regulatory or legal matters must be addressed through the appropriate agencies as noted in the correspondence previously provided to you.

While I understand the concerns raised, I am not able to assist you with this matter.

Sincerely,

Gia Bartley, MS

Regional Health Officer – Marion Region
Office of Public Health Practice
Illinois Department of Public Health

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

GIA Burtley RHO
 Illinois Dept of Public
 2309 W. main st
 Marion, IL 62956



9590 9402 8635 3244 3692 72

2. Article Number (Transfer from service label)

7022 0410 0001 4198 3778

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X S. Wooland

☐ Agent☐ Addressee

B. Received by (Printed Name)

S. Wooland

C. Date of Delivery

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

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