

State of Illinois  
POLLUTION CONTROL BOARD  
JAMES R. THOMPSON CENTER  
100 W. RANDOLPH STREET, SUITE 11-500  
CHICAGO, ILLINOIS 60601

**RECEIVED**  
CLERK'S OFFICE

MAY 20 2004

STATE OF ILLINOIS  
Pollution Control Board

**FORMAL COMPLAINT**

BEFORE THE  
ILLINOIS POLLUTION CONTROL BOARD

DANIEL J. BEERS )

\_\_\_\_\_ )

\_\_\_\_\_ )

(Insert your name(s) on lines  
above), )

Complainant(s), )

v. )

DAVE GALHONE )

\_\_\_\_\_ )

\_\_\_\_\_ )

(Insert name(s) of alleged polluter(s)  
on lines above), )

Respondent(s). )

PCB 04-204  
(For Board use)

Note: If you do not use this formal complaint form and instead draft and type your own, it must contain all of the information requested by this form. All items must be completed. If there is insufficient space to complete any item, you may attach additional sheets, specifying the number of the item you are completing. Once completed, you must file the original and nine copies of the formal complaint, notice to respondent, and certificate of service with the Clerk of the Board at the above address.

1. Your name, street address,  
county, state:

DANIEL J. BEERS

203 COTTAGE GROVE

PEKIN, IL.

TAZEWELL COUNTY

Phone (309) 346-3235

2. Place where you can be  
contacted during normal  
business hours (if different  
from above):

Phone: \_\_\_\_\_

3. Name and address of respondent  
(alleged polluter):

DAVE CALHOUNE

26999 ROBIN HOOD LANE

TREMONT, IL

Phone: \_\_\_\_\_  
(if known)

4. Describe the type of business or activity that you allege is causing or allowing pollution  
(e.g., manufacturing company, home repair shop) and give the address of the pollution  
source if different than the address above:

"LET IT SHINE CAR WASH"

2115 CHERRY LANE

PEKIN, IL

5. List specific sections of the Environmental Protection Act, Board regulations, Board order, or permit that you allege have been or are being violated:

SECTIONS 23 AND 24 OF ENVIRONMENTAL PROTECTION ACT  
SECTION 900.102 OF THE BOARD OF REGULATIONS

6. Describe the type of pollution that you allege (e.g., air, odor, noise, water, sewer backups, hazardous waste) and the location of the alleged pollution. Be as specific as you reasonably can in describing the alleged pollution:

NOISE POLLUTION FROM "LET IT SHINE CAR WASH"

2115 CHERRY LANE, PEKIN, IL

BLOW DRIERS ON AUTOMATIC WASH BAY

BEEPER ALARMS ON HAND BAYS

7. Describe the duration and frequency of the alleged pollution. Be as specific as you reasonably can about when you first noticed the alleged pollution, how frequently it occurs, and whether it is still continuing (include seasons of the year, dates, and times of day if known):

BLOW DRIERS RUN FOR APPROXIMATELY 60 SECONDS

BEEPER ALARMS FOR APPROXIMATELY 10 SECONDS

POLLUTION STARTED IN THE FALL OF 2003 AND OCCURS

DOZENS OF TIMES DAILY - 24 HOURS A DAY / 7 DAYS A WEEK

~~PLEASE PRINT OR TYPE IN CAPITAL LETTERS~~  
~~PLEASE PRINT OR TYPE IN CAPITAL LETTERS~~

8. Describe any bad effects that you believe the alleged pollution has or has had on human health, on plant or animal life, on the environment, on the enjoyment of life or property, or on any lawful business or activity:

I CAN NO LONGER ENJOY MY YARD, AND I CAN  
HEAR THE POLLUTION FROM EVERY ROOM IN MY  
HOUSE. THE CAR WASH INTERRUPTS MY SLEEP ON  
A DAILY BASIS.

9. Describe the relief that you seek from the Board (e.g., an order that the respondent stop polluting, take pollution abatement measures, perform a cleanup, reimburse cleanup costs, change its operation, or pay a civil penalty (note that the Board cannot order the respondent to pay your attorney fees or any out-of-pocket expenses that you incur by pursuing an enforcement action)):

I WANT TO STOP THE POLLUTION.

10. Identify any identical or substantially similar case you know of that is already pending before the Board or in another forum against this respondent for the same alleged pollution (note that you need not include any complaints made to the Illinois Environmental Protection Agency or any unit of local government):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. State whether you are representing (a) yourself as an individual or (b) your unincorporated sole proprietorship. Also, state whether you are an attorney and, if so, whether you are licensed and registered to practice law in Illinois. (Under Illinois law, an association, citizens group, unit of local government, or corporation must be represented before the Board by an attorney. Also, an individual who is not an attorney cannot represent another individual or other individuals before the Board. However, an individual who is not an attorney is allowed to represent (a) himself or herself as an individual or (b) his or her unincorporated sole proprietorship, though the individual may prefer having attorney representation.):

I AM REPRESENTING MYSELF

12. Daniel J. Beers  
(Complainant's signature)

CERTIFICATION (optional but encouraged)

I, DANIEL J. BEERS, on oath or affirmation, state that I have read the foregoing and that it is accurate to the best of my knowledge.

Daniel J. Beers  
(Complainant's signature)

Subscribed to and sworn before me

this 11 day

of May, 2006.

Doris M. Erbaugh  
Notary Public

My commission expires: June 1, 2006



**CERTIFICATE OF SERVICE**

I, the undersigned, on oath or affirmation, state that on (month, day, year) MAY 17, 2004  
Daniel G. Bear, I served the attached formal complaint and notice on the  
respondent by: (check appropriate line)

X certified mail (attach copy of receipt if available, otherwise you must file  
receipt later with Clerk)

\_\_\_\_\_ registered mail (attach copy of receipt if available, otherwise  
you must file receipt later with Clerk)

\_\_\_\_\_ messenger service (attach copy of receipt if available, otherwise you must  
file receipt later with Clerk)

\_\_\_\_\_ personal service (attach affidavit if available, otherwise you  
must file affidavit later with Clerk)

at the address below:

RESPONDENT'S ADDRESS:

Name DAVE CALHONE

Street 26999 ROBIN HOOD LANE

City, state, zip code TREMONT, IL 61568  
(list each respondent's name and address if multiple respondents)

Daniel G. Bear  
Complainant's signature

Street 203 Cottage Grove

City, state, zip code PEKIN IL 61554

Subscribed to and sworn before me  
this 17th day  
of MAY, 2004.

Doris M Erbaugh  
Notary Public



My commission expires: June 1, 2006

7004 0550 0000 0550 4002 0000 1092 2601 0088

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| Restricted Delivery Fee<br>(Endorsement Required) |                |
| <b>Total Postage &amp; Fees</b>                   | <b>\$ 4.65</b> |

UNIT ID: 0987

Postmark Here  
 JUN 17 615  
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 05/17/09  
 1585

Sent To *Dave Cahone*

Street, Apt. No.,  
or PO Box No.

City, State, ZIP+4 *Lemont IL 61568*