

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

RECEIVED  
CLERK'S OFFICE  
JUN 18 2010  
STATE OF ILLINOIS  
Pollution Control Board

**FORMAL COMPLAINT**

**BEFORE THE  
ILLINOIS POLLUTION CONTROL BOARD**

TERRI D. GREGORY )  
208 Roy Avenue )  
Rochelle, IL. 61068-9715 )

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

Complainant(s), )

v. )

PCB 10-106  
(For Board use)

REGIONAL READY Mix )  
415 RIVER RD )  
Rochelle, IL. 61068-9715 )

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

Respondent(s). )

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:

TERRI D. GREGORY  
208 ROY AVENUE  
OGLE  
ILLINOIS  
Phone: 815-761-1462

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

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

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

REGIONAL READY MIX  
415 RIVER RD  
ROCHELLE, IL. 61068  
Phone: 815-562-1901  
(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:

IT'S A CEMENT PLANT (Batch Plant)  
USING PORTLAND CEMENT  
\_\_\_\_\_  
\_\_\_\_\_

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

(TITLE I) pg. 1  
- (415 ILCS 5/3.115) (was 415 ILCS 5/3.02) Sec. 3115. AIR POLLUTION  
(TITLE II) pg. 53  
- (415 ILCS 5/8) (from Ch. 111 1/2, par. 1008) Sec. 8  
TITLE VI: NOISE - pg. 212  
- (415 ILCS 5/23) (from Ch. 111 1/2, par. 1023) Sec. 23 + 24  
TITLE VI-B: TOXIC CHEM. REPORTING pg. 214  
- (415 ILCS 5/25b-1) (from Ch. 111 1/2, par. 1025b-1) Sec. 25b-1 + 2  
- (415 ILCS 5/39.2) (from Ch. 111 1/2, par. 1039.2) Sec. 39.2 Local siting pg. 2  
(a) - (i) - (ii) - (iii) - (iv A)

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

AIR - The cement dust is inside my house everywhere.

Destroying my furnishings, furnace, A/C unit, etc. The white powder covers everything. I can't even open my windows or doors in summer to enjoy the fresh air. The cement is sticking to the outside & causing damage to our siding, gutters, etc. it covers my car while parked in my garage.

NOISE - TRUCKS OPERATING, CLEANING OUT THE MIXERS, TRACTORS, etc.

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):

They've been in operation since 6/2006. My husband, myself & a neighbor were sitting out on our deck that week-end when we seen this equipment being put up on the lot just west of our property. None of us knew what it was. It's been operating daily, weather permitting since, in a residential neighborhood. All of our neighbors are just as aggravated as we are. Operation hours vary. They were starting at 5am, but heard too many complaints, so now it's around 7am. until they're done for the cement demand for the day. Sometimes as late as 9pm. Weekdays, Saturday and some Sundays & holidays. The plant is actually in a flood plain & also where they're dumping the cemen

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:

The noise, dust, some structural damage, living with closed doors & windows, depressing my property value & the eye-sore being right next to my property has caused me extreme anxiety & depression. There's no enjoyment of my home inside or out. Four years of this has destroyed my nerves. I'm on medication

9. Describe the relief that you seek from the Board (e.g., an order that the respondent stop from it 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 am praying for them to be shut down and to relocate. Perform a complete clean-up of the locations they have operated on for the past 4 years, too!

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):

None, that I'm aware of.

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.):

NO, I AM NOT AN ATTORNEY AND WILL BE  
REPRESENTING MYSELF AS AN INDIVIDUAL.

12. TERRI D GREGORY  
(Complainant's signature)

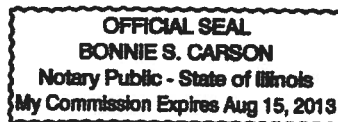
CERTIFICATION (optional but encouraged)

I, TERRI D GREGORY, on oath or affirmation, state that I have read the foregoing and that it is accurate to the best of my knowledge.

TERRI D GREGORY  
(Complainant's signature)

Subscribed to and sworn before me this 29<sup>th</sup> day of April, 2010.

Bonnie S Carson  
Notary Public



My commission expires: 8-15-2013

RECEIVED  
CLERK'S OFFICE

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STATE OF ILLINOIS  
Pollution Control Board

**CERTIFICATE OF SERVICE**

I, the undersigned, on oath or affirmation, state that on (month, day, year)  
June 16, 2010, I served the attached formal complaint and notice on the  
respondent by: (check appropriate line)

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 REGIONAL READY MIX

Street 415 RIVER RD  
(VILLAGE OF HILLCREST)

City, state, zip code ROCHELLE, IL. 61068-9715  
(list each respondent's name and address if multiple respondents)

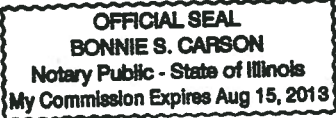
Jeri Gregory  
Complainant's signature

Street 208 Roy Avenue

City, state, zip code Rochelle Il. 61068-9715  
(VILLAGE OF HILLCREST)

Subscribed to and sworn before me  
this 16<sup>th</sup> day of June, 2010.

Bonnie S Carson  
Notary Public



My commission expires: Aug. 15, 2013