

RECEIVED
CLERK'S OFFICE

SEP 16 2010

STATE OF ILLINOIS
Pollution Control Board

State of Illinois
Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601
<http://www.ipcb.state.il.us/>

FORMAL COMPLAINT

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In The Matter Of:)

Terri D. Gregory)
208 Roy Avenue)
Rochelle, IL. 61068-9715)

(Insert your name(s) in the space above))

Complainant(s),)

REGIONAL Ready Mix)
415 RIVER Rd.)
Rochelle, IL. 61068-9715)

(Insert name(s) of alleged polluter(s)))

Respondent(s))

PCB 20 10-106
(For Board use only)

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 Contact Information

Name: TERRI D GREGORY
Street Address: 208 ROY AVENUE
County: OGLE
State: ILLINOIS
Phone Number: (815) 761-1462

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

Name: _____
Street Address: _____
County: _____
State: _____
Phone Number: () - _____

3. Name and address of respondent (alleged polluter)

Name: REGIONAL READY MIX
Street Address: 415 RIVER RD.
County: OGLE
State: ILLINOIS
Phone Number: (815) 562 1901

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

REGIONAL READY MIX IS A CEMENT BATCH PLANT THAT IS LOCATED NOT MORE THAN 80 FEET WEST OF MY HOME (TERRI GREGORY). NO TREES OR SHRUBS SEPERATE THE PROPERTIES. REGIONAL READY MIX IS A FULLY OPERATING BATCH PLANT WITH CEMENT TRUCKS, DUMP TRUCKS, TRACTORS, GRAVEL TRUCKS, SAND & GRAVEL BINS.

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

I FEEL REGIONAL IS VIOLATING SECTION 24
AND SECTION 25-b (415 ILCS 5/24, 25b-2 (2008))
FOR NOISE - AND -
TITLE II: AIR POLLUTION (415 ILCS 5/8)

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

REGIONALS CEMENT DUST IS BLOWING IN THE
WIND AND SETTLING ON OUR HOME - INSIDE AND
OUT. MANY TYPES OF DUST FROM CRUSHED STONE
CAN CONTAIN PARTICLES THAT ARE DANGEROUS TO
HUMANS. ASBESTIFORM PARTICLES AND CRYSTALLINE
SILICA IS USUALLY PRESENT IN CEMENT WHICH IS
HAZARDOUS TO HUMAN RESPIRATORY SYSTEMS. (SEE ATT.)

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)

REGIONAL READY MIX HAS BEEN OPERATING
SINCE JULY, 2006. THE DUST + NOISE HAS
BEEN ON A WEEKLY BASIS FROM JULY 2006
TO PRESENT SEPT. 15, 2010. THEY, REGIONAL,
OPERATES DAILY. MONDAY - SATURDAY AS
EARLY AS 6A AND AS LATE AS DUSK.

CONTINUED

AIR -

FROM - # 6.

SO WHEN THE WIND BLOWS & LR REGIONALS OPERATING THEIR HEAVY MACHINERY THE DUST FLIES AWAY AND LANDS EVERYWHERE, NOT JUST IN REGIONALS BOUNDARIES. THIS DUST IS NOT JUST A PROBLEM TO HUMANS, BUT THE PH OF MANY OF THESE DUSTS IS CAUSTIC AND CAN BE DANGEROUS TO VEGETATION AND ANIMALS. MY (GREGORY) MOTHER IS A 72 YR OLD LADY, LIVING WITH ME, AND HAS BEEN DIAGNOSED WITH COPD (CHRONIC OBSTRUCTIVE PULMONARY DISEASE) AND CHF (CONGESTIVE HEART FAILURE) AND SHE'S INHALING THE DUST DAILY, WHICH COULD BE VERY HARMFUL TO HER RESPIRATORY SYSTEM. MY GRANDSON (GREGORY) WAS BORN, 7-9-10, WITH CONGENITAL ADRENAL HYPERPLASIA, WHERE HE IS NOT TO BE AROUND DUSTY AREAS. SO, DOES THIS MEAN MY MOTHER & GRANDSON CAN NOT BE WITH ME - EVER? (GREGORY) DUST IS NORMAL IN EVERY HOME, BUT NOT CEMENT DUST.

PARTICLE MATTER IS EMITTED FROM BOTH, THE CONCRETE BATCHING PLANT AND FROM THE TRUCKS, WHICH PM-RELATED HEALTH EFFECTS INCLUDE:

1. PREMATURE MORTALITY
2. INCREASED ER VISITS, PRIMARILY IN THE ELDERLY AND PEOPLE WITH HEALTH DISEASE
3. INCREASED RESPIRATORY SYMPTOMS & DISEASE
4. DECREASED LUNG FUNCTION IN CHILDREN & PEOPLE WITH CARDIOPULMONARY DISEASE

SO, I (GREGORY) AM EXTREMELY WORRIED ABOUT THE EFFECTS REGIONALS DUST IS HAVING ON MYSELF AND FAMILY. MY HOME (TERRI) I CLEAN, BUT I CAN'T FIX WHAT HARM IT'S DOING TO MY SICK MOTHER OR GRANDSON. MY FURNISHINGS ARE AT THE BOTTOM OF MY LIST OF CONCERNS, BUT IT'S ALSO COSTLY TO REPLACE. LOVED ONES - YOU CAN'T!

CONTINUED -

CONTINUED

NOISE

FROM # 6.

REGIONALS LOCATION AT RIVER RD & ROY AVENUE (WHICH IS IN HICKS/KENNEDY SUBDIVISION) IS TOO CLOSE TO US (GREGORY HOME.) THE NOISE FROM REGIONAL'S CEMENT TRUCKS, TRACTORS, LOADING & UNLOADING, BACK-UP BEEPERS, AIR-GUN (AIR-COMPRESSOR) PLANT OPERATION, WASHING OUT THE MIXERS, THE WHOLE OPERATION IN BUSINESS HOURS IS NOISY. We (GREGORY FAMILY), I, have no peace. REGIONALS NOW OPERATING AS EARLY AS 6:00A, SO BEING SO CLOSE, I LEAVE MY WINDOWS SHUT AT NIGHT TOO. I, ^(GREGORY) BASICALLY, LEAVE WINDOWS & DOORS SHUT, FOR THE NOISE WILL DRIVE YOU CRAZY.

I, GREGORY, HAVE LIVED AT 208 ROY AVE., REHELLE, IL. 61068, SINCE JAN. 1999. SO, FOR 7 YRS. I, GREGORY, ENJOYED MY PROPERTY & HOME. BUT, WITH REGIONAL BEING MY NEIGHBOR I KNOW LONGER CAN. THE NOISE REGIONALS BUSINESS MAKES TOOK ALL ENJOYMENT AWAY 4 YRS. ago, when Regional started operation.

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

REGIONAL HAS TAKEN AWAY ANY & ALL ENJOYMENT OF MY HOME (GREGORY) THE DUST, NOISE & THE EYE-SORE IT IS HAS MADE ME (GREGORY) QUITE DEPRESSED. MY DOCTOR HAS PUT ME ON ANTI-DEPRESSANTS & SLEEP-AID. MY HOUSEHOLD HAS BEEN DRAMATICALLY EFFECTED BY REGIONAL MOVING HERE, ON ROY & RIVER RD., ROCHELLE, IL. WORRYING ABOUT MY (GREGORY) FAMILY'S HEALTH & DESTRUCTION & DEPRESSING MY PROPERTY VALUE OF MY HOME

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 (GREGORY) SEEK THAT REGIONAL IS IN FULL COMPLIANCE WITH THE AIR & NOISE REGULATIONS. AND IF THEY HAVE THE LEGAL RIGHT TO BE OPERATING SO (REGIONAL) CLOSE TO MY (GREGORY) PROPERTY, ESPECIALLY, WITH NO WRITTEN OR VERBAL NOTICE THAT A CEMENT BATCH PLANT WAS MOVING NEXT TO ME (GREGORY). IF THEY ARE, THEN COULD SOME TREES ~~BE~~ BE PLANTED TO STOP SOME OF THE NOISE & DUST OR AT LEAST TALK TO ME (GREGORY) TO SEE HOW WE CAN FIX THIS TOGETHER.

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)

I, GREGORY, KNOW OF NO SIMILAR CASE

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, TERRI GREGORY, am not an attorney
& I will REPRESENT MYSELF.

12. TERRI GREGORY
(Complainant's signature)

CERTIFICATION
(optional but encouraged)

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

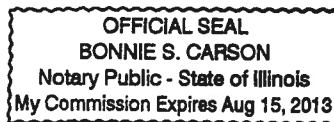
TERRI GREGORY
(Complainant's signature)

Subscribed to and sworn before me

this 15th day

of September, 2010.

Bonnie S Carson
Notary Public



My commission expires: 8-15-2013

CERTIFICATE OF SERVICE

I, the undersigned, on oath or affirmation, state that on Sept 15, 2010,
I served the attached formal complaint and notice on the respondent by

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 REGIONAL READY MIX

Street 415 RIVER Rd.

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 Ave.

City, state, zip code Rochelle, Il. 61068-9715

Subscribed to and sworn before me

this 15th day

of September, 2010.

Bonnie S Carson
Notary Public



My commission expires: 8-13-2013