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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/>

ORIGINAL

**FORMAL COMPLAINT**

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

In The Matter Of:

TERRI D. GREGORY

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

Complainant(s),

REGIONAL READY MIX

(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.

7009 2250 0001 778

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ROCKFELLE IL 61068

Postage	\$ 4.90	0468 05 Postmark Here NOV -5 2010 11/05/2010 USPS
Certified Fee	\$ 2.80	
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Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
<b>Total Postage &amp; Fees</b>	<b>\$ 7.70</b>	

Sent To \_\_\_\_\_  
 Street, Apt. No.; or PO Box No. \_\_\_\_\_  
 City, State, ZIP+4 \_\_\_\_\_

PS Form 3800 August 2006 See Reverse for Instructions

1. Your Contact Information

Name: TERRI D GREGORY  
Street Address: 208 Roy Avenue  
ROCHELLE  
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  
ROCHELLE  
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 PORTLAND  
CEMENT BATCH PLANT (CONCRETE BATCHING  
PLANT  
35 ILLINOIS ADMINISTRATIVE CODE 211  
SUBTITLE B - SECTION 211.4950

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

REGIONAL HAS VIOLATED SEC. 24 + SEC. 25-b OF THE ACT (415 ILCS 5/24, 25-b (2008) SEC. 24- NO PERSON SHALL EMIT BEYOND THE BOUNDARIES OF HIS PROPERTY ANY NOISE THAT UNREASONABLY INTERFERES WITH THE ENJOYMENT OF LIFE OR WITH ANY LAWFUL BUSINESS OR ACTIVITY, SO AS TO VIOLATE ANY REGULATION OR STANDARD ADOPTED BY THE BOARD UNDER THE ACT

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 OPERATION IS CAUSING AIR (CEMENT DUST) TITLE 35 SUBTITLE B AND NOISE TITLE 35 SUBTITLE H POLLUTION AT 415 RIVER RD, ROCHELLE, IL. 61068 TO OUR PROPERTY (TERRI GREGORY) AT 708 ROY AVE ROCHELLE, IL 61068 WHICH WE ARE JUST 80 FEET FROM REGIONALS PLANT. CEMENT DUST AND THE NOISE FROM REGIONALS EQUIPMENT IS A HEALTH FACTOR.

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 HAS BEEN IN OPERATION SINCE JULY 2006. THE DUST AND NOISE ITS OPERATION CAUSES HAS BEEN ONGOING TO THE PRESENT. THEY (REGIONAL) OPERATES MON-SAT, AS A FULLY OPERATIONAL READY MIX PLANT, SPRING, SUMMER, FALL AND SOME WINTER DAYS. REGIONALS HOURS ARE VARYING FROM AS EARLY AS 6<sup>A</sup> TO WORKING AS LATE AS DUSK. THE DUST AND NOISE STARTED IMMEDIATELY ONCE THEY STARTED OPERATIONS IN JULY OF 2006 AND CONTINUES TO THIS DAY, NOV. 5, 2006.

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 VIOLATES

TITLE VI: NOISE (415 ILCS 5/23)  
EXCESSIVE NOISE ENDANGERS PHYSICAL AND EMOTIONAL HEALTH AND WELL-BEING, DEPRESSES PROPERTY VALUES, OFFENDS THE SENSES, CREATES PUBLIC NUISANCES AND IN OTHER RESPECTS REDUCES THE QUALITY OF OUR ENVIRONMENT. THE GREGORY RESIDENCE HAS BEEN SEVERELY AFFECTED BY REGIONALS PRESENCE.

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))

REGIONAL NEEDS (THE BOARD) TO TAKE POLLUTION ABATEMENT MEASURES - TITLE VI NOISE SEC. 25 - THE BOARD SHALL BY REGULATIONS UNDER THIS SECTION, CATEGORIZE THE TYPES AND SOURCES OF NOISE EMISSIONS THAT UNREASONABLY INTERFERE WITH ENJOYMENT OF LIFE AND SHALL PRESCRIBE FOR EACH SUCH CATEGORY THE MAXIMUM PERMISSIBLE LIMITS ON SUCH

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)

THIS IS THE ONLY CASE PENDING AGAINST REGIONAL THAT I'M AWARE OF.

9. PROCEDURAL RULES (35 ILL. ADM CODE)  
SECTION 103.212 HEARING ON COMPLAINT

D) THE BOARD IN ITS DISCRETION MAY HOLD A HEARING ON THE VIOLATION AND A SEPERATE HEARING ON THE REMEDY.

THIS IS THE RELIEF I SEEK, TERRI GREGORY.

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  
AND WILL REPRESENT MYSELF.

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.

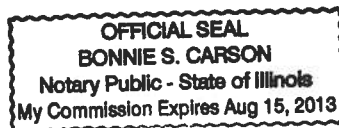
TERRI D. GREGORY  
(Complainant's signature)

Subscribed to and sworn before me

this 5<sup>th</sup> day

of November, 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 Nov. 5, 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 D. Gregory  
Complainant's signature

Street 208 Roy Ave

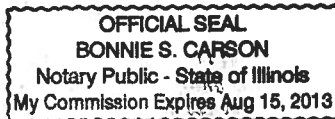
City, state, zip code Rochelle, Il. 61068-9715

Subscribed to and sworn before me

this 5<sup>th</sup> day

of November, 2010.

Bonnie S Carson  
Notary Public



My commission expires: 8-15-2013