

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

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NOV 6 2003
STATE OF ILLINOIS
Pollution Control Board

FORMAL COMPLAINT

**BEFORE THE
ILLINOIS POLLUTION CONTROL BOARD**

Bonita Salisbury)
)

Richard Salisbury)
)

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

Complainant(s),)

v.)

Archer Daniels Midland)
)

Hull, Illinois Division)
)

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

Respondent(s).)

PCB 04-79
(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:

Bonita Satbury
Richard Satbury
P.O.#3 - 260 W. Miles St.
Hull, Ill. 62343
Phone: 217-432-5738

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

Same as # 1
Phone:

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

M. Allen Andreas
Archer Daniels Midland
4666 Faries Parkway
Decatur, Ill 62526
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:

Grain elevator

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

415 ILCS, TITLE VI: Noise §24: ACTS PROHIBITED
5.24

PURSUANT TO: TITLE 35, SubTitle H,
CHAPTER 1, SECTION 900.102

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:

Noise pollution - The noise is loud,
shrill, high pitched and constant -

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):

The noise occurs anytime they use
certain machinery at the elevator.

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 has and is affecting our health, physically and psychologically - as in stress, headaches, hearing loss, fatigue and irritability.

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)):

We wish the board to grant an order for the respondent to stop the noise pollution and pay a monetary penalty.

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):

We do not believe that anyone else is suing or complaining as ADM has said that we are the only residence that the noise is hitting head on.

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.):

we (Richard Saxbury and Bonita Saxbury) are
sole owners of the property. We are
not attorneys

12. Bonita Saxbury — Richard Saxbury
(Complainant's signature)

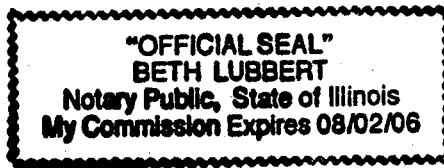
CERTIFICATION (optional but encouraged)

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

Bonita Saxbury Richard Saxbury
(Complainant's signature)

Subscribed to and sworn before me
this 4th day
of November, 2003.

Beth Lubbert
Notary Public



My commission expires: 8/2/06

CERTIFICATE OF SERVICE

I, the undersigned, on oath or affirmation, state that on (month, day, year)

Nov 4, 2003, 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 H. Allen Andreas Chairman & Ceo ADM

Street 4666 Faries Parkway

City, state, zip code Pecatur Il 62526

(list each respondent's name and address if multiple respondents)

Bonita Saxbury Pollock
Complainant's signature

Street P.O #3 260 W Miller

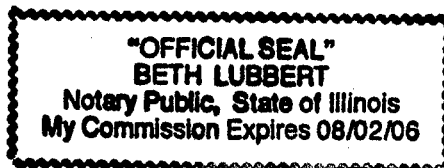
City, state, zip code Hull, Il 62343

Subscribed to and sworn before me

this 4th day

of November, 2003.

Beth Lubbert
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