

ILLINOIS POLLUTION CONTROL BOARD

ANGELA GRIFFIN AND)
MICHAEL GRIFFIN,)
)
 COMPLAINANTS ,) PCB 2026-042
)
)
 KNIGHT HAWK COAL, LLC,)
)
)
 RESPONDENT.)

CERTIFICATE OF SERVICE

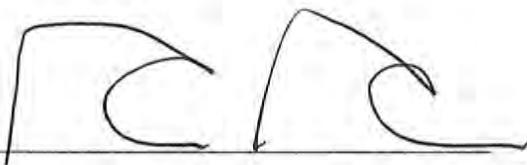
I, the undersigned, on oath or affirmation, state that on the date shown below, I served copies of the attached Entry of Appearance and Motion to Dismiss on the Complainants at the address listed below by one of the following methods:

U.S. Mail or third-party commercial carrier with a recipient's signature recorded or to be recorded by the U.S. Postal Service or the third-party commercial carrier upon delivery. However, the delivery confirmation from the U.S. Postal Service or the third-party commercial carrier containing the recipient's signature is not available to me at this time. On January 14, 2026, by the time of 5:00 P.M. at MURPHYSBORO, ILLINOIS, copies of the attached ENTRY OF APPEARANCE and MOTION TO DISMISS were provided to the U.S. Postal Service or the third-party commercial carrier, with the Respondent's address appearing on the envelope or package containing these documents, and with proper postage or delivery charge prepaid.

COMPLAINANTS ADDRESS:

Michael and Angela Griffin
4179 New Church Road
Pinckneyville, IL 62274

Attorney for Respondent Signature



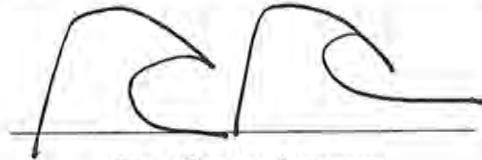
Date January 14, 2026
1100 Walnut Street
Murphysboro, IL 62966

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 RESPONDENT.)

ENTRY OF APPEARANCE

I, Gene Gross of Reed and Heller, LLC hereby enter my appearance in this matter on behalf of Respondent, Knight Hawk Coal, LLC.



Gene Gross, Attorney

Reed & Heller, LLC
1100 Walnut Street
Murphysboro, IL 62966
rhattorneys@reedheller.com
Telephone: (618)-687-2376
ARDC #: 6185537

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COMPLAINANTS ,)	PCB 2026-042
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KNIGHT HAWK COAL, LLC,)	
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RESPONDENT.)	

MOTION TO DISMISS

NOW COMES, Knight Hawk Coal, LLC¹, and pursuant to 35 Ill. Adm. Code § 101 *et seq.* and requests the Illinois Pollution Control Board (Board) not to accept the Formal Compliant for hearing and in support thereof states:

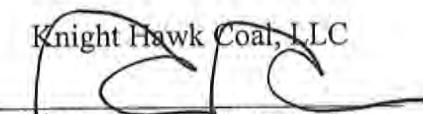
- 1) Angela and Michael Griffin submitted a Formal Complaint to the Board which was dated December 15, 2025.
- 2) The proposed Formal Complaint appears to refer to complaints of noise being emitted from a ventilation fan located on Respondent's property.
- 3) The proposed Formal Complaint does not cite any violation of the Illinois Environmental Protection Act. 415 ILCS 5. *et. seq.*
- 4) The proposed Formal Complaint makes reference to "Title 35 Environmental Protection subtitle H: Noise" but fails to cite any violation of State authorities.
- 5) Both 415 ILCS 5/24 and 5/25 govern the types of actions that a private citizen may bring before the Board.
- 6) It is unclear from the proposed Formal Complaint which, if any, state statute is alleged to have been violated and which, if any, administrative regulations are to be applied in measurement procedures.
- 7) Because the proposed Formal Complaint fails to allege which specific sections of the

¹ The proposed Formal Complaint refers to Respondent as "Knight Hawk Coal Company". The Proper operating entity is "Knight Hawk Coal, LLC" a Virginia Limited Liability Company.

Illinois Environmental Protection Act are violated, Respondent is unable to form an answer.

8) The defects alleged herein render the proposed Formal Complaint frivolous because it fails to state a cause of action on which the Board can grant relief.

WHEREFORE, the Respondent, Knight Hawk Coal, LLC requests the Board to decline to accept the Proposed Formal Complaint.

By 
Knight Hawk Coal, LLC
Gene Gross, one of its attorneys

REED & HELLER, LLC
Attorneys at Law
1100 Walnut Street,
PO Box 727
Murphysboro, IL 62966
(618) 687-2376
rhattorneys@reedheller.com