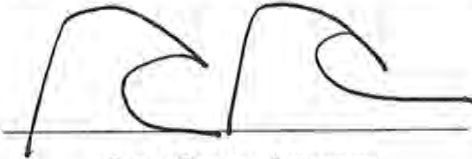


ILLINOIS POLLUTION CONTROL BOARD

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

A handwritten signature in black ink, appearing to be 'Gene Gross', written over a horizontal line.

Gene Gross, Attorney

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

ILLINOIS POLLUTION CONTROL BOARD

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

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

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