

## **BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

Angela Griffin and Michael Griffin,  
Complainants,

v.

Knight Hawk Coal, LLC, Respondent.

PCB No. 2026-042

### **AMENDED FORMAL COMPLAINT**

#### **1. Parties**

Complainants Angela Griffin and Michael Griffin are individuals residing at 4179 New Church Road, Pinckneyville, Perry County, Illinois.

Respondent is Knight Hawk Coal, LLC, a Virginia Limited Liability Company authorized to do business in Illinois, with mining operations located at and near Percy and Pinckneyville, Illinois.

#### **2. Jurisdiction**

This action is brought pursuant to Sections 24 and 25 of the Illinois Environmental Protection Act (415 ILCS 5/24, 5/25). The Illinois Pollution Control Board has jurisdiction over this matter pursuant to the Act and 35 Ill. Adm. Code Parts 101 and 103.

#### **3. Applicable Law**

This complaint alleges violations of Title 35 of the Illinois Administrative Code, Subtitle H: Noise, including but not limited to 35 Ill. Adm. Code Part 901, specifically Section 901.102 governing sound emissions from Class C land to Class A land.

#### **4. Description of Respondent's Operations**

Respondent operates an underground coal mining operation utilizing a large uninsulated and partially muffled industrial ventilation exhaust fan. The exhaust fan is approximately 10 feet in diameter and rated at approximately 2,500 horsepower. The fan is located at approximately 4281 New Church Road, Pinckneyville, Illinois, and is permitted as Mine Permit No. 377, Prairie Eagle Pit Portal (North Portal).

#### **5. Noise Source and Proximity**

The exhaust fan is located approximately 1,300 feet from Complainants' property line, 1,600 feet from Complainants' outbuildings, and approximately 1,800 feet from Complainants' bedroom window. The fan discharges at an elevation below the elevation of Complainants' residence, causing sound to project directly toward, into, and throughout the home.

#### **6. Nature of the Violation**

Respondent emits 'steady sound' (as defined in TITLE 35: ENVIRONMENTAL PROTECTION SUBTITLE H: NOISE CHAPTER I: POLLUTION CONTROL BOARD PART 900 GENERAL PROVISIONS, Section 900.101 Definitions) , (Steady sound": a sound whose sound pressure level remains essentially constant (that is, meter fluctuations are negligibly small) during the measurement period with meter variations up to  $\pm 3$  dB using the "slow" meter characteristic) continuous noise from Class C land to Complainants' Class A residential land. The noise exceeds allowable sound emission standards under 35 Ill. Adm. Code 901.102 during both daytime and nighttime hours and includes frequency characteristics that cause unreasonable interference with our right to enjoyment of life and property.

#### **7. Duration and Frequency**

The exhaust fan has operated continuously, 24 hours per day, 7 days per week, since approximately January 12, 2025, with only brief outages. Additional noise is generated by rock dust silo loading operations occurring multiple times per day and night beginning at 4:30 AM on weekdays.

#### **8. Harm and Impact**

The noise pollution has caused significant disruption to Complainants' sleep, health, and enjoyment of their property. Sound level measurements taken at Complainants' bedroom window have repeatedly registered more than 70 dBA during nighttime hours. Complainants have been forced to seek alternate sleeping arrangements for the majority of the evenings seeking the limited relief from another interior wall, curtail outdoor activities due to readings in excess of 80dBA outside. We unreasonably suffer ongoing loss of quality of life due to this nuisance noise pollution. We have lived in our home for 26+ years, respondent installed and began operation of this device after we were well established.

#### **9. Relief Requested**

Complainants request that the Board:

- a) Find that Respondent is in violation of the Illinois Environmental Protection Act and 35 Ill. Adm. Code Part 901;
- b) Order Respondent to immediately abate the noise emissions to compliant levels that do not unreasonably interfere with our enjoyment of life and property.
- c) Require immediate implementation of engineering or operational controls to prevent further violations.
- d) Impose appropriate civil penalties as allowed for in [415 ILCS 5/33(c) and 42] and
- e) Grant any other relief the Board deems just and proper.

#### **10. Certification**

Complainants certify that this Amended Formal Complaint is filed in good faith and is not duplicative of any other action known to Complainants.

Respectfully submitted,

Angela Griffin  
Michael Griffin  
Complainants, pro se

Date: \_\_\_\_\_03-24-2026\_\_\_\_\_