

**RECEIVED**  
CLERK'S OFFICE

NOV 01 2004

STATE OF ILLINOIS  
Pollution Control Board

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

Re: Public Comment on PCB 04-79, Saxbury v. ADM

PC 2

Dear Ms. Gunn

I live adjacent to the ADM elevator in Hull, Illinois, and I understand that a hearing was held on October 6, 2004, regarding a noise complaint filed by the Saxbury's against the elevator. I also understand the public was allowed to file comments until November 15, 2004. While I was unable to attend that hearing, I wanted to let the Board know about my experience with the noise. Therefore, I prepared the enclosed affidavit [and letter]. I do not believe the elevator constitutes a noise nuisance, and I hope you will take my experience into consideration when making your decision.

Sincerely,

Russell K. Gill

RECEIVED  
CLERK'S OFFICE

NOV 01 2004

STATE OF ILLINOIS  
Pollution Control Board

STATE OF ILLINOIS        )  
                                  )SS  
COUNTY OF ADAMS        )

PC 2

AFFIDAVIT

I, Russell Gill, being first duly sworn upon oath, depose and state:

1. I have personal knowledge of the facts stated herein and am over 21 years old.
2. I am a resident of Hull, Illinois, and I live on property adjacent to an elevator owned and operated by Archer Daniels Midland Company which I understand is the subject of a Formal Complaint filed with the Illinois Pollution Control Board by Bonita and Richard Saxbury.
3. I have lived in my current residence since 1990.
4. My home is closer to the elevator property than the home of Bonita and Richard Saxbury.
5. At the time I moved into my home, I knew I was moving in next to a grain elevator and I anticipated that there would be some noise from the elevator.
6. The noise from the elevator has been about what I expected from the elevator operation and is no more noticeable than it was when I moved in.
7. I have never made any complaint to the elevator, the Illinois Environmental Protection Agency, police or the city of Hull regarding noise from the elevator.
8. I have never had to close my windows to be able to hear my television, hold a conversation or entertain in my home.
9. I have never had to change my plans for entertaining in my yard due to noise from the elevator.
10. The noise from the elevator has never interfered with my daily activities in and around my house.

11. I have never had difficulty falling asleep or been awakened during the night due to noise from the elevator [even with the windows open].
12. I have never experienced any physical or mental distress that I attribute to noise from the elevator.
13. I have never sought medical treatment due to any distress that I would attribute to noise at the elevator.

Further Affiant saith not.

Russell Gill

[Name]

Subscribed and sworn to before me this 15<sup>th</sup> day of December, 2003.



Mark M Thompson

Russell Gill  
P.O. Box 10  
Hull, IL 62343