

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

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SEP 01 2011  
STATE OF ILLINOIS  
Pollution Control Board

FORMAL COMPLAINT

ORIGINAL

BEFORE THE  
ILLINOIS POLLUTION CONTROL BOARD

Anielle Lipe )  
Nykole Gillette )  
 )  
Complainant(s), )  
 )  
v. )  
 )  
Village of Richton Park )  
 )  
Respondent(s). )

PCB 12-44  
(For Board use)

Note: This document includes an amendment to the formal complaint. A correction has been made on the last page of the formal complaint regarding the public hearing date that should read, June 14, 2011 instead of July 14, 2011.

1. Your name, street address,  
county, state:

Nykole Gillette  
22232 Scott Drive  
Richton Park, IL 60471  
Cook County  
Phone: 708-748-0723
  
2. Place where you can be  
contacted during normal  
business hours (if different  
from above):

PO BOX 948  
Richton Park, IL 60471  
Phone: 708-748-0723
  
3. Name of address of respondent

Village of Richton Park  
4455 Sauk Trail  
Richton Park, IL 60471  
Phone: 708-481-8950  
(if known)

1. Your name, street address,  
county, state:

Anielle Lipe  
22123 Meadow Lake Place  
Richton Park, IL 60471  
Cook County  
Phone: 630-235-9821

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

PO BOX 948  
Richton Park, IL 60471  
Phone: 630-235-9821

3. Name and address of respondent

Village of Richton Park  
4455 Sauk Trail  
Richton Park, IL 60471  
Phone: 708-481-8950  
(if known)

FORMAL COMPLAINT  
BEFORE THE  
ILLINOIS POLLUTION CONTROL BOARD

Complainant(s): Anielle Lipe  
Nykole Gillette

Respondent(s): Village Of Richton Park

In reference to the May 29, 2011 Public Hearing notice in the Southtown Star Newspaper, John Sexton Sand And Gravel Corporation which is considered a Control Pollution Facility failed to properly notify citizens regarding their request of a Special Use Permit from the Village Of Richton Park to crush concrete, asphalt and other materials on their property located at the northeast corner of Sauk Trail and Central Avenue, Richton Park, IL. Therefore, citizens were not fully informed and didn't understand the intentions about John Sexton Sand And Gravel Corporation's proposal to crush concrete and other materials on their site in Richton Park, IL. As a result of the lack of due process, the Village Of Richton Park Board members and Village President voted unanimously to approve the Special Use Permit to crush concrete and other materials on the John Sexton Sand And Gravel Corporation Site in Richton Park, IL.

The John Sexton Sand And Gravel Corporation's Public Notice in the Southtown Star Newspaper didn't properly notify the citizens as required by law of the Illinois Environmental Protection Act which is located in the Illinois Compiled Statutes (ILCS) at 415 ILCS 5/1 et seq, in Section 3.330, 39, 39.2 and 40.1. The provisions that describes the local siting process are in Section 39.2 of the Act. John Sexton Sand And Gravel Corporation's Public Notice in the Southtown Star Newspaper fails to:

- Give the complete address of the applicant, John Sexton Sand And Gravel Corporation omitting the name of the suburb, Richton Park, IL.
- Give the complete nature and size of the development. Failing to mention other materials such as: asphalt, aggregate or other materials and their quantities proposed to be crushed on the John Sexton Sand And Gravel Corporation's site.
- Give the probable life of the proposed crushing operation.
- Give the date when the request for site approval or the Special Use application will be submitted to the Village Of Richton Park Board Of Trustees and Village President for approval.
- Give a description of the right of citizens to comment on the request for the Special Use Permit or site approval.

Since interested citizens were not properly informed about the public hearing hosted by the Richton Park Planning and Zoning Commission, many citizens were not able to comment at the public hearing regarding our concerns of:

- A continuous Fly of Ash, cement dust emitted in the air from the operation that contains harmful chemicals such as Crystalline Silica, Calcium Sulphur, Fly Ash that contains hex chrome, limestone and

other harmful chemicals that can cause Respiratory problems, Gastro Intestinal, Liver, Central Nervous System, Lymphatic, Eye, Skin and Bone illnesses. As well as negatively effect the environment. From our research:

(a) Crystalline Silica is known to cause respiratory problems such as lung cancer, lung diseases that consist of nodular lesions in the lungs, tuberculosis, chronic bronchitis and etc. This information was found in the Wikipedia encyclopedia. The internet address link: <http://en.wikipedia.org/wiki/Silicosis>

(b) Breathing Fly Ash from Power Plants or Coal Plants over a long period of time can irritate the respiratory system. People with existing lung diseases such as bronchitis, emphysema, and chronic obstructive pulmonary disease (COPD) should avoid breathing coal Fly Ash dust. This information was obtained from the Kingston Ash Pond Release article.

(c) From the Eatonville News article, it states "Hex Chrome from Fly Ash is a deadly known carcinogen and is hazardous to skin, eyes and lungs." This information was found in the Eatonville News. The internet address link: <http://www.eatonvillenews.net/SEPAcommentsbatchplant6.7.07.html>

d) When limestone from the cement dust settles on vegetable and flower plants, lawns, and bushes; it has a negative effect on these greenery, and can possibly kill them. The address internet link for Effect Of Dust From A Limestone Quarry, <http://www.springerlink.com/content/m464347806qj9785/abstract/?target=print>

- The John Sexton Sand And Gravel Corporation's work site where their partnering company, Tough Cut Concrete Services LLC wants to crush the concrete and other materials has a very close proximity to residential areas, schools, businesses and the general public that travel the Interstate 57 and well traveled thoroughfares in Richton Park.
  - a. The Interstate 57 and well traveled thoroughfare, Sauk Trail is within 250 feet of the John Sexton Sand And Gravel Corporation's work site.
  - b. One of the closest residential areas on Scott Drive, Richton Park, IL takes 1 to 2 minutes to drive to the John Sexton Sand And Gravel Corporation's work site.
  - c. Other residential areas, daycares, high school, elementary school, church, bowling alley, beauty salons, gas stations and etc are within a few block distance of the John Sexton Sand And Gravel Corporation's work site.
- It being unknown as to how much a person has to inhale or be exposed to the cement dust before they can become sick from the life threatening diseases of lung cancer or other respiratory problems such as: asthma, emphysema, lung nodulations, obstructive and restrictive lung disease. As well as damage to other organs such as: gastro-intestinal diseases, eye, skin and bone disorders.
- If the quality of air is compromised by the crushing of concrete and other materials, it has a negative affect on our property values. Please see the internet link address for the Journal Of Environmental Economics and Management, <http://www.sciencedirect.com/science/article/pii/S0095069607000204> that states "the effect of polluting manufacturing facilities on the economic characteristics of nearby neighborhoods. It tests the

hypothesis that communities exposed to high levels of pollution will have lower house prices and poorer residents than cleaner locations. The estimates suggest that being a mile closer to a polluting manufacturing plant reduces house values by 1.9%, which is smaller than estimates from existing studies.”

As a result of these concerns and others that may have not been raised at the public hearing on June 14, 2011, the Richton Park Village Board may have not objectively considered the citizen's concerns of how the pollutants from the crushing operation can negatively affect human health, cost to property, productivity, quality of life and the environment. As a result, the Richton Park Village Board voted unanimously to approve the Special Use permit to have this crushing operation performed on the John Sexton Sand And Gravel Corporation's worksite in Richton Park, IL.

Wherefore, Complainants, Anielle Lipe and Nykole Gillette would like the Illinois Pollution Control Board to appeal the Special Use Permit, Ordinance # 1497 to crush concrete and other materials granted to the John Sexton Sand And Gravel Corporation by the Village Of Richton Park as a result of improper public notification.

Respectfully Submitted By,

Complainant (s) Anielle Lipe Date 8/29/11

Complainant (s) Nykole Gillette Date 8/29/11

7004 1160 0006 3938 7681

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Sent To: Village OF Richton Park  
 Street, Apt. No. or PO Box No. 4455 Sauk Trail Ave  
 City, State, ZIP+4 Richton Park, IL 60471

PS Form 3800, June 2002 See Reverse for Instructions

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**RECEIVED  
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**SEP 01 2011**

**STATE OF ILLINOIS  
Pollution Control Board**

RECEIVED  
CLERK'S OFFICE  
SEP 01 2011  
STATE OF ILLINOIS  
In Control Board

**CERTIFICATE OF SERVICE**

We, the undersigned, on oath or affirmation, state that on (month, day, year)  
8/29/11, we served the attached amended formal  
complaint 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:

ORIGINAL

RESPONDENT'S ADDRESS:

Name Village OF Richton Park  
Street 4455 Sauk Trail Ave  
City, state, zip code Richton Park, IL 60471  
(list each respondent's name and address if multiple respondents)

Complainant's signature Anielle Sipe  
Street 22123 Meadow Lake Place  
City, state, zip code Richton Park, IL 60471

and

Complainant's signature Angela Gillette  
Street 22232 SCOTT DRIVE  
City, state, zip code RICHTON PARK, IL 60471

Subscribed to and sworn before me this 29 day of August, 2011.

Justin Newson  
Notary Public

"OFFICIAL SEAL"  
Justin Newson  
Notary Public, State of Illinois  
Cook County  
My Commission Expires March 31, 2014

My commission expires: \_\_\_\_\_