

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

MATT W. GILL,)	
)	
Complainant(s),)	
)	
v.)	PCB 2016-068
)	
CHS Inc.,)	
)	
Respondent(s))	

MOTION FOR JOINDER

Complainant, Matt W. Gill, pursuant to the General Rules of the Pollution Control Board, 35 Ill. Adm. Code 101.100, 101.403 and 101.500, hereby moves the Pollution Control Board (the “Board”) to join as complainants herein Matt W. Gill and Jake Varble, and in support thereof states as follows:

1. The Citizen Complaint PBC 2016-068 concerns alleged violations of 35 IAC Part 901, “Sound Emission Standards and Limitations for Property Line-Noise-Sources”.
2. Jake Varble owns and resides in Carrollton, Illinois, whose location is directly adjacent to the Respondents property to the North, and is one of the closest residences to the Respondent.
3. Any noise abatement undertaken by the Respondent to lower noise levels to legal levels approximately ½ mile away may not result in acceptable noise levels at residential property directly adjacent to the Respondent, e.g., Jake Varble’s residence.
4. 35 Ill. Adm. Code 101.403(a) states:
§101.403 Joinder of Parties
 - a) The Board, on its own motion or the motion of any party, may add a person as a party to any adjudicatory proceeding if:

- 1) A complete determination of a controversy cannot be had without the presence of the person who is not already a party to the proceeding;
 - 2) The person who is not already a party to the proceeding has an interest that the Board's order may affect; or
 - 3) It may be necessary for the Board to impose a condition on the person who is not already a party to the proceeding.
5. Here, the presence of Jake Varble would certainly result in a "complete determination" of lawful sound levels, pursuant to 35 Ill. Adm. Code 101.403(a)(1).
 6. Jake Varble has "an interest that the Board's order may affect".
 7. Jake Varble has agreed to join the Citizen Complaint PBC 2016-068, as a Complainant, as evidenced by his signature below.

WHEREFORE, upon the above and foregoing, Matt W. Gill hereby moves the Board to join as respondents herein Matt W. Gill and Jake Varble.

Respondent, Matt W. Gill

Matt W. Gill

Address:

RR 1, Box 3

Carrollton, IL 62016

Jake Varble

Jacob Varble

Address:

30 North Main ST.

Carrollton, IL 62016