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FEB 23 2004

STATE OF ILLINOIS
Pollution Control Board

Dorothy Gunn, Clerk
Pollution Control Board
James R. Thompson Center
100 W. Randolph St. Suite 11-500
Chicago, IL 60601

Dear Dorothy Gunn:

I would like to request a review of the case number AC 2004-046 (Illinois Epa vs. Christopher Coleman) filed 1-13-2004. The following is a response to the Administrative Citation and Open Dump Checklist. There is not currently nor has there ever been any type of waste storage, waste treatment, or waste disposal at this site by myself or anyone else since I have owned this property. No person has ever disposed or dumped any waste tire on this property since I have owned it. This site is not a landfill and is not operated as such.

This site is a staging area to sort general merchandise that I purchase and no waste is stored, treated, or disposed of on this site. As shown in the pictures and the narrative description by the EPA inspector the merchandise has been sorted and moved as weather has permitted. Many items previously noted to have been "dumped" on the property are no longer present and good merchandise has been removed and waste disposed of. There are items that remain to be sorted but no waste is being left on the property or brought onto the property for dumping by myself or anyone else.

The areas noted as areas A, B and C (pictures 2, 4, 5, 6, 7, 8, and 11) all show the area where the shelters were present previously and all merchandise in these shelters were neat and organized with no waste present until a recent wind and snow storm destroyed the shelters and caused what is shown in the photos. The shelters were removed and the merchandise that is no longer usable is being disposed of via the trash pickup service.

Area A (picture 3) shows windows that were all in good condition and are not waste or demolition debris and have now been removed and sold.

The area noted in picture 13 is of the inside of the building and is merchandise that is being sorted and is protected from the elements.

Area D (picture 9) shows the gravel explained in this letter and a barrel that is used by the CW3M company present before I purchased the property and should be removed when they complete their work.

Area G (picture 15) is the back inside of a trailer that has merchandise being sorted with waste being disposed of with the weekly pickup. This is a covered and protected trailer and the items contained in it are usable merchandise and are not waste storage or dumping.

Area F (picture 12) was present when the property was purchased and was not placed there by myself or anyone else while I have owned the property.

Area G (pictures 14 and 16) contain a sprayer that is in good working order as well as a fan that is usable merchandise with no demolition debris present and the furniture noted is being cut into smaller pieces so the trash service can remove it with their trash truck.

Disposal of all waste are done by Burris disposal service located in Carbondale, Illinois in a dumpster that is emptied once per week. This site is currently under EPA monitoring for underground tank removal which started before I purchased this site. These tanks have now been removed and the company has brought in fresh gravel as noted as well as drilling test wells for the monitoring.

In response to the complaints of the BOA prior to the July 15, 2003 inspection as well as the complaints from Mr. Renzaglia and Mr. Austin after the inspection consist of the fact that Mr. Austin runs a competing business and has stated to others that I am not welcome in town due to the fact that he has lost several sales to myself and Mr. Renzaglia owns the property just north of this site and would benefit from myself moving out and selling the property.

Burning was done of the grassy area located in picture 6 and 7 due to a large growth of grass and small brush. This area was burned and the top area scraped with a front loader by a local contractor with the scraped material disposed of and the area covered with gravel to provide additional parking.

I have spoken with Mr. Arnold with the BOA and stated to him that no tires or other materials have been burned as alleged. Mr Arnold also consulted with the local fire chief Mr. Bobby Mc Cann and Mr. Mc Cann stated to me that it was allowed and he had no problem with burning wood and general brush generated on the property. After this discussion there was a small metal barrel placed in the center of the lot which contained wood from the property that was being removed so that cleanup could be done of the property and someone called the fire department stating that the "whole building was on fire" which was not the case. I have been harassed by a select few neighbors that have an interest in the property for their own benefit and have now used the EPA and other government agencies to harass me by continuing to make false complaints.

In conclusion, this property was in very poor condition and the previous owner of many years did very little to maintain the land or building. The property is being cleaned within what is allowed with the current tank and land monitoring occurring and the amount of vegetation that was allowed to grow up over the years. The fuel tanks that were in the ground have been removed and the company (CW3M from Springfield, IL) has told me not to remove or alter the ground in front or behind the buildings since they are monitoring for contamination and may have to do further drilling or soil

removal/replacement to fulfill the contract of making the land meet EPA guidelines for reclamation. I feel that this administrative citation is not correct.

Thank You,

Chris Coleman
PO Box 510
Cobden, IL 62920

CC: Michelle M. Ryan IEPA Division of Legal Counsel