

February 25, 2009

Clerk of the Board
Pollution Control Board
100 West Randolph, Suite 11-500
Chicago, Illinois 60601-3218

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STATE OF ILLINOIS
Pollution Control Board

AC09-9

Dear Sirs/Ladies,

This letter is written in regards to the Post Hearing Brief.

First of all, we are not lawyers, nor can we afford lawyers. Although we understand English, there are things stated in this letter that we do not understand due to the legal dialect.

“Abandoned Vehicle (as defined in the Illinois Vehicle Code) ...or anything else of unsightly or unsanitary nature which has been discarded, abandoned or otherwise disposed of improperly.” We do not consider these vehicles abandoned. We, (along with apparently many of our neighbors and others in this county that enjoy collecting and recycling vehicles to save money and keep from filling waste sites) have collected vehicles to save money on parts for vehicles that we are presently using. We are not disposing, abandoning, or discarding them. Each vehicle is being kept for the purpose of reusing them as primary vehicles or parts.

The scrap metal issue is like we stated before. We disassemble vehicles, keeping whatever we need for future use, and recycle the rest at a recycling center. Neither of the two mobile homes are abandoned. Both are in the process of being remodeled to live in within the next year or two. Due to this issue continually being reopened, it's becoming near impossible to give attention to the mobile homes, as needed, to be ready to move into.

I am not clear on what Mr. Terry mentions as “construction demolition type materials.” We are currently building a storage building, for which we are keeping new lumber on the property to be used for.

Under which law does it state that a vehicle has to be driven or used before or during a period of seven days? If this is a law, most of our senior citizens would be in violation. We build mud trucks, to run in mud runs around the area as a hobby.

These trucks are not street legal and can't be run on the road. These trucks are not able to run like regular vehicles. I don't know of any permits we need to build mud trucks for our own hobby; do most people need a permit for a hobby? One cannot afford to run or move them every day or every seven days, like Mr. Terry suggests.

As you have seen by the pictures, we have purchased seven semi trailers to be used as a fence and storage of many of the vehicles. With these aligned where they are, it is impossible to see through them. Therefore, we are questioning and concerned as to how Mr. Terry saw what was behind them?

Mr. Terry stated that Mr. Ruben Valdez told him that he had brought some of the abandoned vehicles onto the site, which took place last inspection, 2007. Mr. Terry didn't ask, nor tell us, that he would be out to inspect our land this time in 2008. Therefore, he didn't have permission to be on our land whatsoever. Had he called us and made arrangements, we would have gladly accompanied him and helped him in any way. And therefore we clearly see, through proof of the pictures that he has presented to you, that Mr. Terry has been caught trespassing on our land. What's worse is that you condone it! We noticeably have our land posted. How is it alright for your Mr. Terry to do this? Would it be alright if he walked onto any of the board member's properties and inspected them without telling anyone or asking first?

The inoperable vehicles that Mr. Valdez is pertaining to in the argument are indeed the same ones that were allowed to stay on the property in 2007. Comparing the 2007 pictures with the vehicles that reside out there today, only a few things have changed. What is different is that we have moved some vehicles around, dismantled one, and built a mud truck out of another, (since it's a mud truck, it is no longer inoperable). Somewhere in doing these few things, you've stated we are no longer in compliance and now are being fined an enormous amount of money because of it?.. How can this be right? How can this board strike out at one person and overlook thy neighbors or thyself?

The debris that Mr. Terry stated that he had seen from the public way adjoining the property is all on trailers and/or on ties; not on the ground as he makes it sound. We are not allowing it to touch the ground in any way in order to prevent contamination.

It states in this argument that waste is defined as "any garbage... or other discarded material..." In this case we did not admit to waste at all. We admit to storing our personal vehicles and valuable scrap metal intended for recycling in future use on

our hobbies, this is **what** and **all** we admitted to. We don't believe that we have any waste on our property whatsoever. To us, waste is raw sewage, waste oil, antifreeze, or paper and plastic debris that constantly litters our land sites daily. To address the "Open Dumping" issue, your paper states the definition as "the consolidation of refuse from one or more sources at a disposal site that does not fulfill the requirements of a sanitary landfill." We don't have a disposal site, nor do we want a disposal site. This is our property that we plan to reside at. We don't tell anyone else how to live and we aren't endangering anyone or ourselves with our hobbies.

We have tried to comply with this order in many ways. We have worked in all elements of weather to start a 40x100 building, which plans to be finished mid-summer to house all the things that we want to keep. We have purchased a waste oil furnace to use all of our used oil for recycling, we drain and reuse all antifreeze and haul all of our scrap tires to a recycle center, and we store all of our material on treated planks so nothing is soiling or polluting the area or the grounds.

It seems extremely obvious that we are being treated unfairly and overtaken by this board and the assistant state's attorney. Realizing you don't really care what we are trying to do to resolve this issue, it seems appears to us that all you want is money as for which we do not have.

All we ask is to be given the time to reorganize without the hefty fines and for the opportunity to be treated fairly and not to be looked down upon because our hobbies include mud trucks instead of golfing. We just do not feel that it's fair to be heavily fined (or should I say legally robbed) just because we enjoy trying to do our part to save the environment by recycling instead of filling up our landfills mindlessly with things that can clearly be recycled.

Sincerely

The image shows two handwritten signatures in black ink. The signature on the left is 'Alvin J. Valdez' and the signature on the right is 'Ruben Valdez'. Both are written in a cursive, somewhat stylized script.

Alvin J Valdez
Ruben Valdez