

August 16, 2010

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STATE OF ILLINOIS
Pollution Control Board

From: Walter Allen

Too: Illinois Environmental Protection Agency

ORIGINAL

Re Illinois Environmental Protection Agency V. Karen Allen
IEPA File No. 228-10- AC: 1998535008—Williamson County

AC11-4

Attn: Michelle M. Ryan – Assistant Council

Walter Allen is recycling wood pallets, metal, and paper. The tree debris comes from the trees that were blown over and blocking the traffic on the entire length of Africa road in May of 2009. These downed trees are a result of the inland hurricane that occurred in May 2009. I did not burn these trees because I had wood pallets close to them. I have some of the pallets stored against my barn that are not in the photographs taken by the EPA.

The garbage containers have been stored at this location since 2007. These dumpsters have never been used with the exception of 4 or 5 dumpsters that were recovered when G. Allen and Wayne's Disposal split up. Originally, there were 44 dumpsters shipped by the manufacturer to this location. The larger dumpsters are being sold and the smaller dumpsters are being set for customers.

The boxes of paper on the pallets were placed there to dry out because the paper had been rained on while it was still in the pickup truck.

In 2008, Walter began to clean up site A. A relative, Jesse Thomas, was staying in an old office trailer at this time. I excavated and hauled some of the waste material (trailer, lien to, railroad ties, metal, concrete blocks) up to the west toward the pond. I was burning the wood and insulation and other debris from the trailer until Jesse asked me if I could burn the debris some place else because he had asthma and the smoke from the fire was bothering him. So, I hauled this material to another site on the property. (Site B see drawing) I was burning this debris, when I was stopped by a representative of the EPA. (Ms. Stevenson). She said that I was violating open burning codes and some other EPA codes. I did not know that I was violating any laws at this time. The fire was in the open and approximately 50 feet off the road, not hidden and on my property.

I was told that I could not burn the debris, even though it was on my property because it contained insulation material, metal, plastic, siding, and bottles. I was asked where this material came from because I was possibly in violation of the illegal transfer code. I told Ms. Stevenson that the material came from some structures that I was cleaning up on my property. She said that I still could not burn the material because it contained

pollution material and therefore the fire had to be out and the remaining debris hauled to an approved landfill. I told the EPA agent that my family's grave site had some limbs down and that I wanted to haul them onto this site to burn them and she stated that it would be an illegal transfer for open burning.

I asked if I could put the debris that I had left on our property in the pond and she said that this was pollution and therefore illegal. I asked if I could bury the clean fill material and I was told yes; if the material was put into low areas and covered with an adequate volume of dirt according to code.

Walter's plan is to finish tearing out two more trailers and to haul the insulation to an approved land fill site.

I, Walter Allen, met with Mr. Garrison of the EPA and explained to him that site A is old site and that I thought that it was being monitored; because Ms. Stevenson had stated that she would be monitoring the site. I explained to him that no burning had taken place at either site since the citation in 2008. Mr. Garrison said, that no one was monitoring the site because Ms. Stevenson was unaware of site A, but she been monitoring site B. Again, I stated that I had done no burning since the citation given to me on site B.

I was advised by Mr. Garrison to remedy the situation expeditiously. I will remove and recycle the pallets or take them to an approved land fill. I will separate the block, wood and other debris from the tree debris and take it to an approved land fill. When this is done, I will contact Mr. Garrison for further instructions. I plan to have this site cleaned up by the end of August.

I respectfully ask the board to consider that I was not intentionally making violations. I could have hidden these violations over a thousand feet into our property; as opposed to 50 feet into the property, if I had wanted to intentionally make violations.

Thank you for your consideration.

Sincerely,


Walter Allen

CC: James Therrialt, Clerk of The Illinois Pollution Board
CC: Mr. Garrison , Marion Il. EPA