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DEC - 8 2003

STATE OF ILLINOIS
Pollution Control Board

AC 04-1⁹
~~AC 04-19~~

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 2004-026¹⁹ (Illinois Epa vs. Christopher Coleman) filed 10-22-2003. 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. 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 or disposed of on this site.

Disposal of all waste are done by Burriss disposal service located in Carbondale, Illinois in a dumpster that is emptied once per week. All merchandise located on the map from the inspection including numbers, 13, 21, 20, 19, 14, 15, 24, 17, and 16 are all merchandise that is yet to be sorted and if a follow-up had been done it would have been noted that this merchandise had been sorted and removed to the appropriate areas within 2 days following this inspection of Aug 29, 2003. Picture 7 shows a ladder that was being used to work on the box truck in the previous picture number 5. The photos 24 and 25 were in the area of trash pickup that was to be picked up that week and was removed with the emptying of the dumpster.

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. Area 9 and 10 which contains several Fibrous Roof Coating cans as shown were not left for disposal but part of coating the roof and doing improvements to the building. These cans have now been removed and properly disposed of. The area noted as area "B" that states there were 5 tires, a variety of metal, hoses & general refuse were present when this property was purchased. The area labeled as "A" contains waste previously present prior to purchase except for "general demolition debris" which was the result of this wood awning coming off the front of the building resulting in the window in front of the building being broken as pictures would have shown if this area had been photographed. This debris due to the size was placed in area "A" temporarily until it could be cut into smaller pieces for disposal with the weekly dumpster pickup.

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 and should be dismissed.

Thank You,

Chris Coleman
PO Box 510
Cobden, IL 62920

CC: Michelle M. Ryan IEPA Division of Legal Counsel