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CLERK'S OFFICE

MAR 12 2007

March 2, 2007

STATE OF ILLINOIS  
Pollution Control Board

AC07-36,37,38

Dear Illinois Pollution Control Board,

My name is Lawrence A. Bartolomucci and I am writing this petition in hopes of having the fines charged against me absolved. First and foremost I have never operated an open waste site on my property 11017 North Triton Lane, Mt. Vernon, IL 62864. I believe I can make a strong case for why the fines should be absolved.

First, I would like to tell you about myself and my background. I was born and raised on the property in which has been labeled as an open waste site dump. I have always had a great love for the land and farmed that land for many years. I have always recycled and taken great care of any hazardous products disposal. I have never buried any materials and I have never burned anything, but brush. I have never accepted any trash, waste products, or materials from anyone for free or for a fee. In your letter it describes my storing pallets and lumber incorrectly. I was unaware that I was breaking the rules and regulations of the EPA. Now, regarding the pallets in the driveway I have had numerous trespassers on my property and during my illness last summer it was the only thing that I could think of to keep people out.

Several years ago I had to quit farming. I became a private home health care provider and as a secondary income I entered into the antique trade. In going to sales to buy antiques a buyer often has to buy large quantities of useless items in order to purchase the one valuable item. Therefore, over the last few years I have accumulated a lot of material that I did not need and knew I would eventually sell those items in an auction. I had originally planned to have a large sale a couple of years ago.

Unfortunately, a series of tragic events fell upon me in which I had no control over. Sadly, my marriage ended, the divorce was lengthy, and very costly. Also, I could not have the sale I was intending to have because of the on going divorce litigation, this lasted approximately two years. During the divorce my health began to deteriorate. I have been diagnosed with severe degenerative arthritis in my back, hips, and feet. Also, due to the divorce I suffered from

depression, anxiety, and panic attacks. I was unable to get proper care for my health conditions because I had no health insurance due to the divorce and presently am still uninsured. Therefore, I was unable to take care of my property the way I have always done all my life.

Last February 2006 an EPA inspector came out to my property and a letter was sent to me from the February visit. I remember seeing the letter, but during this time I was incapacitated with back pain, which prevented me from working and taking care of my property. However, I made an honest attempt to comply with the directives of the February letter. My family, friends, and I started hauling trash of the land, took scrap metal to Shapiro Brother's scrap yard, and took products that could be recycle to a recycling center. At this time I realized I needed to prepare to have an auction, this would take care of my problems with the EPA and give me some much needed income to help relieve my massive debts I had built up. I wanted to have the sale that summer, but my problems and life were chaotic at the time along with bad weather I had to delay the sale until November.

I contracted with Auction and Reality by (Mark) Schackmann Inc. to auction the sale for November 18, 2006 I intended to sell everything; land, houses, cars, antiques, etc. The agreement between the auctioneer and I was that if the land sold the house and all materials that were on the land were the new owners' responsibility. In preparation for the sell in early November Schackmann employees came out to the property to start setting up. A bobcat was brought in to push and pile all loose materials. It was suppose to be organized into sections by: wood, metal, etc. I had no say in how this process was done and verbally objected to how this was being carried out. Instead of being organized it was a complete mess as indeed your pictures from December 14, 2006 show.

At the start of the auction, the auctioneer stated several times over the PA system that whoever purchased the land also purchased all the materials with the land. In fact the auctioneer stated, "Anything left on the land the new owners consider it a gift." Those that bought individual items such as; metal buildings, tools, wagons, etc had two days to remove the

purchased items off the property. Unfortunately, this did not occur. The buyers would take the one or two items that they wanted and left the rest of the items on the property, this led to materials being scattered everywhere. There were three successful bids for three land parcels. Once again, I was told the new buyers had total responsibility for all materials on the land per agreement. In addition, the agreement stipulated that I had to have all of my personal belongings out of the house I personally resided in.

Shortly after the sale was over with and I was in the process of removing my personal items from the house and incident occurred with one of your EPA agents. Mr. Beard whom had purchased a thirty-acre parcel with the rental home had one of his workers, a Mr. Winkler cleaning up on site. Mr. Winkler told the EPA agent, "He would just dig a big hole in the ground and shove it all in." Upon hearing this I was appalled that they would even consider doing that to the land. I had nothing to do with this.

After this incident things started to go badly with my relationship with the buyers of the land. They were upset that they were responsible for clean up and disposing the materials on the land they had purchased. They had hoped that more materials would have been sold at the auction and less clean up would be needed. I reminded them of the agreement made at the auction that the buyer took all materials and full responsibility of the items.

A few weeks passed by after this incident and I received a notice from your agency dated 14 December 2006 including pictures. The report and pictures that were taken on this date are approximately three weeks after the auction had occurred. The piles of materials in those pictures were caused by either the auctioneer's staff and/or the new buyers of the land. I had nothing to do with it; I had absolutely no control over what happened after the auction. Upon receiving your letters I was stunned! Why am I having to pay fines for damage that I did not do and on land that is no longer mine?

The money made from the sale was barely enough to pay off my debts. I continue to have major health problems and no health insurance. I have some employment, but it is limited

with little pay and no benefits. For me to pay a \$9,000 fine would be tremendous hardship. I truly have nothing left.

I have written this petition to the best of my ability and memory of all the events during the last two years leading up to and including the sale. I respectfully submit this petition to you. Please contact me if there is any other documentation or evidence I can provide to get the fines absolved. This letter of petition covers all violations and charges that have been filed against me.

Respectfully Yours,

*Lawrence A. Bartolomucci*

Lawrence A. Bartolomucci

P.O. 2325  
Mt. Vernon, IL 62864  
(618) 214-9106

Attachments:

1. Dr. James Hobgood, M.D. Deaconess Hospital (812) 450-5000
2. Elizabeth Bartolomucci daughter of Lawrence A. Bartolomucci (314) 913-3830
3. Luke Seidel family friend

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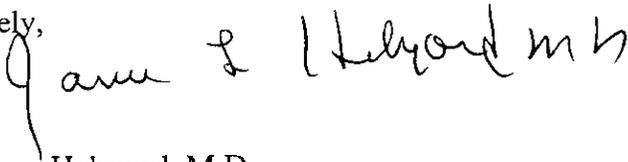
**Deaconess  
Hospital**

2-14-07

To Whom It May Concern:

This letter is in regards to Mr. Lawrence Bartolomucci (DOB 10-23-51). He has been a patient of mine since April 2003. He has a diagnosis of lumbar radiculopathy. His activity level is limited due to his chronic pain condition.

Sincerely,



Dr. James Hobgood, M.D.  
Deaconess Pain Management Center

600 Mary Street Evansville, Indiana 47747 812/450-5000 [www.deaconess.com](http://www.deaconess.com)

February 23, 2007

To Whom It May Concern,

My name is Elizabeth Bartolomucci and I am the daughter of Lawrence A. Bartolomucci. Last summer and also during the spring I helped assist Lawrence A. Bartolomucci in cleaning up his property. I also helped pick up trash, alumni cans, and other materials to help prepare his property for the auction held November 18, 2007.

My father is in terrible health. He suffers from a variety of conditions all of which need medical attention as well as medications. Due to his divorce he lost his health insurance and because he has such poor health he is unable to get reasonable health insurance if any at all. He is in excruciating pain everyday and can only afford to buy medication week to week or sometimes none at all. The money he made from the auction had to pay off massive loans and substantial credit card debt. With what little money he has this will have to pay for doctors, medicine, everyday living, bills, and his future.

I understand the charges against him, but he has never operated an open waste site. He has never let anyone dump any form of materials on his property for free or for money. It was heartbreaking for my father to sell the land that he grew up, farmed, and raised his family. My father honestly did the best that he could to clean up his property and meet your requests. My family and I also tried to help out as well, but due to living locations and availability we were limited to the time we could spend helping him clean up. Please, if there is anyway that these fines could be removed please do so. My father has lost everything.

Please contact me if there is anything I can do. Or any information I might be able to give you to help my father's situation. My address is: 4055 Laclede Ave. Apt. 321 St. Louis, MO 63108, telephone number (314) 913-3830.

Sincerely,

Elizabeth Bartolomucci

Feb. 28, 2007

To whom it may concern;  
My whole family & I have known Lawrence Abe Bartolomucci for several years. He is like a lot of people with limited income & resorts to recycling all kinds of wood, metal, ect. He has had a great deal of lower back pain & pain in both of his feet. We have helped him pick up metal & ect. to help clean up his property before & afterwards his auction on Nov. 18, 2006. This has been very depressing. He had to give up his home he had owned for about 35 years, & some land that his grandfather bought in 1920. All the rain & cold has caused many hardships, but the property is cleaned up considerably since the auction. He still tries to help the elderly & the terminally ill stay in their own homes, so they don't have to die in a nursing home. I hope & pray you will be considerate & understanding of his situation.

Sincerely yours,  
Luke Seidel