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CLERK'S OFFICE

APR 22 2008

STATE OF ILLINOIS  
Pollution Control Board

P.O. Box 518  
Herrin, IL 62948-0518  
April 15, 2008

To: Illinois Environmental Protection Agency

Re: AC 08-11 (IEPA No. 336-07-AC)(Administrative Citation)

Greetings:

Please let me first acknowledge that this response to the above referenced action is not following the legal procedure enumerated in your citation. My wife and I know some response and update of conditions and progress is needed. Therefore, this letter, which is financially possible, is being presented.

With reference to P. Fatka's digital photos:

Photo # 6: The commercial shelving has been removed and sold as scrap...See receipt # 1 from Gary's Metals.

another small load of metal from the site has also been taken to Gary's Metals...see receipt # 2.

Photo # 1 shows a flower bed area in front of the fence. The two sections of the painted tractor tire are part of the flower bed. A pile of sand, not readily seen in the forefront, is to be used to fill in the cracks in a concrete chunk walkway already laid at the south end of the site.

Much of the area shown in photos 7 and 8 has been cleaned up and significant amount of bare ground now exists.

The burn pile of photo # 12 and another burn pile inside the fence have been removed and used as yard fertilizer (as recommended by master gardener Jerry Baker). Having gotten permission from the Herrin city codes inspector and the Herrin fire department we burned leaves and yard vegetative waste at these two sites. Subsequent Herrin city codes now prohibit burning. We have, therefore, taken two pickup loads and three two-wheel trailer loads of leaves and vegetative waste (limbs, flower stems, weeds) to the city provided site.

The roll off box shown in photo #4 has been taken back to Midwest Waste, Inc. I expect to include a photo of the box along with this letter as verification of waste removal.

Page 2...

Most of the photo areas 13,14, and 15 have been cleared.

Over 60 flower pots have been gifted to a gardener friend of ours.

Several stacks of wood are waiting for a friend of ours to transport them to his home for heating purposes.

Five tires have been taken to the tire store for disposal. See receipt #3.

We have more that needs to be done. We hope you agree that significant progress has been made.

The accumulations were done primarily when bargains were available and aspirations for an addition to our building were high. We wanted to open an antique/collectibles shop. Obviously those dreams have not become reality.

I have recovered fairly well from a year of medical disability and hip replacement surgery. For two people at ages 77 and 76, we are still working towards compliance.

With reference to the civil penalty, we do not have \$3000.00, nor will money be available by the April 21, 2008, date. Any alternatives, e. g., extended compliance dates, would be appreciated.

Submitted by Kenneth S. Cook  
and Ella P. Cook

*Kenneth S. Cook*  
*Ella P. Cook*

copy: Dorothy Gunn, Clerk

Susan E. Konzelman, Legal Assistant

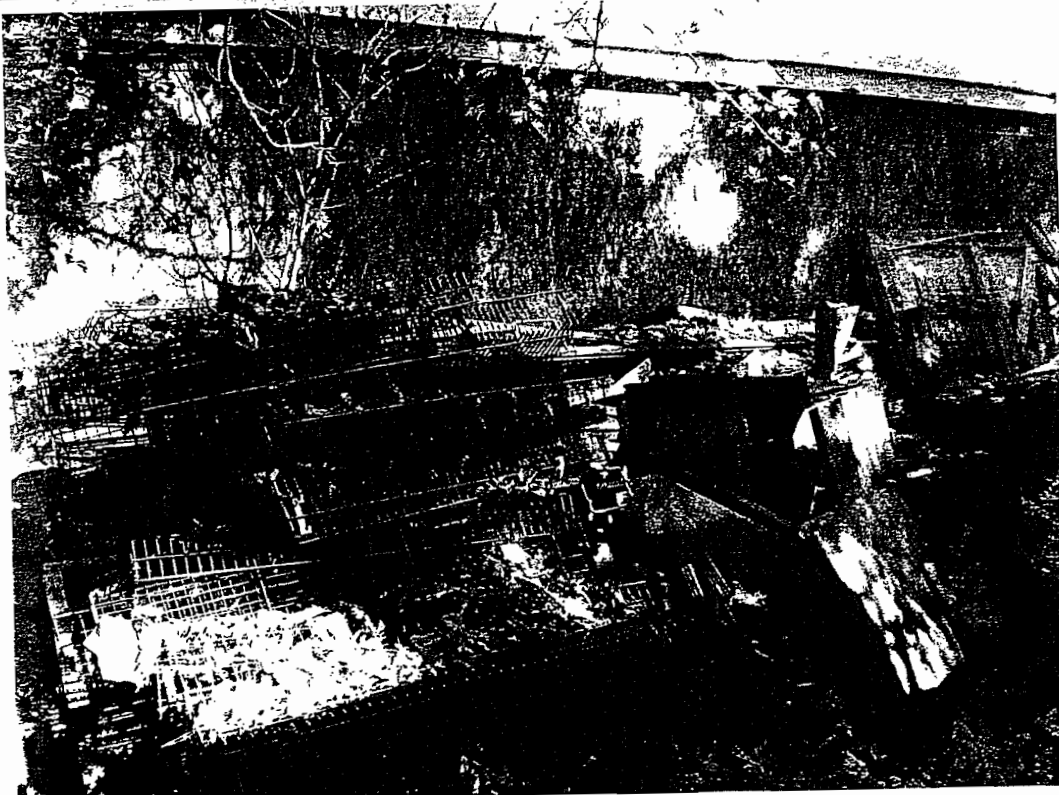


### DIGITAL PHOTOGRAPHS



Date: 11-15-07  
Time: 10:05am  
Direction: W  
Photo by: P. Fatka  
Exposure #: 001  
Comments: General  
debris and fenced area  
south of building.

*The two tractor tire  
halves are part of  
a flower bed  
decoration.*



Date: 11-15-07  
Time: 10:10am  
Direction: NE  
Photo by: P. Fatka  
Exposure #: 006  
Comments: GC/DD and  
commercial shelving in  
the area south of the  
building.

*Sold at  
Garg's Metals*

File Names: 1990405076~11152007-[Exp. #].jpg



## DIGITAL PHOTOGRAPHS



Date: 11-15-07  
Time: 10:10am  
Direction: E  
Photo by: P. Fatka  
Exposure #: 007  
Comments: View from  
over the makeshift fence  
showing GC/DD.



Date: 11-15-07  
Time: 10:11am  
Direction: E  
Photo by: P. Fatka  
Exposure #: 008  
Comments: GC/DD and  
household items in the  
area west of the building.

File Names: 1990405076~11152007-[Exp. #].jpg



Date: 11-15-07  
Time: 10:12am  
Direction: SE  
Photo by: P. Fatka  
Exposure #: 012  
Comments: Historical  
burn pile and GC/DD.

File Names: 1990405076~11152007-[Exp. #].jpg

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Date: 11-15-07  
Time: 10:07am  
Direction: NW  
Photo by: P. Fatka  
Exposure #: 004  
Comments: General  
debris and the roll-off  
box.

*The items in  
center left have  
been removed.*

File Names: 1990405076~11152007-[Exp. #].jpg

Page 2 of 8

Roll off bin from  
Photo #4

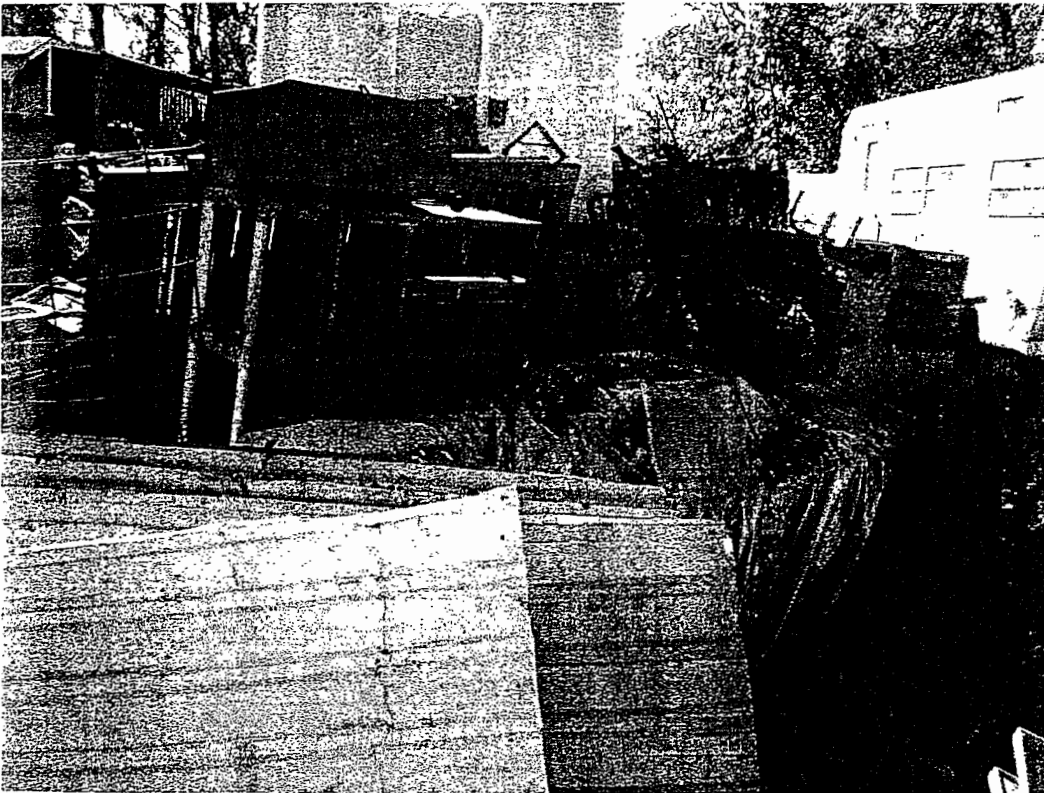




## DIGITAL PHOTOGRAPHS



Date: 11-15-07  
Time: 10:13am  
Direction: E  
Photo by: P. Fatka  
Exposure #: 013  
Comments: View east from the north of the trailers. Boxed household goods seen in the 1/18/07 inspection are no longer visible, but larger household items appear to be in the location the boxes occupied.



Date: 11-15-07  
Time: 10:13am  
Direction: S  
Photo by: P. Fatka  
Exposure #: 014  
Comments: GC/DD and household items north of the trailer.

File Names: 1990405076~11152007-[Exp. #].jpg



## DIGITAL PHOTOGRAPHS



Date: 11-15-07  
Time: 10:13am  
Direction: S  
Photo by: P. Fatka  
Exposure #: 015  
Comments: Household  
items and general debris  
north of the building.

Date:  
Time:  
Direction:  
Photo by:  
Exposure #:  
Comments:

No Photograph.

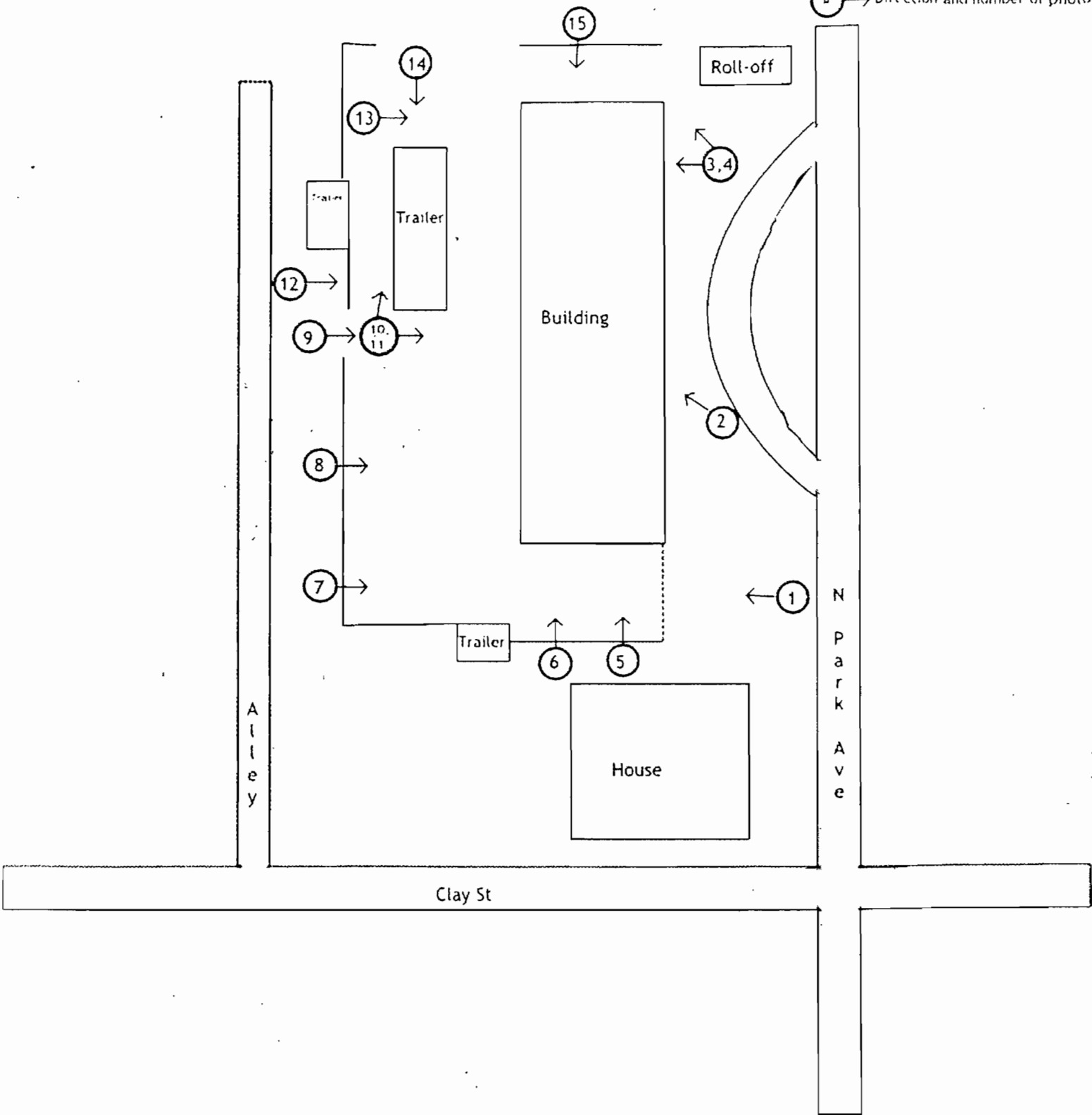
File Names: 1990405076~11152007-[Exp. #].jpg



Not to scale  
All locations approximate

1  
N

# → Direction and number of photo



Receipt #2

GARY'S METALS, INC.  
1411 Country Aire Dr  
Carterville, IL 62918  
(618) 985-6931

787619

DATE 4/15/08

CUSTOMER'S ORDER NO. DEPARTMENT

NAME Ken Cook

ADDRESS

CITY, STATE, ZIP

SOLD BY CASH C.O.D. CHARGE ON ACCT. MDSE RETD PAID OUT

QUANTITY DESCRIPTION PRICE AMOUNT

QUANTITY	DESCRIPTION	PRICE	AMOUNT
1			
2			
3			
4			
5	4/10 sheet #	9.00	36.00
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			

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KEEP THIS SLIP FOR REFERENCE

GARY'S METALS INC.  
1411 Country Aire Dr.  
Carterville, IL 62918  
(618) 985-6931

Receipt #1

093201

CUSTOMER'S ORDER NO. DEPARTMENT DATE 1-25-08

NAME Ken Cook

ADDRESS

CITY, STATE, ZIP

SOLD BY CASH C.O.D. CHARGE ON ACCT. MDSE RETD PAID OUT

QUANTITY DESCRIPTION PRICE AMOUNT

QUANTITY	DESCRIPTION	PRICE	AMOUNT
1			
2			
3	852, 51	08	70.5
4			
5	(shelves)		
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			

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# BUCK MILLER

# INVOICE

1500 North Park Ave. • Herrin, IL 62948  
 BUCK MILLER (618) 942-3416 - HERRIN (618) 988-8340  
 1500 N PARK AVE  
 HERRIN, IL 62948  
 (618) 942-3416

INVOICE DATE	CUST NO.	ORDER NO.	PAGE	INVOICE NO.
04/05/08	999927	62598	1	60515
License: 6947728				
Mileage: 001				

SOLD TO  
 KENNETH COOK

*Receipt # 3*

SHIP TO

PURCHASE ORD. NO.	SALES PERSON	MAIN PHONE	OTHER PHONE	SHIP VIA
	H10			INSTALLED

Cash

ITEM NO.	DESCRIPTION	QTY. ORDERED	QTY. SHIPPED	F.E.T.	PRICE	NET EXTENSION	
SCRAP	SCRAP TIRE FEE	5	5		2.50	12.50	
*****THANK YOU***** *YOUR BUSINESS IS APPRECIATED* *****							
CHECK:	12.50					SubTot Part.:	12.50

CASH SALES

Inv Total : 12.50

SPECIAL INSTRUCTIONS

SECURITY AGREEMENT: Customer grants to secured party-seller, a security interest in the property described above. Customer agrees to all terms and conditions contained on REVERSE SIDE of this document.

If litigation is required, buyer is liable for principal, finance charges, court costs, reasonable attorney fee & collection agency charges.

WARNING: MOUNTING TIRES CAN BE DANGEROUS! We accept no responsibility for accidents when tires are mounted by others

RECEIVED BY	PRINT NAME

