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STATE OF ILLINOIS
Pollution Control Board

July 27, 2011

Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph St., Suite 11-500
Chicago, IL 60601

AC11-28

ORIGINAL

Dear Illinois Pollution Control Board,

I received your request for an amended petition on July 9, 2011. I spoke with Michelle M. Ryan with the Illinois E.P.A. on July 12, 2011 at 8:20 a.m. and she was very helpful with what information was to be on the amended petition. Michelle Ryan also instructed me that I did NOT have to have an attorney to do this amended petition. I hope this takes care of the issues you were concerned with.

Thank You,

Thad Shafer



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STATE OF ILLINOIS
Pollution Control Board

AMENDED PETITION
JULY 27, 2011

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
)
Complainant,)
)
v.)
)
THAD SHAFER)
)
Respondant.)

AC 11-28

(IEPA No.125-11-AC)

ORIGINAL

Amended Petition:

1. According to your own complaint on July 7, 2011 you stated (Page 1 Par. 1) " As required, the Agency served the administrative citation on respondents within 60 days after the date of the observed violation." The citation wasn't issued until June 2, 2011. According to the I.E.P.A. in their own Narrative Inspection Report, the 1st inspection was September 29, 2010, a second inspection was on December 30, 2010, Over 8 months when this "alleged" violation occurred did I receive a citation.
2. Page 2, first paragraph. I did not cause or allow any dumping of "demolition debris" (wood paneling and carpet) because I did not know Wilmer Mathews had done that. I didn't allow or know anything about it. The burn pile had been there for 80 years. Wilmer Mathews had gone through the little pile a year earlier looking for scrap steel to sell. I did not know he had dumped anything until E.P.A. sent me "corrective warning" on January 19, 2011. I work away from home on the railroad and didn't have time to clean up the little trash that was there. There was NO hazardous materials, NO air pollution, and NO waterway was contaminated. The "little mess" that was there has been cleaned up. Also I believe the U.S. Constitution 5th Amendment (due process self-incrimination and rules for eminent domain) pertains here. Furthermore, the 6th Amendment (to confront the accuser) also pertains here.
3. Dustin Burger (I.E.P.A.) did search my private property at least three times without my permission and without a search warrant. He admitted there was no hazardous waste, no special waste, no air pollution, no waste tires and no threat to water but took pictures and used them against me in I.E.P.A. citation. The 4th Amendment clearly states: "Intediction of unreasonable searches and seizures; a search warrant is required to search persons or property."
4. Page 2, Para. 2: I did omit Linda Shafer's name from your petition because I do not know who Linda Shafer is. A Linda Shafer has never owned my farm. In a narrative report I also saw a Linda McGinnis Shafer. I do not have a clue who this is because I do not believe she exists. This is another reason I'm ready to contact my state representative. No one gave

Wilmer Mathews permission to dump or store anything on my farm and I do not know who Linda Shafer is.

5. Page 2 Para. 5: "The board finds no evidence that respondent served the agency with a copy of the petition." I most certainly did. See evidence on page 3.

6. The relief that I am seeking is to have this case dismissed. This was never a landfill and nothing toxic has ever been placed there. I didn't even know that Wilmer Mathews had put scrap wood and carpet on my property. In Dustin Burger's narrative he acted like a trailer had been burnt and all of its debris were dumped on my farm. That was not the facts. When I confronted Wilmer Mathews he told me it was less than one pickup load and it was only a little wood paneling and carpet. Every farm in this country has a place where the farmer burns things. The site has since been completely cleaned up. Dustin Berger also reported in his Open Dump Administrative Citation Warning Notice (Open Dump Inspection Checklist) that the site was "20 Yards" in size. However, in his Administrative Citation (Open Dump Inspection Checklist) it had grown to "40 yards" in size, even though in his narrative report he stated no other waste had been added. This case is a mole hill being made into a mountain. As I stated earlier, every single farm in the U.S.A. has a place where the farmer burns things. Why am I being singled out? I've only owned this farm for 2-3 years and that scrap pile has been there for years and I'm the one that has paid to have it cleaned up - see picture enclosed. I'm hoping this case will be dismissed in the near future.

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 Illinois Pollution Control Board
 James R. Thompson Center
 100 West Randolph St.
 Suite 11-600
 Chicago, IL 60601

2. Article Number (Transfer from service label)
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 1031 North Grand Ave East
 PO Box 19876
 Springfield, IL 61794-9276

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 PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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