

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter of:

COMMONWEALTH EDISON CO,

Complainant,

VS.

PCB NO. 2010-50

FREDERICK SLAYTON, ANN VOLE SLAYTON

Respondents,

ANSWER TO FORMAL COMPLAINT

Respondents, acting as pro se hereby respond to complainant filed on September 15 2011.

FACTUAL BACKGROUND RESPONSES

1. Stipulated

2. Ann Vole Slayton was owner of Rocks Ann Trucking Inc, located at 3030 North tenth street Waukegan IL. Frederick Slayton was operating member of READCO LLC located at same address after Rocks Ann Trucking Inc went out of business in 2005.

Ann Vole Slayton was not an equity member or manager of READCO LLC which operated a EPA transfer station at 3030 North tenth street Waukegan IL

- a. Ann Slayton incorporated Rocks Ann Trucking Inc in 1993.
- b. Rocks Ann Trucking Inc by its corporation leased the property located at 3030 North tenth street, Waukegan IL.
- c. Frederick Slayton did not operate Rocks Ann Trucking Inc., but did operate Rocks Ann Construction Inc at 3030 North Tenth Street Waukegan IL.
- d. Ann Slayton and Fred Slayton did not form and incorporate a company called READCO LLC. Ann Vole Slayton went out of business as Rocks Ann Trucking Inc in 2005, and had no connection to READCO LLC what so ever.
- e. Stipulated

3. Respondents Ann Slayton and Frederick Slayton have no answer to any part of Cioni Excavating Inc.

4. Respondent Ann Slayton denies this allegation. Frederick Slayton on several occasions spoke to Comm Ed's representatives who would come to visit the location at 3030 North Tenth Street to inspect the high wires and their right of way. The inspectors were informed by Frederick Slayton that on occasion spoils would be placed on the right of way and then removed at a later date from time to time. The inspectors who Frederick Slayton spoke to did not give permission to place spoils in the right of way but said as long as the spoils were removed, they (the Inspectors) had no problem with the temporary use of the area and as long as the area was maintained.

In addition Comm. Ed's monthly inspection by helicopter outfitted with cameras, to video their wires and their right of way never prompted Comm Ed to send notice or make any personal attempts to ask Rocks Ann or READCO to remove the spoils that were placed on the property from time to time between 2001 and 2007.

- a. Ann Slayton and Fredrick Slayton have no independent knowledge of this allegation.
- b. Ann Slayton has no knowledge of this statement. Frederick Slayton removed approx 18 loads from the top of the berm that was installed with the knowledge of Comm Ed and which a permit was issued by the City of Waukegan under John Moore's supervision, because the height of the berm was too close to the low voltage ground wire. This berm was installed to prevent the low voltage wire from being hit by landscape trucks raising their box to dump landscape debris at 3030 North Tenth Street.
- c. Ann Slayton and Frederick Slayton have no knowledge of this statement.
- d. Ann Slayton has no knowledge of this statement. Frederick Slayton and his employees on several occasions called the Waukegan Police department to report that person or persons were dumping dirt in the rear of 3030 North Tenth Street referred to by the Plaintiff as the "Comm Ed Right of Way".
- e. Ann Slayton has no knowledge of this statement. Frederick Slayton did speak to Mike Boutcher on or about February 2007, and did tell him that Rocks Ann Trucking was the former tenant and was owned by his wife Ann Slayton until 2005 when she went out of business. Frederick Slayton did not tell Mike Bouthcher that Ann Slayton dumped any waste at 3030 North Tenth Street. Frederick Slayton told Mike Boutcher that comm. Ed trough its sub contractors excavated the easement area approx 3 to 5 feet in depth for a length of approx 1000 feet to the west of 3030 North tenth Street.
- f. Ann Slayton has no knowledge of this statement, and in fact was not on the premises since 2005

- g. Ann Slayton and Frederick Slayton have no knowledge of this statement.
 - h. Ann Slayton and Frederick Slayton have no knowledge of this statement.
5. Ann Slayton has no knowledge of any debris being placed on the easement known as the COMM ED property located to the west of 3030 North Tenth street Waukegan.
Frederick Slayton has knowledge of material dumped at 3030 North Tenth Street, Waukegan, IL.
6. Ann Slayton and Frederick Slayton have no knowledge of this statement.
7. Ann Slayton and Frederick Slayton deny any and all allegations of willful and malicious conduct.

COUNT 1 Frederick Slayton Responses;
8,9,10,11 and 12.

Frederick Slayton denies all of these allegations.

COUNT 11 Ann Vole Slayton

Ann Vole Slayton denies all of the allegations.

REPONSE TO PRAYER FOR RELIEF

Ann Slayton and Frederick Slayton filed for Bankruptcy in 2006 and Fredrick Slayton filed for Bankruptcy on behalf of READCO in 2007.

Ann Slayton and Frederick Slayton are food stamp reciepients and have lost everything as a direct result of the landlord at 3030 North Tenth Street Waukegan Il. (location in question) cancelling their lease in December of 2008. Thier property was thrown out by the new tenants Excell Disposal, who took over in January of 2009. There was a law suit filed in Lake County Illinois but, Ann and Fred Slayton could not afford to fight the landlord and the new tenant in litigation. We have no means to pay comm. Ed for any type of restitution that they believe they are entitled to and I told this to them prior to this current case before the board.

This answer was prepared by Frederick Slayton, even though it would have been better to have an attorney to represent the Slayton's. The Slayton's not in a financial position to retain competent counsel.

Respectfully Submitted,

Frederick Slayton pro se
2770 Fort Sheridan Ave
Highland Park, IL. 60035 Dated December 2 2011