

Notice of Filing

RECEIVED  
CLERK'S OFFICE

AUG - 7 2014

STATE OF ILLINOIS  
Pollution Control Board

Illinois Environmental  
Protection Agency  
Complainant

v

Jim Barnes D/B/A Barnes  
Trucking & Excavation  
Respondent

AC

(IEPA No. 163-14-AC)

Petition for REVIEW

To: John Therriault, Clerk  
Pollution Control Board  
James R Thompson Center  
100 West Randolph Street Suite 11-500  
Chicago, Illinois 60601

Please take notice that on this date I mailed for filing with the pollution control board of the state of Illinois the following instrument entitled (Petition for Review)

Jim Barnes Trucking & Exc.  
398 Illinois Street  
Marseilles, IL 61341  
(815) 343-8013

Dated August 1, 2014

Respectfully Submitted  
Jim Barnes  
Jim Barnes  
Owner

# Before the Illinois Pollution Control Board

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AUG - 7 2014

AC

STATE OF ILLINOIS  
Pollution Control Board

(ISPA No. 163-14-AC)

Illinois Environmental Protection  
Agency

v.

Jim Barnes d/B/A Barnes Trucking  
& Excavation  
Respondent

## Petition for Review

### Facts

I, Jim Barnes, Owner of Jim Barnes Trucking & Excavating, located at 293 Commercial St., Marseilles la Salle County, Illinois, am requesting a review of the 3 citations alleged against me.

In regards to violation no. 1 & 2, open dumping of waste and general construction or demolition debris on April 18, 2013: due to over 8' of rain, 5 barges broke loose on the Illinois River and hit the dam located in Marseilles, causing the river to overflow and flooded 200 homes in Marseilles and one of those 200 was mine.

The demolition debris and pipe, concrete and other things in the pictures like the bowling machine, all came from my house. I took us over 8 months to get back into our house. Those things shown in the pictures due to the winter weather, were left at my house till spring.

This Spring when I had time I brought some of the things down to my shop and broke them up to put in my dumpster. If they didn't all fit they would be there until they emptied the dumpster. I would then fill it again and bring more down. After 16 months I finally have it all cleaned up. I have attached some pictures taken of the bowling machine and the wood while it was still at my house.

In regards to the 3<sup>rd</sup> violation allowing water to accumulate in used tires, I had just derimmed the tires except for 5 of them which did not have rims and loaded them in the trailer to take them to POMP's Tire to dispose of them. I called POMP's and told them I was bringing them over. They told me their trailer was full and it would be probably a week to 10 days before they would have it empty. The tires sat for 8 days until they could take them. It rained 3 of those days. That is why some of them had water in them. There was 5 that didn't have rims but they were drilled sitting on the ground because they wouldn't fit in the trailer. They were going in the back of my pick-up when I took the trailer with the other tires. I have attached a copy of the receipt for the disposal of the tires.

RESPECTFULLY  
Jim Barnea  
JIM BARNEA  
2/1/10

## Proof of Service

I hereby certify that I did on the 4<sup>th</sup> day of August 2014, send by certified mail, return receipt requested, and sent next day delivery all postage prepaid, by depositing in a United States post office box a true and correct copy of the following instruments..

Notice of Filing  
Petition for Review  
Proof of Service  
Notice of Appearance

to: John Therriault, Clerk  
Pollution Control Board  
James R Thompson Center  
100 West Randolph Street Suite 11-500  
Chicago, Illinois 60601

to: Illinois Environmental Protection Agency's  
Division of Legal Counsel  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

NOTICE OF APPEARANCE

I will appear on my own behalf.

Respectfully  
Jim Barnes

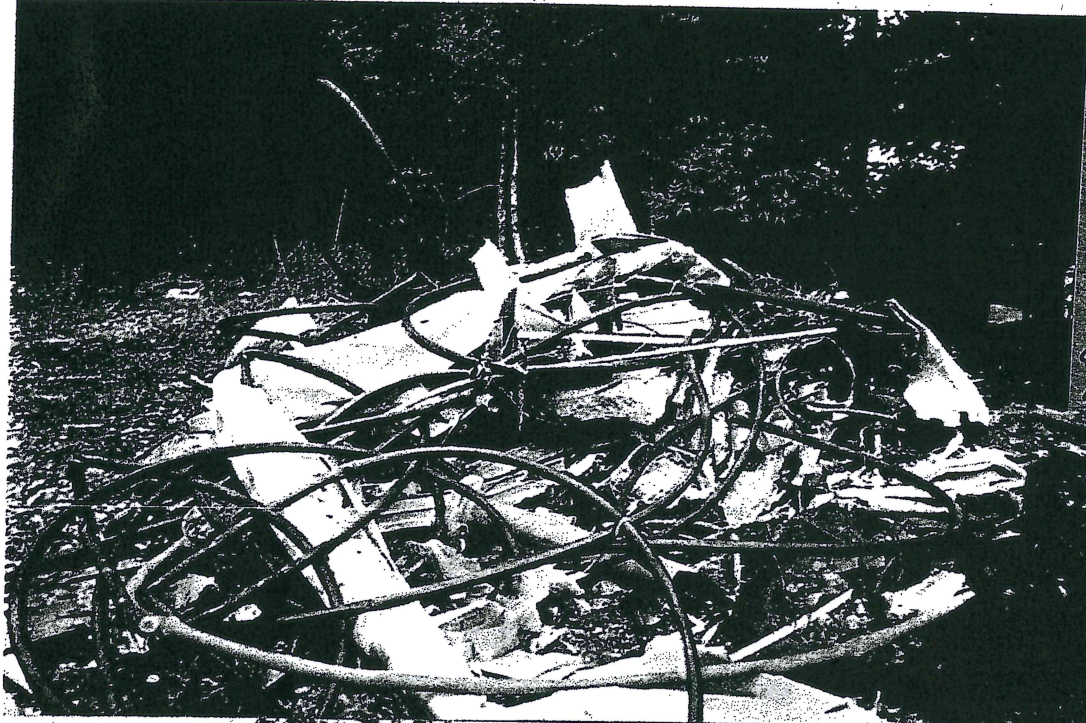


Illinois Environmental Protection Agency  
Bureau of Land  
Division of Land Pollution Control

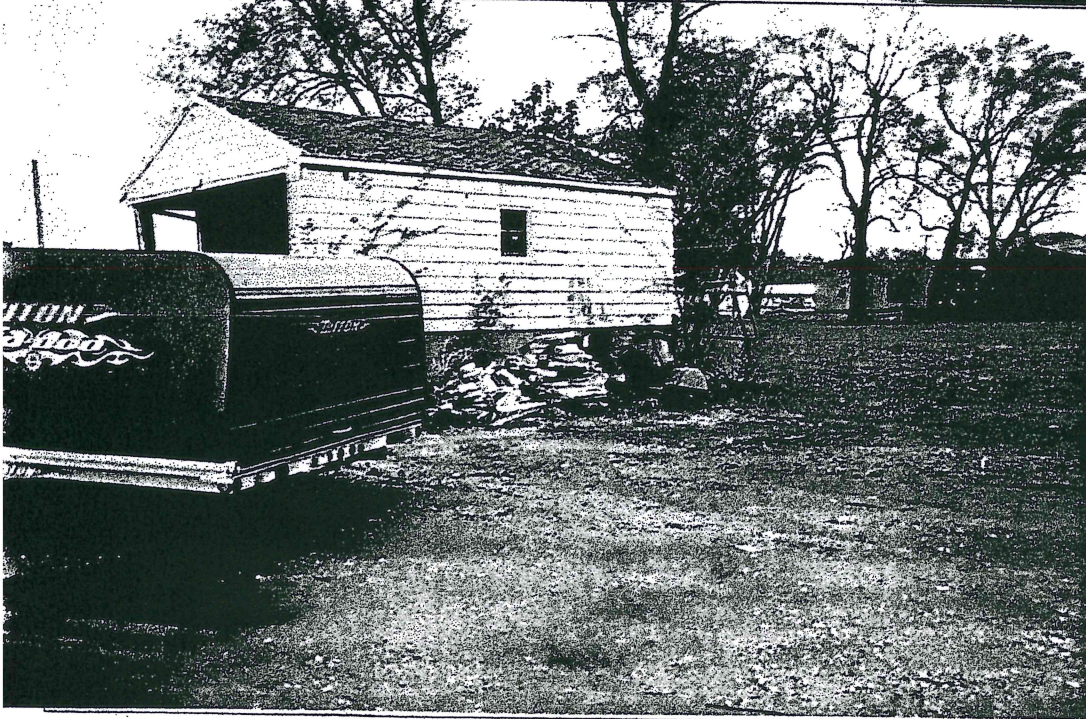
0990505041 - LaSalle County  
Marseilles/Jim Barnes Trucking & Excavation  
FOS File

## DIGITAL PHOTOGRAPHS

File Names: 0990505041~051414



WATER LINES  
AND SIDING  
REMOVED FROM  
MAY HOUSE  
AFTER FLOOD.  
THEY WERE PUT  
IN DUMPSTER  
WHEN IT WAS  
EMPTY



Date: 05/14/2014  
Time: 3:06 pm  
Direction: SW  
Photo by: Shehane  
Exposure #: 006  
Comments: tires have  
been moved from their  
former location against  
this garage



Illinois Environmental Protection Agency  
Bureau of Land  
Division of Land Pollution Control

0990505041 — LaSalle County  
Marseilles/Jim Barnes Trucking & Excavation  
FOS File

# DIGITAL PHOTOGRAPHS

File Names: 0990505041-051414



Date: 05/14/2014  
Time: 3:02 pm  
Direction: W  
Photo by: Shehane  
Exposure #: 003  
Comments: open-dumped waste includes lumber, a bowling game, bathtub, metal

BOWLING MACHINE  
ALSO FROM THE  
HOUSE WAS PLUS  
WASO WAS BRACK  
APART AND PUT  
IN PUMPSTER  
WHEN IT WAS  
EMPTY

Photo by: Shehane  
Exposure #: 004  
Comments: concrete, soil, metal, pipes on the ground





# Office answers will take time

Residents pack fire department for special meeting

By CHARLES STANLEY  
[www.times.com](http://www.times.com)  
 815-431-4063

Floors from the Army Corps of Engineers and the United States Coast Guard flooded a packed house in Marseilles flood victims' rush to judgment on the degree to which barges that collided with Marseilles on Aug. 18 may have affected the flood conditions.

The residents were at a special City Council meeting held in the fire department training room. "I understand you see the barges out there and they're very visible," said Coast Guard Capt. Mart Sibley. "I love to stand here and tell you that's the definite answer. But we don't know. We're working on it. From a common sense perspective, it's kind of safe, well the barge hit the dock and the water came up, so therefore A plus," said Col. Mark Stables of the Army Corps of Engineers.

"There is a possibility that it's true," he said. "We have to do is



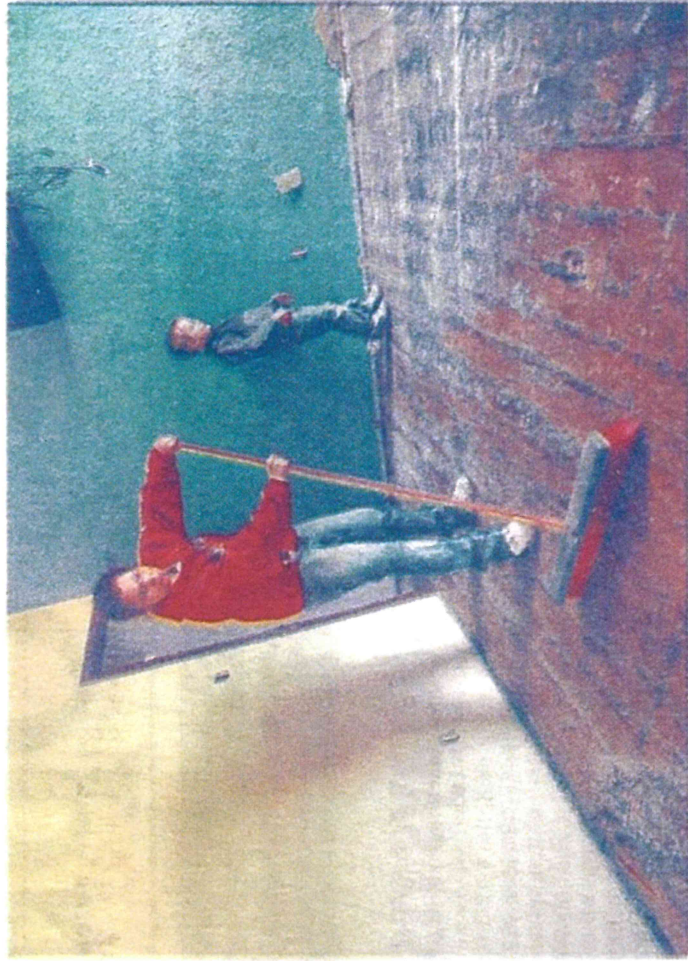
The Times photos | Doug Larson

**Above: Laborers Local 393 members and family clear out ruined items for a homeowner Wednesday afternoon in Marseilles. The union has been helping those in need with cleanup efforts throughout the week. Right: Danielle Barnes, of Ottawa, sweeps up after ripping up flooring in a bedroom of the home of her mother, Karen Barne, as Danielle's nephew, 4-year-old Austin Barnes-Underwood, keeps her company while family and friends work on the cleanup Wednesday afternoon in Marseilles.**

"We're investigating it," Scott Noble, the disaster recovery agent for Ingram Barge, said he had been on site since Sunday to help rebarges as quickly and well as possible. "It was the

"I'm not going to be able to give you a definite answer that's going to make a difference. It was a tall and flood... brother lost."

"I don't know if it's a gamble, but I'm not going to be able to give you a definite answer that's going to make a difference."



The Times | Charles Stanley

Mayor... Chief Jim Hovious talks to the flood victims who packed the fire department training room Wednesday evening for a special City Council meeting.

**LOANS IN A FLASH!**  
**AUTO LOANS**  
**MORTGAGES**



# THE Times

\$1.00

No. 92

**WEEKEND**  
April 20-21, 2013

[www.mywebtimes.com](http://www.mywebtimes.com)

## FLOOD COVERAGE

- ▶ OSF St. Elizabeth monitors flooding situation **A2**
- ▶ Quinn declares county a disaster area **A3**
- ▶ Flood closes Marseilles school, input awaited on reopening **A3**
- ▶ Former Ottawa resident sets up flood relief fund **A3**
- ▶ Illinois River at Ottawa tops record during flooding event **A3**
- ▶ Stranded Ottawa man rescued after night at marina **A4**
- ▶ County nursing home evacuation lands most in new digs **A4**
- ▶ Marseilles dam hit by hoosier **A4**



## Marseilles copes with unprecedented flood

**DAN CHURNEY**

[danc@mywebtimes.com](mailto:danc@mywebtimes.com)  
815-431-4050

The first thought in Nancy Frederick's mind when she woke Friday morning was, "Can we go back home yet?" But she quickly realized the answer was "No" and may remain "No" for at least several days, if not much longer.

Nancy and her husband, Terry Frederick, took shelter Thursday

