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STATE OF ILLINOIS  
Pollution Control Board

**Michael Stringini Respondent**  
**In Response to the Post hearing Brief**  
**People v. Stringini**  
**PCB 01-43**  
**(RCRA Enforcement)**

6-29-04

In paragraph four (4) of the post hearing brief there is made the assertion that I am still in the metal reclaiming business, this is not true. The business I am in now is brokering waste from generators direct to recyclers operating permitted facilities, without any reclamation, I have not been in the metals reclaiming business for well over a decade, David Stone has somehow missed that fact. The operations of the business I am currently in are nothing like what went on at the Zimmerman place. I am aware that under current law, reclaiming metal before recycling disqualifies a given hazardous waste from taking advantage of the exemption from regulation as solid waste offered for materials which are recycled. But when I operated at the Zimmerman property the law was different, for one, the sand was not even classified hazardous back then. I have never heard it disputed that if I was able to complete my operations there never would have been an issue here for the IEPA. Also the duress under which I was forced to leave the property has not been considered at all. Since the state's attorney represented Zimmerman against me at that time; I wonder if this has not colored his perception of the issues here just a little. The guy who is helping the state prosecute me is the same guy who helped Zimmerman sue me. Cute.

Mr. Stone's comments about my current business are uninformed and should be stricken from the record having no basis in fact, Stone has made these assertions based on the fact that he at least knows that I am still in the waste business. But to assert that anything I am currently doing in the waste business is illegal requires more than Stone's imagination to make it true. I know he'd like to blacken my reputation so much that I can never do business again, but these comments; as to the legality of my current business, unless stricken, will bring about a suit for libel.

  
Mike Stringini