

AC09-35

FEB 22, 2009

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FEB 24 2009

PETITION FOR REVIEW.

IEPA FILE # 13-09-AC 0370608008 DEKALB COUNTY
STATE OF ILLINOIS
Pollution Control Board

I, WILLIAM HAJEK, RESIDE AT 11683
MCALISTER ROAD (UNINCORPORATED) WATERMAN ILL,
DEKALB COUNTY.

My property CONSISTS OF A 5 ACRE PARCEL
ZONED AGRICULTURE. THERE ARE SEVERAL
FARM RELATED OUTBUILDING STRUCTURES ON
THE PROPERTY.

I, DENY PARAGRAPH #2 OF THE FACTS
NARRATIVE WHICH STATES THAT I AM
OPERATING AN OPEN DUMP.

I DO HAVE STORED ON MY PROPERTY
SEVERAL FARM TRACTORS, ATTACHMENTS,
AND MACHINERY THAT WOULD BE USED
AND COMMONLY FOUND ON A AGRICULTURAL
ZONED PROPERTY

AS TO THE VIOLATIONS LISTED,
#1 I DENY THAT I HAVE ALLOWED
OPEN DUMPING OF WASTE

(2)

I ALSO DENY THAT;
#2 THAT I HAVE ALLOWED OPEN
DUMPING OF CONSTRUCTION DEBRIS.

WITH REGARD TO #2 VIOLATION I
HAVE STORED SOME LUMBER WHICH IS
FOR USE IN REPAIRING MY BARN. I
ALSO HAVE STORED FIREWOOD FOR USE IN
MY FIREPLACE.

AS TO THE ENVIRONMENT PROTECTION ACT
REQUIREMENTS LISTING #6(2)(d) #1, #2
STATING, CONDUCT WASTE STORAGE, WASTE
TREATMENT OR WASTE DISPOSAL OPERATION.

I AM NOT OPERATING ANY WASTE
STORAGE, WASTE TREATMENT OR WASTE
DISPOSAL OPERATION.

AS TO #7(2)(e) I AM NOT DISPOSING
TREATING OR ABANDONING ANY WASTE, OR
TRANSPORTING ANY WASTE INTO THE STATE
AT/TO SITES NOT MEETING REQUIREMENTS OF
THIS ACT.

(3)

AS TO ITEM #8 (21P) #1 HITTER,
THERE IS SOME FARM RELATED
EQUIPMENT THAT MIGHT BE CONSIDERED
AS HITTER.

I DO NOT HAVE STORED ANY CONSTRUCTION
DEBRIS OTHER THAN THE WOOD I LISTED
EARLIER. I DO HAVE A STORAGE BARN ON
SITE WHICH HAD COLLAPSED LAST WINTER.

AS TO ITEM #9 (55a) I DO HAVE
SOME USED TIRES STORED. MOST OF THE
TIRES ARE MOUNTED ON RIMS ARE FOR
USE ON MY TRUCKS AND FARM TRACTORS.
THEY ARE NOT WASTE TIRES.

I WOULD ALSO LIKE TO REPORT
SOME OF THE STATEMENTS MADE IN THE
NARRATIVE INSPECTION REPORT.

I DENY I AM OPERATING A JUNK
YARD AND OR AM ACCUMULATING SCRAP
METAL OFF SITE.

(4)

THERE ARE ONLY 5-55 GALLON DRUMS STORED, WHICH WERE ANALYZED AND TESTED BY T.S.C. THE COPY OF ANALYSIS WAS SENT TO ROCKFORD E.P.A. IT WAS FOUND TO BE ASPHALT SEALANT.

THERE ARE NO 5 GALLON PAILS OF PAINT STORED ON MY PROPERTY. THERE ARE ONLY EMPTY 5 GALLON PAILS USED ONLY FOR UTILITY PURPOSES.

I HAVE DISPOSED OF METAL, TIRES, AND BATTERIES TO WITTAKER SALVAGE IN EARLVILLE IL.

DUE TO THE SEVERITY OF THE WINTER STORMS, I HAVE BEEN UNABLE TO REMOVE OR STORE ANY ADDITIONAL TIRES THE TIRES ARE STILL FROZEN IN THE SNOW.

(3)

I HAVE NEVER RECEIVED A NOTIFICATION
FORM FROM THE ROCKFORD UTU TO
REGISTER MY SITE AS A TIRE STORAGE SITE

William Hajek
William Hajek

WILLIAM HAJEK

11683 McCLUSTER ROAD

WATERMAN IL 60556-7084

CELL PH # 708-595-3877

HOME PH 815-786 9039



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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3397

DOUGLAS P. SCOTT, DIRECTOR

(217) 782-9817
TDD: (217) 782-9143

February 11, 2009

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

Re: Illinois Environmental Protection Agency v. William and Patricia Hajek
IEPA File No. 13-09-AC; 0370608008—DeKalb County

Dear Mr. Therriault:

Enclosed for filing with the Illinois Pollution Control Board, please find the original and nine true and correct copies of the Administrative Citation Package, consisting of the Administrative Citation, the inspector's Affidavit, and the inspector's Illinois Environmental Protection Agency Open Dump Inspection Checklist, issued to the above-referenced respondent(s).

On this date, a copy of the Administrative Citation Package was mailed to an inspector from the Rockford Regional Office to be delivered to Respondent via hand delivery. As soon as I receive the affidavit of service, I will promptly file a copy with you, so that the Illinois Pollution Control Board may calculate the thirty-five (35) day appeal period for purposes of entering a default judgment in the event the Respondent(s) fails or elects not to file a petition for review contesting the Administrative Citation.

If you have any questions or concerns, please do not hesitate to contact me at the number above. Thank you for your cooperation.

Sincerely,

Michelle M. Ryan
Assistant Counsel

Enclosures