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7 **STATE OF WASHINGTON**  
8 **KING COUNTY SUPERIOR COURT**

9 THE STATE OF WASHINGTON,

10 Plaintiff,

11 v.

12 CHARLES EDWIN PILLON

13 Defendant.

NO.

AFFIDAVIT OF PROBABLE CAUSE

14 Trooper Troy Giddings declares under penalty of perjury of the laws of the state of  
15 Washington that the following is true and correct.

16 I have been employed with the Washington State Patrol since April 1993. I am  
17 currently assigned as the wrecking yard inspector in District 7 (Snohomish, Skagit, Whatcom,  
18 Island and San Juan counties). I have been held this assignment since 2003. I have extensive  
19 training in Vehicle Identification Numbers (VIN's) and vehicle component part identification. I  
20 have attended the Western States Project, introduction to criminal environmental investigations  
21 and the Advanced Environmental Crimes Course hosted by the US Environmental Protection  
22 Agency (EPA). I have investigated over 150 suspects for wrecking of motor vehicles without a  
23 license (RCW. 46.80.020).  
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1 On August 24, 2006 I assisted with a search warrant at 15753 SE Renton-Issaquah  
2 Road in Renton, WA. As a result of this warrant, Mr. Charles Pillon was convicted of illegal  
3 wrecking/wrecking without a license in 2007 (see attached Judgement and Sentence for case 06-  
4 1-12433-9-KNT).

5 The following list includes information of waste being deposited onto the above listed  
6 property owned by Charles Pillon:  
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- 8 • On January 19, 2016 at approximately 0852 hours a white pickup truck was observed  
9 entering the property with a tarped load filling the truck bed. Approximately 16  
10 minutes later the same truck exited the property without the load in the bed of the truck.
- 11 • On January 23, 2016 at approximately 0951 hours a white dump truck was observed  
12 entering the property with numerous black bags the truck bed. Approximately 23  
13 minutes later the same truck exited the property without the load in the bed of the truck.
- 14 • On January 23, 2016 at approximately 1345 hours a dark blue or black truck was  
15 observed entering the property with what appeared to be yard waste in the truck bed.  
16 Approximately 17 minutes later the same truck exited the property without the load in  
17 the bed of the truck.
- 18 • On January 30, 2016 at approximately 1031 hours a white flatbed truck with tall  
19 sideboards was observed entering the property with a tarped load in the truck bed.  
20 Approximately 30 minutes later the same truck exited the property without the load in  
21 the bed of the truck.

22 On February 25, 2016 at approximately 0940 hours I served a search warrant with  
23 assistance from local, state and federal agencies. Mr. Charles E. Pillon was found to be residing  
24 at this location at the time the search warrant was served. King County assessor records show  
25 Mr. Charles E. Pillon as the owner of record for 15753 SE Renton-Issaquah Road in Renton,  
26 WA. Mr. Pillon was provided with a copy of the search warrant at this time.

Mr. Pillon admitted to allowing stripping/cutting up of recreational vehicles (RV's) and  
separating the metals (both ferrous and non-ferrous) to be sold as scrap (a violation of RCW  
46.80, RCW 46.79 and/or RCW 19.290). He continued to say that they cut up boat trailer  
frames and put the metal into a "tub" (the previously listed portable metal container that is

1 approximately 20' long). Mr. Pillon stated they would occasionally throw loose fenders and  
2 hoods into the tub for recycling (a violation of RCW 46.80 and/or RCW 46.79). When the tub  
3 was full, he would contact Binford Metals to come and pick it up.

4         Mr. Michael Williams (a resident of the property) stated he had been living in a travel  
5 trailer on the Pillon property for about two years. During this time he bartered for his rent by  
6 doing yard work and facilitating dumping on Mr. Pillon's property. They allowed dumping of  
7 waste items such as yard waste, lumber, fencing and roofing materials. Mr. Williams told me  
8 that he has been scrapping RV's and boat trailers over the last two years. He cuts up boat  
9 trailers and RV frames and puts them into the tub (metal bin located on the property); this is a  
10 violation of RCW 46.80. Mr. Williams also stated he sorts copper, brass and aluminum to be  
11 sold as scrap (a violation of RCW 19.290).

12         At the time of the warrant I observed over 50 vehicles (including cars, trucks, trailers,  
13 ORV's and RV's) and several hundred tires on the property. Many vehicles were partially  
14 dismantled and/or cut up (this is a violation of RCW 46.80). Vehicle parts were scattered about  
15 the property. Dealing with the aforementioned major component parts requires a license as  
16 defined in RCW 46.80. As this is a subsequent violation of illegal wrecking/wrecking without a  
17 license, it is a class C felony.

18         Mr. Pillon is the purchaser of a boat and/or trailer, as well as numerous cars and trucks  
19 utilizing an Abandoned Vehicle Report (AVR). Of the aforementioned AVR's, 12 were motor  
20 vehicles and trailers. The AVR states that the applicant must file for title within 15 days of  
21 sale. None of the 12 vehicles or trailers had been titled in Mr. Pillon's name as required. This  
22 is a violation of RCW 46.12.670.

1 During the service of the warrant on February 25, 2016 there was evidence of recent  
2 dumping activity onto the subject property. The waste and debris was very extensive and  
3 encompassed a majority of the usable property. A report titled "Stormwater Field Notes" was  
4 provided to me with notes/information from Washington Department of Ecology Inspectors  
5 Tracie Walters, Andrew Funk and Ben Billick. The report listed a site visit date of February  
6 25, 2016 (the date of the search warrant). The inspection notes and observations listed the  
7 following:  
8

- 9 1. Waste and debris is stored throughout the property. Waste materials that were observed  
10 included, but not limited to;
  - 11 • Construction debris: concrete, lumber, miscellaneous metals, roofing shingles,  
12 tiles.
  - 13 • Vehicles and vehicle components: automobiles, trucks, several fire trucks, one  
14 tanker truck, heavy equipment, boats, recreational vehicles, buses, tires,  
15 unidentified vehicle parts.
  - 16 • Miscellaneous chemical containers (some empty, some not). The contents of  
17 the chemical containers were not identified by Ecology, though some containers  
18 were labeled. Chemical containers included 55-gallon drums, 5-gallon buckets  
19 (labeled as paint, stain, finish, hydraulic oil), motor oil bottles, pesticide  
20 containers, numerous 6-gallon fertilizer bottles labeled "Jungle Juice", red fuel  
21 containers, cans of oil conditioner.
  - 22 • Piles of broken glass.
  - 23 • Household waste: furniture, toys, mattresses, clothing, hot tubs.
  - 24 • Organic material: vegetation debris, soil waste inside black plastic trash bags.
  - 25 • Wooden pallets.
  - 26 • Food and beverage containers.
  - Electronics: computer monitors, a television, computer components.
  - Appliances: microwaves, a washing machine.
2. Samples of running water collected at sample location #4, the outfall pipe to the  
roadside ditch;
  - Surface water quality standards were exceeded for iron, lead and zinc. Human  
Health Criteria were exceeded for iron and manganese. Ecology  
Hydrogeologist Christopher Martin analyzed the sampling results and  
concluded that the groundwater had elevated levels of arsenic, iron and  
manganese.

1 Representative samples were obtained by US EPA. It is my belief that these samples  
2 provide evidence of Dangerous Waste Characteristics as defined in WAC 173-303-090.  
3 Multiple samples indicate a flashpoint that exhibits characteristics of ignitability. One sample  
4 indicates a pH greater than 12.5 which indicates characteristics of corrosivity. Other samples  
5 contained items exceeding Maximum Concentration of Contaminants for the Toxicity  
6 Characteristics on the Toxicity Characteristics List provided in WAC 173-303-090. These  
7 samples included Dangerous Waste such as lead, chromium and cadmium. Several samples  
8 obtained were identified as containing motor oil, #2 diesel, and lube oil. These types of  
9 products are common to motor vehicles, and consistent with products that would be found at an  
10 auto recycling facility.  
11

12 An informational sampling report was provided by Jeffrey Fowlow (the on-scene  
13 coordinator for US EPA). The report provided sample results obtained during the search  
14 warrant on February 25, 2016 which includes Semivolatile Organic Compounds (SVOC's) and  
15 Total Toxicity Equivalent soil Concentration (TTEC).  
16

17 1. Landfill area:

- 18 • One TAL metal (chromium) was detected in concentrations that exceed the  
MTCA Method A criteria in four of the six samples collected...
- 19 • Two SVOC's (benzo(a)pyrene and TTEC) were detected above the criteria.
- 20 • Motor oil range organics were detected in exceedance of the MTCA Method A  
criteria in two of the samples...

21 2. Workshop area:

- 22 • Two metals (cadmium and chromium) were detected in concentrations that  
exceed the MTCA Method A criteria.
- 23 • Two SVOC's (benzo(a)pyrene and TTEC) were detected at concentrations that  
exceed the site criteria.
- 24 • Motor oil range organics were detected above the MTCA Method A in one of  
three samples.

25 3. Bus/Recreational Vehicle Area:

- 26 • Two metals (cadmium and chromium) were detected in concentrations that  
exceed the MTCA Method A criteria.

- 1           • Two SVOC's (benzo(a)pyrene and TTEC) were detected above the criteria.

2  
3           I received historical information from Mr. Leonard DiToro who is employed by the  
4 environmental health services division of King County. The information provided displays an  
5 ongoing nuisance property located at 15753 SE Renton-Issaquah Road in Renton, WA. This  
6 property is owned by Mr. Charles E. Pillon. The executive summary report dated October 29,  
7 2014 indicates the following activities and actions:

- 8           • The Environmental Health Services (EHS) has records and documentation of this  
9 property owner receiving, recycling, burning, and burying wastes over approximately  
10 70% of the 10 acre parcel for over 20 years.  
11           • WA State Department of Ecology, Public Health-Seattle and King County (PHSKC),  
12 King County Department of Natural Resources (DNRP), King County Department of  
13 Permitting and Review (DPER) have documented State Dangerous Waste regulation  
14 violations, King County Board of Health code violations, and King County Code  
15 stormwater and land use violations.  
16           • Little to no activity has been taken by the owner to cease illegal operations or cleanup  
17 wastes brought onto the property.  
18           • Site investigations and emergency response have noted evidence of waste incineration  
19 and smelting of metals that likely release chemicals and contaminated particles into the  
20 air.  
21           • The owner has disposed of solid waste on his property without authorization or  
22 oversight by King County. The ongoing accumulation, burying, compacting, burning,  
23 and rearrangement of wastes on his property resulted in an undocumented landfill.  
24           • DDES first notified the owner issues needed to be resolved in 1993 (DDES 2003).

25           Also included in the summary is information on surface water as follows:

- 26           • The site lies within the watershed of Tributary 0291A that drains into May Creek and  
subsequently into Lake Washington.  
          • Surface water on the site is presumed to follow the topography moving downhill  
toward May Creek from southwest to northeast.  
          • Two discharge streams of runoff were observed leaving the property during rainfall of  
April 2014.  
          • Upon reaching the road, the runoff enters a drain and travels below the surface  
(presumably in a storm drain) eastward and emerges approximately 100 feet away into  
a shallow ditch area that eventually discharges into Tributary 0291A. (This ultimately  
drains into Lake Washington.)

1 In 2006, Ecology (WA State Department of Ecology) performed a Dangerous Waste  
2 Compliance Inspection at the site. Several areas were not in compliance with regulations.

3 Compliance problems included:

- 4
- 5 • Failure to designate dangerous or extremely hazardous waste including biodiesel waste,  
6 tank sludge, unknown liquids in containers, shingles, electrical equipment, and others.
  - 7 • Multiple uncontained oil releases to the environment.
  - 8 • Unlabeled containers of "Used Oil" in shed.
  - 9 • No records documenting that chlorofluorocarbons (CFC's) or  
10 hydrochlorofluorocarbons (HCFC's) were properly reclaimed prior to crushing cars.
  - 11 • Unlabeled and poor storage of spent antifreeze.

12 DATED this 23rd day of August, 2016.

13   
14 TROY GIDDINGS  
15 WASHINGTON STATE PATROL