

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Pitch Co III, Inc.-Montrose)
(Property Identification Number) PCB 10-
90-07-05-300-005) (Tax Certification)
)

NOTICE

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

Wes Pitcher
19250 N. 600th St
Montrose, Illinois 62445

Steve Santarelli
Illinois Department of Revenue
101 West Jefferson
Post Office Box 19033
Springfield, Illinois 62794

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board an **APPEARANCE AND THE RECOMMENDATION** of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

ENVIRONMENTAL PROTECTION AGENCY
OF THE STATE OF ILLINOIS

By: 
Vera Herst
Assistant Counsel
Division of Legal Counsel

DATED: February 1, 2010

Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

THIS FILING IS SUBMITTED ON RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Pitch Co III, Inc.-Montrose)
(Property Identification Number) PCB 10-
90-07-05-300-005) (Tax Certification)
)

A P P E A R A N C E

The undersigned, as one of its attorneys, hereby enters an APPEARANCE on behalf of Respondent,
Illinois Environmental Protection Agency.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: Vera Herst
Vera Herst
Assistant Counsel
Division of Legal Counsel

DATED: February 1, 2010
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
(217)782-5544

THIS FILING IS SUBMITTED ON RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Pitch Co III, Inc.-Montrose)
(Property Identification Number) PCB 10-
90-07-05-300-005) (Tax Certification)
)

RECOMMENDATION

The Illinois Environmental Protection Agency ("Illinois EPA") hereby files its Recommendation pursuant to Section 125.204 of the regulations of the Illinois Pollution Control Board, 35 Ill. Adm. Code 125.204.

1. On December 17, 2007, the Illinois EPA received a request from Pitch Co III, Inc. (log number TC-31-07, Exhibit A) for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to 35 Ill. Adm. Code 125.204.
2. The applicant's address is: Pitch Co Inc.
15379 N. 725th St.
Montrose, Illinois 62445
3. The proposed water pollution control facilities in this request are located at SW ¼ of Section 5, T7N, R9E of the 3rd PM in Jasper County, at the above street address and consist of the following:

Livestock waste management facilities consisting of one manure pit (41.17 ft. x 300. Ft. x 10 ft. deep) and 10 pump out pits (6 ft. x 6 ft. x 10 ft. deep) and the portion of the concrete slotted floor over the manure pit in the Nursery building; one manure pit (77.25 ft. x 628 ft. x 10 ft. deep) with 24 pump out pits (6 ft. x 6 ft. x 10 ft. deep) and the portion of the concrete slotted floor over the manure pit in each of the two Breeding/Gestation buildings; sixty manure pits each (7 ft. x 70 ft. x 2 ft. deep) and the portion of the concrete slotted floor over the manure pits in the Farrowing building; and approximately 785 ft. of 8-inch diameter PVC manure transfer piping.

These livestock waste management facilities are used to collect, transport and/or store livestock wastes prior to cropland application, and are further described in Exhibit A.

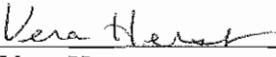
4. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2008), defines “pollution control facilities” as:

“any system, method, construction, device or appliance appurtenant thereto or any portion of any building or equipment, that is designed, constructed, installed or operated for the primary purpose of: (a) eliminating, preventing, or reducing air or water pollution ...or (b) treating, pretreating, modifying or disposing of any potential solid, liquid or gaseous pollutant which if released without treatment, pretreatment modification or disposal might be harmful, detrimental or offensive to human, plant or animal life, or to property.”
5. Pollution control facilities are entitled to preferential tax treatment, 35 ILCS 200/11-5.
6. Based on the information in the application and the purpose of the facilities, it is the Illinois EPA’s engineering judgment that the described facilities may be considered “pollution control facilities,” pursuant to 35 Ill. Adm. Code 125.200(a), with the primary purpose of eliminating, preventing, or reducing water pollution, or as otherwise provided in 35 Ill. Adm. Code 125.200, and are eligible for tax certification from the Board.

WHEREFORE, the Illinois EPA recommends that the Board issue the

requested tax certification.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 
Vera Herst
Assistant Counsel
Division of Legal Counsel

Dated: February 1, 2010
Illinois Environmental Protection Agency
1021 North Grand Ave. E.
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 • (217) 782-2829
James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR



Memorandum

To: Connie Tonsor, Division of Legal Counsel

From: Al Keller, Manager, Permit Section *AK*

Date: January 13, 2010

Re: Pitch Co III, Inc - Montrose
Recommendation of Tax Certification
Log # TC-31-07
Property Identification # 90-07-05-300-005

RECEIVED
Division of Legal Counsel

JAN 13 2010

Environmental Protection
Agency

The Bureau of Water received a request on December 17, 2007 from Pitch Co III, Inc. for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to 35 Il. Adm. Code 125.204. We offer the following recommendation.

The water pollution control facilities in this request include the following:

Pitch Co III, Inc
15379 N. 725th St.
Montrose, IL 62445

SW 1/4 of Section 5, T7N, R9E of the 3rd PM in Jasper County.

Livestock waste management facilities consisting of one manure pit (41.17 ft. x 300 ft. x 10 ft. deep) and 10 pump out pits (6 ft. x 6 ft. x 10 ft. deep) and the portion of the concrete slotted floor over the manure pit in the Nursery building; one manure pit (77.25 ft. x 628 ft. x 10 ft. deep) with 24 pump out pits (6 ft. x 6 ft. x 10 ft. deep) and the portion of concrete slotted floor over the manure pit in each of the two Breeding/Gestation buildings; sixty manure pits each (7 ft. x 70 ft. x 2 ft. deep) and the portion of the concrete slotted floor over the manure pits in the Farrowing building; and approximately 785 ft. of 8 inch diameter PVC manure transfer piping.

These livestock waste management facilities are used to collect, transport and/or store livestock wastes prior to cropland application.

These facilities are further described in the enclosed applications and supporting documents.

Based on the information included in this submittal, it is our engineering judgment that the above proposed facilities may be considered "Pollution Control Facilities" under 35 IAC 125.200(a), with the primary purpose of eliminating, preventing, or reducing water pollution, or as otherwise provided in this section, and therefore eligible for tax certification from the Illinois Pollution Control Board. The Bureau of Water therefore recommends that the Board issue the requested tax certification for these facilities.

If you have any questions regarding the above, please contact Darren Gove at 217/782-0610.

SAK:DRG:TC-31-07_Tax Certification_17Dec07.docx

cc: Tax Cert File

Rockford • 4302 N. Main St., Rockford, IL 61103 • (815) 987-7760

Elgin • 595 S. State, Elgin, IL 60123 • (847) 608-3131

Bureau of Land – Peoria • 7620 N. University St., Peoria, IL 61614 • (309) 693-5462

Collinsville • 2009 Mail Street, Collinsville, IL 62234 • (618) 346-5120

Des Plaines • 9511 W. Harrison St., Des Plaines, IL 60016 • (847) 294-4000

Peoria • 5415 N. University St., Peoria, IL 61614 • (309) 693-5463

Champaign • 2125 S. First St., Champaign, IL 61820 • (217) 278-5800

Marion • 2309 W. Main St., Suite 116, Marion, IL 62959 • (618) 993-7200

***** PCB 2010-059 *****

APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT)

POLLUTION CONTROL FACILITY

AIR WATER

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
P. O. Box 19276, Springfield, IL 62794-9276

This Agency is authorized to request this information under Illinois Revised Statutes, 1979, Chapter, 120, Section 502a-5. Disclosure of this information is voluntary. However, failure to comply could prevent your application from being processed or could result in denial of your application for certification.

FOR AGENCY USE

File No.	Date Received	Certification No.	Date
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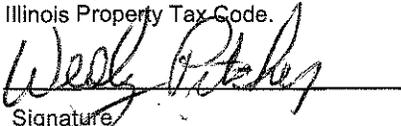
APPLICANT	Sec. A	Company Name <i>PitchCo III, Inc</i>	
		Person Authorized to Receive Certification <i>Wes Pitcher</i>	Person to Contact for Additional Details
		Street Address <i>19250 W 600th St</i>	Street Address
		Municipality, State & Zip Code <i>Montrose, IL 62445</i>	Municipality, State & Zip Code
		Telephone Number <i>217-683-2687</i>	Telephone Number
		Location of Facility Quarter Section Township Range <i>5674 7N 9E</i>	Municipality Township
		Street Address <i>15379 W 725th St</i>	County Book Number <i>JASPER</i>
		Property Identification Number <i>20-4777331</i>	Parcel Number

MANUFACTURING OPERATIONS	Sec. B	Nature of Operations Conducted at the Above Location <i>Swine confinement farrow thru weaner pigs</i>		
		Water Pollution Control Construction Permit No.	Date Issued	
		NPDES PERMIT No.	Date Issued	Expiration Date
		Air Pollution Control Construction Permit No.	Date Issued	
		Air Pollution Control Operating Permit No.	Date Issued	

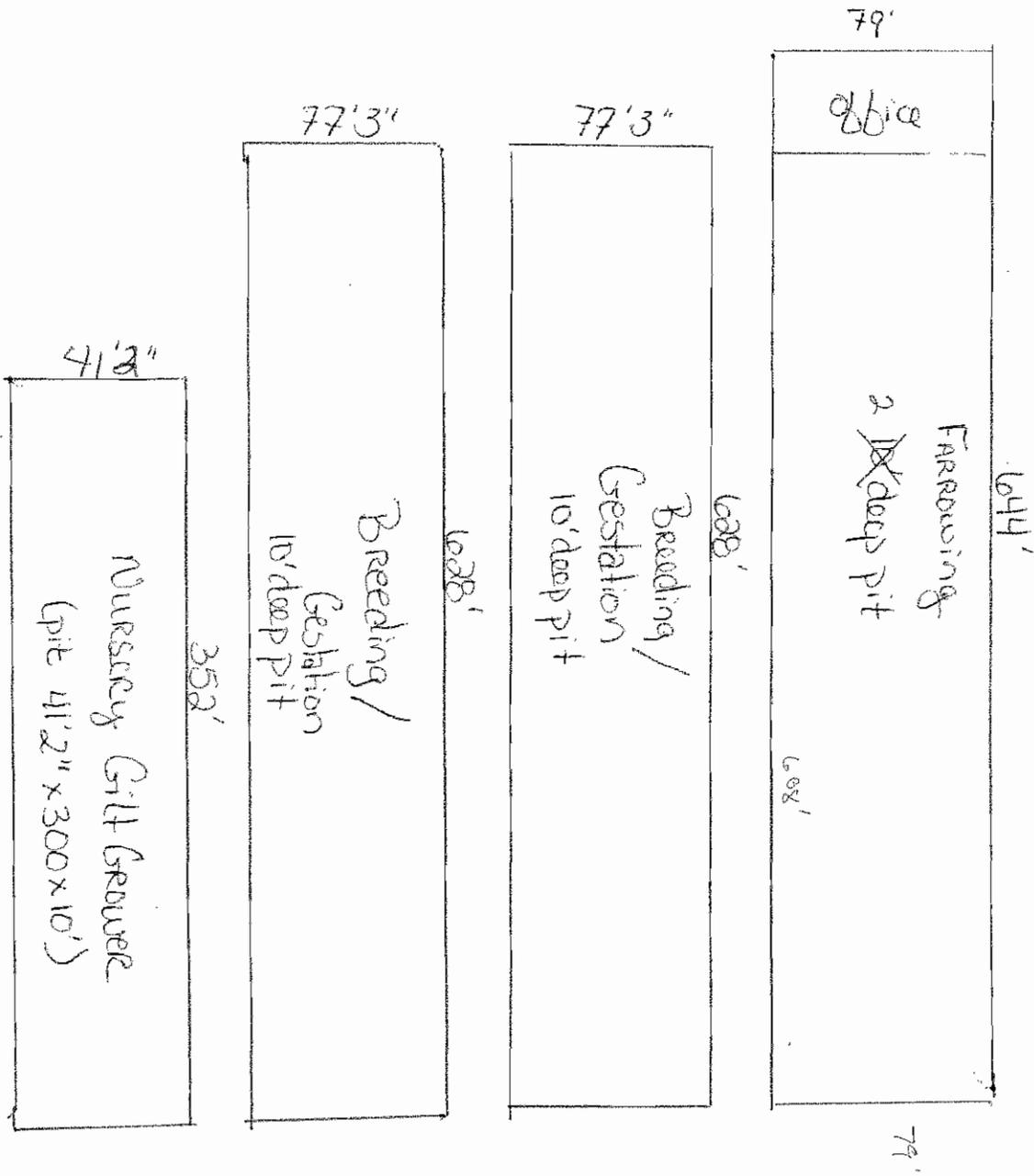
MANUFACTURING PROCESS	Sec. C	Describe Unit Process <i>The waste that is produced goes thru concrete slats which is then held in a 10' deep pit and stored until applied to the fields.</i>
		Materials Used in Process <i>The materials used in process are total slatted flooring along with a 10' deep pit all made of concrete.</i>

POLLUTION CONTROL FACILITY DESCRIPTION	Sec. D	Describe Pollution Abatement Control Facility <i>The 10' deep pit serves as the storage until the manure is applied to the field.</i>
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RECEIVED
DEC 17 2007

Sec. E	(1) Nature of Contaminants or Pollutants		
CONTAMINANTS			Material Retained, Captured or Recovered
	Contaminant or Pollutant	DESCRIPTION	DISPOSAL OR USE
	<i>Sewage manure</i>		<i>applied to fields</i>
	(2) Point(s) of Waste Water Discharge		
	Plans and Specifications Attached		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	(3) Are contaminants (or residues) collected by the control facility?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
	(4) Date installation completed <u>July 2006</u> status of installation on date of application _____		
ACCOUNTING DATA	(5) a. FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:	\$ <u>1,123,834.⁰⁰</u>	
	b. NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY:	\$ <u>160,000</u>	
	c. PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY:	\$ <u>1,600,000</u>	
	d. PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY:	\$ <u>190,000.</u>	
	e. PERCENTAGE CONTROL FACILITY BEARS TO WHOLE FACILITY VALUE:	%	
Sec. F	The following information is submitted in accordance with the Illinois Property Tax Code, as amended, and to the best of my knowledge, is true and correct. The facilities claimed herein are "pollution control facilities" as defined in Section 11-10 of the Illinois Property Tax Code.		
SIGNATURE	 Signature	<u>Secretary P. Baker III INC</u> Title	
Sec. G	INSTRUCTIONS FOR COMPILING AND FILING APPLICATION		
	General: Separate applications must be completed for each control facility claimed. Do not mix types (water and air). Where both air and water operations are related, file two applications. If attachments are needed, record them consecutively on an index sheet.		
INSTRUCTIONS	Sec. A	Information refers to applicant as listed in the tax records and the person to be contacted for further details or for inspection of facilities. Define facility location by street address or legal description. A plat map location is required for facilities located outside of municipal boundaries. The property identification number is required.	
	Sec. B	Self-explanatory. Submit copies of all permits issued by local pollution control agencies. (e.g. MSD Construction Permit)	
	Sec. C	Refers to manufacturing processes or materials on which pollution control facility is used.	
	Sec. D	Narrative description of the pollution control facility, indicating that its primary purpose is to eliminate, prevent or reduce pollution. State the type of control facility. State permit number, date, and agency issuing permit. A narrative description and a process flow diagram describing the <u>pollution control facility</u> . Include a listing of each major piece of equipment included in the claimed fair cash value for real property. Include an <u>average</u> analysis of the influent and effluent of the control facility stating the collection efficiency.	
	Sec. E	List air contaminants, or water pollution substances released as effluents to the manufacturing processes. List also the final disposal of any contaminants removed from the manufacturing processes. Item (1) - Refers to pollutants and contaminants removed from the process by the pollution control facility. Item (2) - Refers to water pollution but can apply to water-carried wastes from air pollution control facilities. Submit drawings, which clearly show (a) Point(s) of discharge to receiving stream, and (b) Sewers and process piping to and from the control facility. Item (3) - If the collected contaminants are disposed of other than as wastes, state the disposition of the materials, and the value in dollars reclaimed by sale or reuse of the collected substances. State the cost of reclamation and related expense. Item (4) - State the date which the pollution control facility was first placed in service and operated. If not, explain. Item (5) - This information is essential to the certification and assessment actions. This accounting data must be completed to activate project review prior to certification by this Agency.	
	Sec. F	Self-explanatory. Signature must be a corporate authorized signature.	
	Submit to:	Attention:	Attention:
	Illinois EPA P.O. Box 19276 Springfield, IL 62794-9276	Al Keller Permit Section Division of Water Pollution Control	Donald E. Sutton Permit Section Division of Air Pollution Control

Road





*** # For Your Livestock Handling Needs "

Invoice

For billing questions, please contact
our Accounts Receivable department at 217.285.4025.

A monthly 2.5% finance charge will be assessed to outstanding
balances not paid by the Due Date noted above.

Pitchco
19250 N 600 Street
Montrose, IL 62445

Invoice #	Invoice Date
234159	11/20/2007
P.O. Number	Rep
	JK
Terms	
Due on receipt	
Due Date	
11/20/2007	

Quantity	Item Code	Description	Price Each	Amount
5,995	IL Contract Service	Concrete, Rebar, Concrete Labor, and Slats - (2) 77' 3" x 628' Evap Cooled Curtain Sided Tunnel Ventilated Breeding-Gestation Units (1) 79' 3" x 644' Farrowing Unit with Office (1) 41' 2" x 352' Nursery Gilt Grower 4 1/2" 300 x 10' deep	273.20	1,637,834.00

Mail Payments or Credit Card Payment To:

JDL Longhorn, Inc.

P.O. Box 479

Pittsfield, IL 62363

Fax Credit Card Payment Form To:

217.285.5489

Total	\$1,637,834.00
Payments & Credit Memos	\$0.00
Balance Due	\$1,637,834.00

<input type="checkbox"/> VISA	Credit Card Number	Exp. Date	Payment Amount
<input type="checkbox"/> MasterCard	_____	___/___	\$1,637,834.00

Print Cardholders Name

Date

Cardholders Signature

We gladly accept check, money order and credit card (VISA or MasterCard) payments.
Checks or this Credit Card Form can be mailed to our Payment Address listed above.
This Credit Card payment form can also be faxed to our accounting department.

Invoice #
234159

Watershed Unit: Tax Certification Review sheet

Project Name: Pitch Co III, Inc.
Reviewer: JRA
Log No: TC-31-07

Location: Montrose
Date: 11 Feb 08
Type: Agchem
 Livestock

Applicant: Wes Pitcher
19250 N 600th St
Montrose, IL 62445

Contact: SCMO
Phone: (217) 683-2687
(217) 246-1485 (office)

Facility: 15379 N 725th St
Montrose, IL 62445

Property ID: ~~20-4777331~~
90-67-05-300-005

Legal Description: SW 1/4 Sec 5 T 7N R9E of 3rd PM

County: Jasper

Date Control: July 06
Devices installed:

Provided Fair Cash Value: \$1,637,834

Signature: Wesley Pitcher

Title: Secretary

- Wastes:
- Livestock waste is applied to cropland.
 - Agricultural rinsate and spillage is recycled through the facility and/or land applied.
 - Other: _____

Physical Description of Pollution Control Devices:

- 41'2" x 350' x 10' w/conc slabs w/10-6'x6'x10' concrete pumpout
- 2- 77'3" x 628' x 10' w/conc slabs w/24-6'x6'x10' concrete pumpout
- 60- 7' x 78' x 2' w/conc slabs
- 8'0" x 795' PVC (length of Farming & b/w & across Paved) ~608 ~50' ~79

Other: Called 11 Feb 08 left message w/ Jason
message call 19 March from Wes
called 17 March left message
Spoke w/ Wes 7 Apr 08 - received drawings info about 2 pumpouts property 2
Called 20 Oct 08 left message for info w/hold up of drawing of remaining building

Electronic Filing - Received, Clerk's Office, February 1, 2010

*****-G011* JOURNAL - ***** DATE AUG-19-2009 ***** TIME 16:02 *****

PCB 2010-059

MODE = MEMORY TRANSMISSION

START=AUG-19 16:02

END=AUG-19 16:02

FILE NO.=903

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK		912176832648	002/002	00:00:26

-IEPA BOW

***** - ***** - 217 785 1225- *****



Illinois Environmental Protection Agency

1021 North Grand Avenue East, Post Office Box 19276
Springfield, IL 62794-9276

◆Bureau of Water◆

PLEASE DELIVER THIS FAX TO: WES PITCHER

FAX NUMBER: (217) 683-2648

NUMBER OF PAGES (Including Cover Sheet) 2 DATE: 8/19/09

FROM: DARREN GOVE

MESSAGE:

Letter of April 24, 2009 from J. Allison
for your consideration and action.
Thanks

If you do not receive all the pages, please call:

217/782-2027	Infrastructure Financial Assistance Section
217/782-3362	Surface Water Section
217/782-3362	Watershed Management Section

FAX #: 217-785-1225



1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-2829
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

217/782-0610

April 24, 2009

Wes Pitcher
19250 N 600th St.
Montrose, IL 62445

Re: Illinois Property Tax: Pitch Co III, Inc. (Jasper County)
Livestock Waste Containment Facilities
Log # TC-31-07

Dear Mr. Pitcher:

We received your application for Illinois Property Tax Certification and supporting documents concerning TC-31-07 on December 17, 2007. The documents, as submitted, have been reviewed by the Watershed Management Section staff, and based on that review, the following items are offered for your consideration and appropriate action.

I spoke with you on October 20, 2008 and requested a updated diagram of the farrowing building that show the appropriate dimension and information that you gave me over the phone and a letter withdrawing the request for certification of the buildings themselves since they cannot be certified as a pollution control structure.

Should you have any questions or comments regarding the content of this letter, please contact me at the above telephone number and address.

Sincerely,

A handwritten signature in black ink, appearing to read "James Allison".

James Allison
Facility Evaluation Unit
Watershed Management Section
Bureau of Water

***** PCB 2010-059 *****
Watershed Unit Tax Certification Review Sheet

Project Name: Pitch Co III, Inc

Location: Montrose

Reviewer: DRG 10/8/09

Date: October 8, 2009

Log number: TC-31-07

Type: Agchem
 Livestock

Applicant: Pitch Co III, Inc.
15379 N. 725th St.
Montrose, IL 62445

Contact: _

Phone: _

Facility: Pitch Co III, Inc
15379 N. 725th St.
Montrose, IL 62445

Property ID: 90-07-05-300-005

County: Jasper

Legal Description:
S: SW 1/4 of Section 5 Twp: 7N R: 9E PM: 3rd

Signature: Wesley Pitcher

Title: Secretary

Date Control Devices installed: July 06

Provided Fair cash Value: ~~1,637,834~~
\$ 1,637,834

- Wastes:
- Livestock waste is applied to cropland.
 - Agrichemical rinsate and spillage is recycled through the facility and/or land applied.
 - Other: _____

Physical Description of Pollution Control Devices:

Livestock waste management facilities consisting of one manure pit(41.17 ft. x 300 ft. x 10 ft. deep) and 10 pump out pits (6 ft. x 6 ft. x 10 ft. deep) and the portion of the concrete slotted floor over the manure pit in the nursery building; one manure pits (77.25 ft. x 628 ft. x 10 ft. deep) with 24 pump out pits (6 ft. x 6 ft. x 10 ft. deep) and the portion of concrete slotted floor over the manure pit in each of the two breeding/Gestation buildings; sixty manure pits each (7 ft. x 72 ft. x 2 ft. deep) and the portion of the concrete slotted floor over the manure pits in the Farrowing building; and approximately 785 ft. of 8 inch diameter PVC manure transfer piping..

These livestock waste management facilities are used to collect, transport and/or store livestock wastes prior to cropland application.

*Applicant has acknowledged the Buildings mentioned in submitted material are not being sought for TAX certification

PitchCo III Inc
19250 N 600th ST
Montrose IL 62445
217-246-1485
Wes Pitcher
Log # TC-31-07

Darrin,

Here is the information that you requested per our conversation. In Mr. Allison's letter dated April 24th he requested that we withdraw the certification for the buildings themselves. Please be advised that all of the costs submitted were for pollution control only and did not include any building costs. Please call me if you have any questions.

Sincerely,

Wes Pitcher

*This implies
Buildings are
not part of
request*

* * * * * PCB 2010-059 * * * * *

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. Box 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-2829
 JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

217/782-0610

April 24, 2009

Wes Pitcher
 19250 N 600th St.
 Montrose, IL 62445

Re: Illinois Property Tax: Pitch Co III, Inc. (Jasper County)
 Livestock Waste Containment Facilities
 Log # TC-31-07

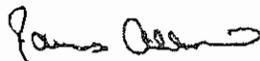
Dear Mr. Pitcher:

We received your application for Illinois Property Tax Certification and supporting documents concerning TC-31-07 on December 17, 2007. The documents, as submitted, have been reviewed by the Watershed Management Section staff, and based on that review, the following items are offered for your consideration and appropriate action.

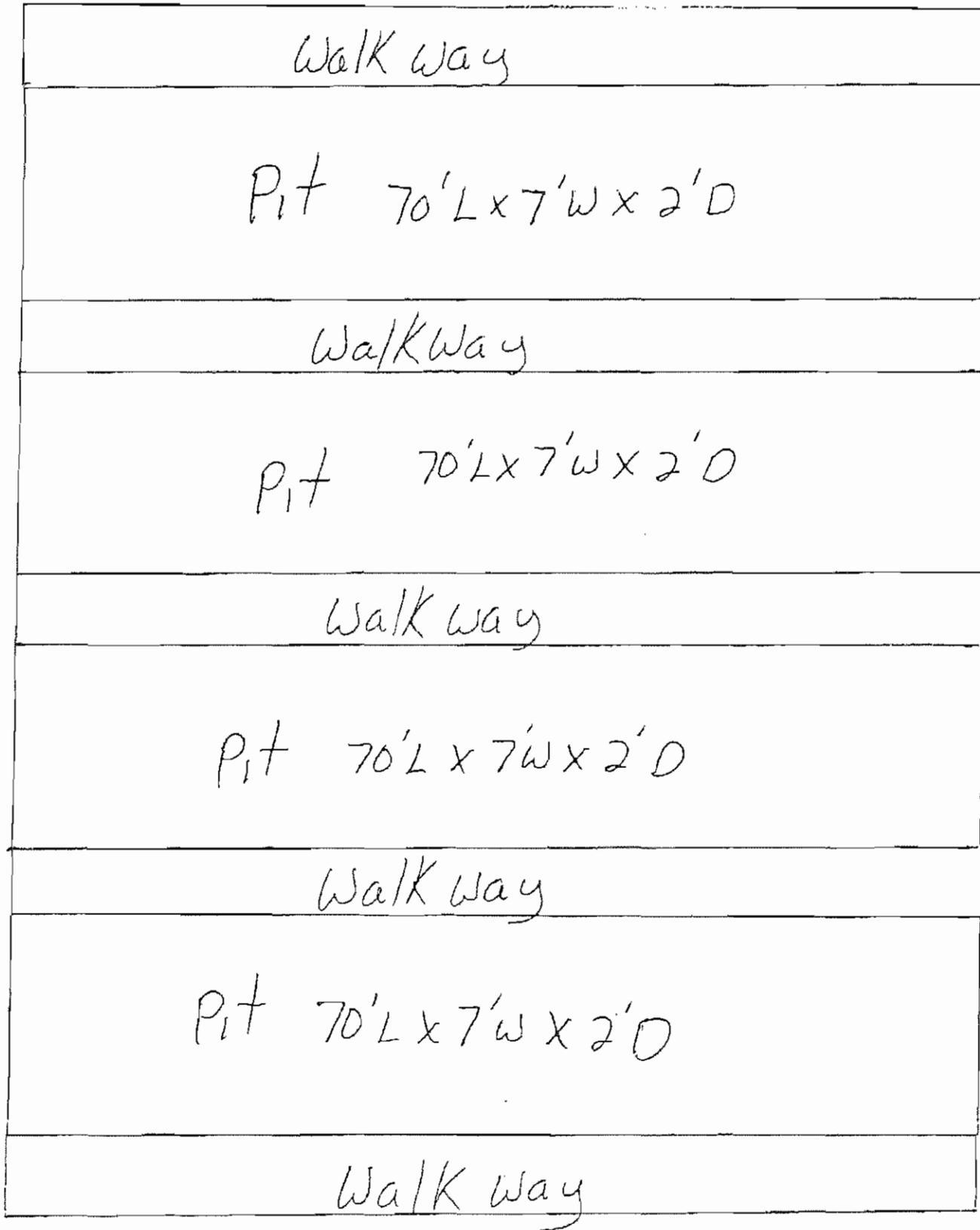
I spoke with you on October 20, 2008 and requested a updated diagram of the farrowing building that show the appropriate dimension and information that you gave me over the phone and a letter withdrawing the request for certification of the buildings themselves since they cannot be certified as a pollution control structure.

Should you have any questions or comments regarding the content of this letter, please contact me at the above telephone number and address.

Sincerely,



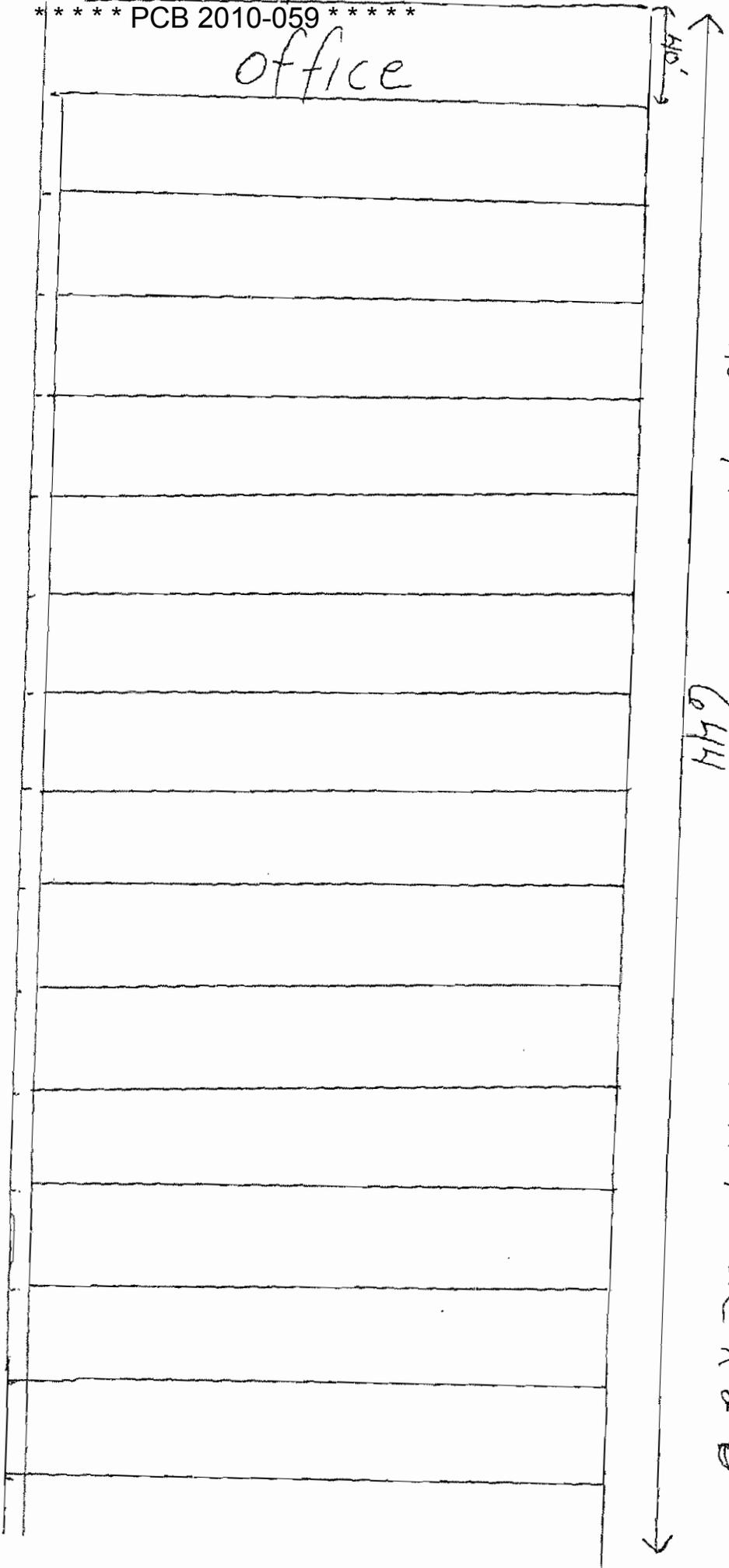
James Allison
 Facility Evaluation Unit
 Watershed Management Section
 Bureau of Water



farrowing
Room layout
Pitcho III Inc

***** PCB 2010-059 *****

office



Pitcho III inc
 15 farrowing rooms with 56 crates per room
 Rows of crates per room with 14 crates per row
 4 shallow pits per room that are 70' L x 7' wide x 2' D
 644

STATE OF ILLINOIS

COUNTY OF SANGAMON

)
)
)
)
)

PROOF OF SERVICE

I, the undersigned attorney at law, hereby certify that on February 1, 2010, I served true and correct copies of an **APPEARANCE AND THE RECOMMENDATION**, upon the persons and by the methods as follows:

[1st Class U.S. Mail]

Steve Santarelli
Illinois Department of Revenue
101 West Jefferson
Post Office Box 19033
Springfield, Illinois 62794

[1st Class U.S. Mail]

Wes Pitcher
19250 N. 600th St
Montrose, Illinois 62445

[Electronic Filing]

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

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

/s/ Vera Herst
Assistant Counsel
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276-
Springfield, Illinois 62794-9276
217.782.5544
217.782.9143 (TDD)

THIS FILING IS SUBMITTED ON RECYCLED PAPER