

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Rancho Cantera, LLC)
(Property Identification Number) **PCB No. 18-62**
10-11-15-200-011)) **(Tax Certification)**
)

NOTICE OF FILING

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

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

Jake Bosma
13805 Tipton Ave. 160
Tipton, CA 93272

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board a **MOTION TO WITHDRAW RECOMMENDATION FOR TAX CERTIFICATION**, a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: 
Christine M. Zeivel
Assistant Counsel
Division of Legal Counsel

DATED: February 27, 2018

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

Rancho Cantera, LLC)
(Property Identification Number) PCB No. 18-62
10-11-15-200-011)) (Tax Certification)
)

MOTION TO WITHDRAW RECOMMENDATION FOR TAX CERTIFICATION

The Illinois Environmental Protection Agency ("Illinois EPA"), by and through its attorney, Assistant Counsel Christine M. Zeivel, pursuant to 35 Ill. Adm. Code 108.402, respectfully states as follow:

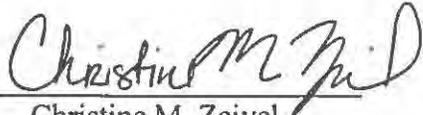
1. On July 21, 2017, Illinois EPA received a request from Jake Bosma of Rancho Cantera, LLC for a recommendation for tax certification of water pollution control facilities pursuant to 35 Ill. Adm. Code 125.202. The application was signed and verified as true and correct by Jake Bosma of Rancho Cantera. *See* Recommendation, Exhibit A.
2. On December 21, 2017, Jake Nims of Frank & West Environmental Engineers, Inc. ("Frank & West"), on behalf of Rancho Cantera, LLC, requested to withdraw and replace Page 2 of its application. *See* Recommendation, Exhibit A.
3. The original and revised Page 2 of the application included sixteen (16) pump out ports for certification. Additionally, in a separate email to Illinois EPA on December 21, 2017, Jake Nims of Frank & West stated that the pump out ports were made of concrete and measured 6' x 6' x 10' deep. *See* Recommendation, Exhibit A.
4. On February 9, 2018, Illinois EPA filed its Recommendation for tax certification for the pollution control facilities identified in the application,

pursuant to 35 Ill. Adm. Code 125.204(a), which included the 16 pump out ports (approximately 6 ft. x. 6 ft. x. 10 ft. each) to allow manure removal from the reception pit. *See Recommendation, Par. 2.*

5. On February 21, 2018, Jake Nims of Frank & West informed Illinois EPA that the signed application incorrectly stated that there are 16 pump out ports when there are none. *See Exhibit B attached.*
6. Because the information in the application upon which Illinois EPA relied when making its Recommendation to the Board was incorrect, Illinois EPA moves that its Recommendation in this matter be withdrawn and the matter be dismissed without prejudice, as Illinois EPA may be required to file a new Recommendation should Rancho Cantera, LLC choose to proceed with obtaining certification for the remaining facilities.

WHEREFORE, Illinois EPA respectfully requests that the Board grant this motion to withdraw its Recommendation for tax certification of Rancho Cantera LLC's water pollution control facilities.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: 
Christine M. Zeivel
Assistant Counsel
Division of Legal Counsel

Dated: February 27, 2018
Illinois Environmental Protection Agency
1021 North Grand Ave. E.
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544

Zeivel, Christine

Subject: FW: [External] RE: PCB 18-62 tax cert
Attachments: Rancho Cantera reception pit.pdf

From: Han, Wei
Sent: Wednesday, February 21, 2018 4:35 PM
To: Zeivel, Christine <Christine.Zeivel@illinois.gov>
Subject: FW: [External] RE: PCB 18-62 tax cert

From: Jake Nims [mailto:jnims@fwieg.com]
Sent: Wednesday, February 21, 2018 8:24 AM
To: Han, Wei <Wei.Han@Illinois.gov>
Subject: [External] RE: PCB 18-62 tax cert

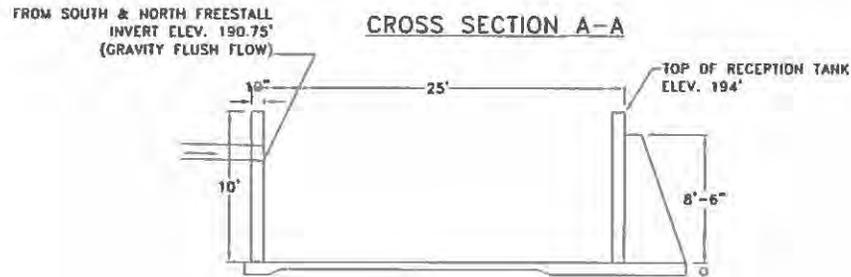
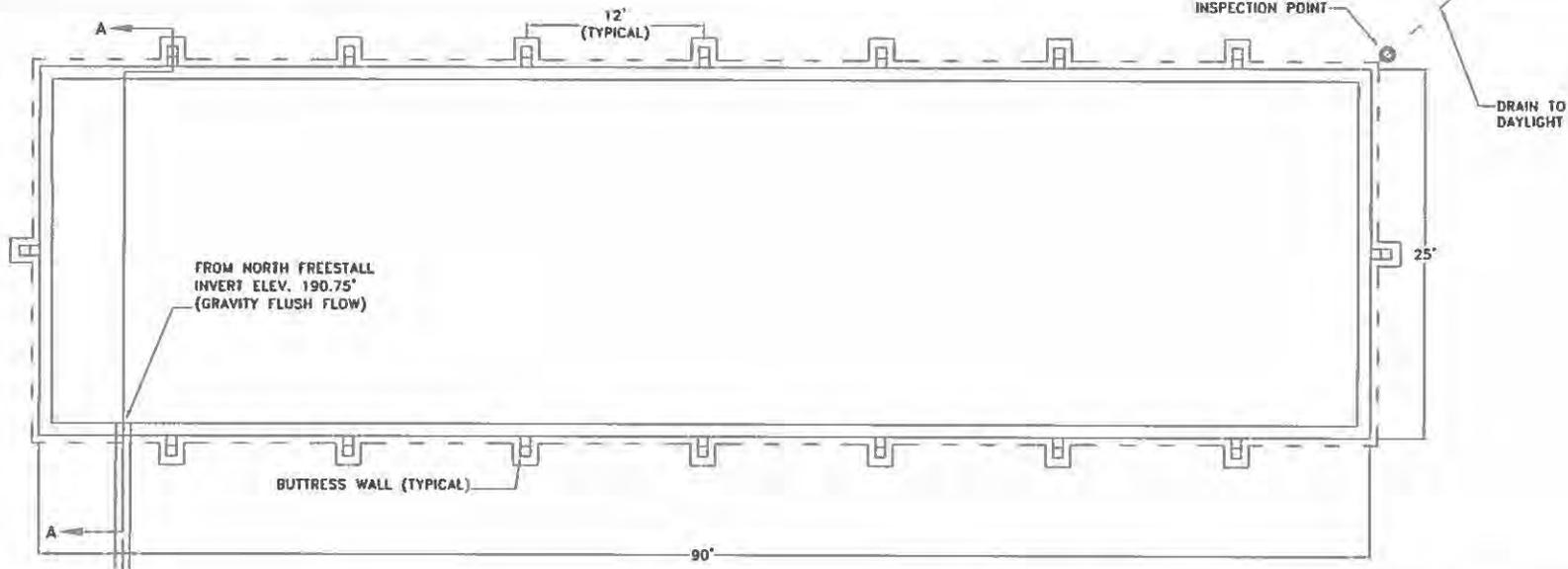
Mr. Han,

On the application it was incorrectly stated that there are 16 pumpouts on the reception pit. The 16 structures are actually buttress walls for support and not pumpouts. Please see the attached diagram.

For clarification, there are no pumpouts on the 90' x 25' reception pit. I apologize for the confusion.

Jake Nims
Frank & West Environmental Engineers, Inc.
1032 S. 2nd St.
Springfield, IL 62704
(217) 679-7361 office
(217) 679-8362 fax
(309) 530-2894 cell

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GENERAL NOTES

- 1.) ANY REVISIONS TO THESE DRAWINGS MUST BE APPROVED BY THE PROJECT ENGINEER OF THE COMPANY LISTED IN THE TITLE BLOCK.
- 2.) CONCRETE CONSTRUCTION SHALL MEET WITH MIDWEST PLAN SERVICE-36. CONCRETE MANURE STORAGE UNLESS NOTED OTHERWISE.
- 3.) NO CONCRETE SHALL BE PLACED ON ON ICE, SNOW OR FROZEN FOUNDATION MATERIAL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONCRETE DAMAGED BY LOW TEMPERATURES AND SHALL REMOVE AND REPLACE ANY CONCRETE SO DAMAGED AT HIS/HER EXPENSE.
- 4.) THE METHOD AND MANNER OF PLACING CONCRETE SHALL BE SUCH AS TO AVOID SEGREGATION OR SEPARATION OF THE AGGREGATES OR THE DISPLACEMENT OF THE REINFORCEMENT.
- 5.) THE FOOTINGS ARE TO BE CONSTRUCTED WITH A MINIMUM OF 3,000 PSI CONCRETE.
- 6.) ALL WALLS, FLOORS, AND SIDEWALKS ARE TO BE CONSTRUCTED OF 4,000 PSI CONCRETE.
- 7.) THE CONCRETE PAD WILL BE A CONTINUOUS POUR.
- 8.) NO VEHICLE LOADS ALLOWED WITHIN 5' OF PIT/GUTTER WALLS.



Frank & West
Environmental Engineers, Inc.

7226 N. State Route 29
Springfield, IL 62707

Phone: 217/487-7686
Fax: 217/487-7687

RANCHO CANTERA, LLC.
KENT, ILLINOIS

RECEPTION PIT PLAN VIEW AND CROSS SECTION

DRAWN BY: CEO

2008 © FRANK & WEST ENVIRONMENTAL ENGINEERS, INC.
THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF
FRANK & WEST ENVIRONMENTAL ENGINEERS, INC., ARE ONLY
FOR THIS PROJECT AND MAY NOT BE USED, COPIED OR
DUPLICATED WITHOUT PRIOR WRITTEN CONSENT.

SCALE: AS SHOWN | DATE: 03/12/08 | REVISED ON: 03/19/08 | DRAWING NO. 07-153RP01

STATE OF ILLINOIS

COUNTY OF SANGAMON

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CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that I have served on the date of February 27, 2018, the attached **MOTION TO WITHDRAW RECOMMENDATION FOR TAX CERTIFICATION**, upon the following persons by causing to be mailed a true copy thereof in an envelope duly addressed, bearing proper first class postage, and deposited in the United States mail at Springfield, Illinois:

Steve Santarelli
Illinois Department of Revenue
101 West Jefferson
P.O. Box 19033
Springfield, Illinois 62794

Jake Bosma
13805 Tipton Ave. 160
Tipton, CA 93272

[Electronic Filing]

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