

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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| 4 Nelson Farms, Inc.-Altona |) |
| (Property Identification Number |) PCB 11- |
| 03-02-400-005) |) (Tax Certification) |
| |) |
| |) |

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

Kenneth D. Nelson
 1681 Knox Road 2900N
 Altona, Illinois 61414

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 a MOTION TO AMEND 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
 Vera Herst
 Assistant Counsel
 Division of Legal Counsel

DATED: January 4, 2011

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

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MOTION TO AMEND PCB 11-

NOW COMES Respondent, the Illinois Environmental Protection Agency ("Illinois EPA"), by and through its attorney, Vera Herst, and hereby moves the Board to amend the above-captioned Recommendation. In support of this Motion, the Illinois EPA states as follows:

1. On December 29, 2010, the Illinois EPA recommended that the Board certify certain facilities of 4 Nelson Farms, Inc.-Altona (petitioner) as "pollution control facilities" for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-5 *et seq.* (2008), and provided, among other things, a legal description of these facilities in paragraph 3 of its Recommendation.
2. This legal description, however, is incorrect. The correct legal description of the pollution control facilities is:

SE ¼ of Section 2, T13N, R3E, of the 4th P.M. in Knox County.

WHEREFORE, the Illinois EPA, by its counsel, respectfully moves to amend its Recommendation to correct the legal description.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY
Respondent,

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

Dated: January 4, 2011
Illinois Environmental Protection Agency
1021 North Grand Ave. E.
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544

STATE OF ILLINOIS

COUNTY OF SANGAMON

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PROOF OF SERVICE

I, the undersigned attorney at law, hereby certify that on January 4, 2011, I served true and correct copies of a **MOTION TO AMEND**, 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]

Kenneth D. Nelson
1681 Knox Road 2900N
Altona, Illinois 61414

[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
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