

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Baby Bacon, Inc. – Amboy )  
(Property Identification Number ) PCB 09-  
11-16-16-400-002 ) (Tax Certification)  
)  
)

NOTICE

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

Peter Rood (Baby Bacon, Inc.)  
944 Inlet Road  
Amboy, IL 61310

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:   
Chad M. Kruse  
Assistant Counsel  
Division of Legal Counsel

DATED: September 18, 2008

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

Baby Bacon, Inc. – Amboy )  
(Property Identification Number ) PCB 09-  
11-16-16-400-002 ) (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:  \_\_\_\_\_  
Chad M. Kruse  
Assistant Counsel  
Division of Legal Counsel

DATED: September 18, 2008  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276  
(217)782-5544

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Baby Bacon, Inc. – Amboy )  
(Property Identification Number ) PCB 09-  
11-16-16-400-002 ) (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 July 25, 2008, the Illinois EPA received a request from Baby Bacon, Inc. (log number TC-18-06, 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: Peter Rood (Baby Bacon, Inc.)  
944 Inlet Road  
Amboy, Illinois 61310
3. The proposed water pollution control facilities in this request are located at SE ¼ of Section 16, T20N, R11E of the 4<sup>th</sup> P.M. in Lee County, at the above street address and consist of the following:

Livestock waste management facilities consisting of one concrete manure pit (49.5 ft. x 24 ft. x 2 ft. deep) with the slotted concrete portion of the floor over the manure pit under building A; two concrete manure pits (each 256 ft. x 5 ft. x 2 ft. deep) and one concrete manure pit (256 ft. x 8 ft. x 2 ft. deep) with the slotted concrete portion of the floor over the manure pits under building B; two concrete manure pits (each 251 ft. x 7 ft. x 2 ft. deep) with the slotted concrete portion of the floor over the manure pits under building C; two concrete manure pits (each 135 ft. x 4 ft. x 2 ft. deep) and one concrete manure pit (135 ft. x 8 ft. x 2 ft. deep) and one concrete manure pit (50 ft. x 24 ft. x 2 ft. deep) with the slotted concrete portion of the floor over the manure pits under building D and approximately 586 feet of 10-inch diameter PVC manure transfer pipe.

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 (2006), 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.”

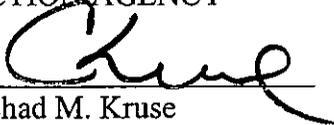
5. Pollution control facilities are entitled to preferential tax treatment, 35 ILCS 200/11-5.
6. Based on the information in the application and the purpose of the facilities, it is the Illinois EPA’s engineering judgment that the described facilities may be considered “pollution control facilities,” 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: \_\_\_\_\_



Chad M. Kruse  
Assistant Counsel  
Division of Legal Counsel

Dated: September 18, 2008  
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) 782-3397  
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR DOUGLAS P. SCOTT, DIRECTOR

Memorandum

To: Connie Tonsor, Division of Legal Counsel

From: Al Keller, Manager, Permit Section

*Al Keller by D. Heavord*

Date: JUL 24 2008

RECEIVED  
Division of Legal Counsel

Re: Baby Bacon, Inc. - Amboy  
Recommendation of Tax Certification  
Log # TC-18-06  
Property Identification # 11-16-16-400-002

JUL 25 2008

Environmental Protection  
Agency

The Bureau of Water received a request on September 7, 2006 from Baby Bacon, 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:

Peter Rood (Baby Bacon, Inc.)  
944 Inlet Road  
Amboy, IL 61310

SE ¼ of Section 16, T20N, R11E of the 4<sup>th</sup> P.M. in Lee County

Livestock waste management facilities consisting of one concrete manure pit (49.5 ft. x 24 ft. x 2 ft. deep) with the slotted concrete portion of the floor over the manure pit under building A; two concrete manure pits (each 256 ft. x 5 ft. x 2 ft. deep) and one concrete manure pit (256 ft. x 8 ft. x 2 ft. deep) with the slotted concrete portion of the floor over the manure pits under building B; two concrete manure pits (each 251 ft. x 7 ft. x 2 ft. deep) with the slotted concrete portion of the floor over the manure pits under building C; two concrete manure pits (each 135 ft. x 4 ft. x 2 ft. deep) and one concrete manure pit (135 ft. x 8 ft. x 2 ft. deep) and one concrete manure pit (50 ft. x 24 ft. x 2 ft. deep) with the slotted concrete portion of the floor over the manure pits under building D and approximately 586 feet of 10-inch diameter PVC manure transfer pipe.

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 Thaddeus Faught at 217/782-3362.

SAK:TJF:TC-18-06.doc

cc: Tax Cert File

ROCKFORD - 4302 North Main Street, Rockford, IL 61103 - (815) 987-7760 • DES PLAINES - 9511 W. Harrison St., Des Plaines, IL 60016 - (847) 294-4000  
ELGIN - 595 South State, Elgin, IL 60123 - (847) 608-3131 • PEORIA - 5415 N. University St., Peoria, IL 61614 - (309) 693-5463  
BUREAU OF LAND - PEORIA - 7620 N. University St., Peoria, IL 61614 - (309) 693-5462 • CHAMPAIGN - 2125 South First Street, Champaign, IL 61820 - (217) 278-5800  
SPRINGFIELD - 4500 S. Sixth Street Rd., Springfield, IL 62706 - (217) 786-6892 • COLLINSVILLE - 2009 Mall Street, Collinsville, IL 62234 - (618) 346-5120  
MARION - 2309 W. Main St., Suite 116, Marion, IL 62959 - (618) 993-7200

Project Name: Baker Farm, LLC  
Reviewer: Theresa Fackler  
Log No.: 11-14-16-400-002

Location: Ambay  
Date: 4/24/07  
Type:  Agchem  
 Livestock

Applicant: Peter Road  
800 S. Main St.  
Ambay, WI 53110

Contact: Peter Road  
Phone: 815-857-3635

Facility: same as applicant

Property ID: 11-14-16-400-002

Legal Description: Section 16, T20N, R12E of the 4th P.M.

County: La Crosse

Date Control Devices Installed: 1979

Provided Fair Cash Value: \$100,000

Signature: Peter Road

Title: Owner

- 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:

one concrete manure pit (18'5" x 21'2" x 2'6" deep) with concrete slats (A)

two concrete manure pits (one 15'4" x 21'2" x 2'6" deep; one 8'2" x 25'6" x 2'6" deep) all with concrete slats (B)

two concrete manure pits (each 7'0" x 23'2" x 2'6" deep) with concrete slats (C)

four concrete manure pits (two 15'4" x 21'2" x 2'6" deep; one 8'2" x 17'5" x 2'6" deep; one 25'6" x 21'2" x 2'6" deep) all with concrete slats (D)

Other: 4/24/07 speaker with Peter Road.

Peter said he did not need the lagoons installed because they are not taxed. That is why he did not do them or pay for them.

Titles not in Peter Road.

Peter wanted to know what the "cost benefit" was for the lagoons. He said he would pay for them if they were required.

APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT)  
 POLLUTION CONTROL FACILITY  
 AIR  WATER

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

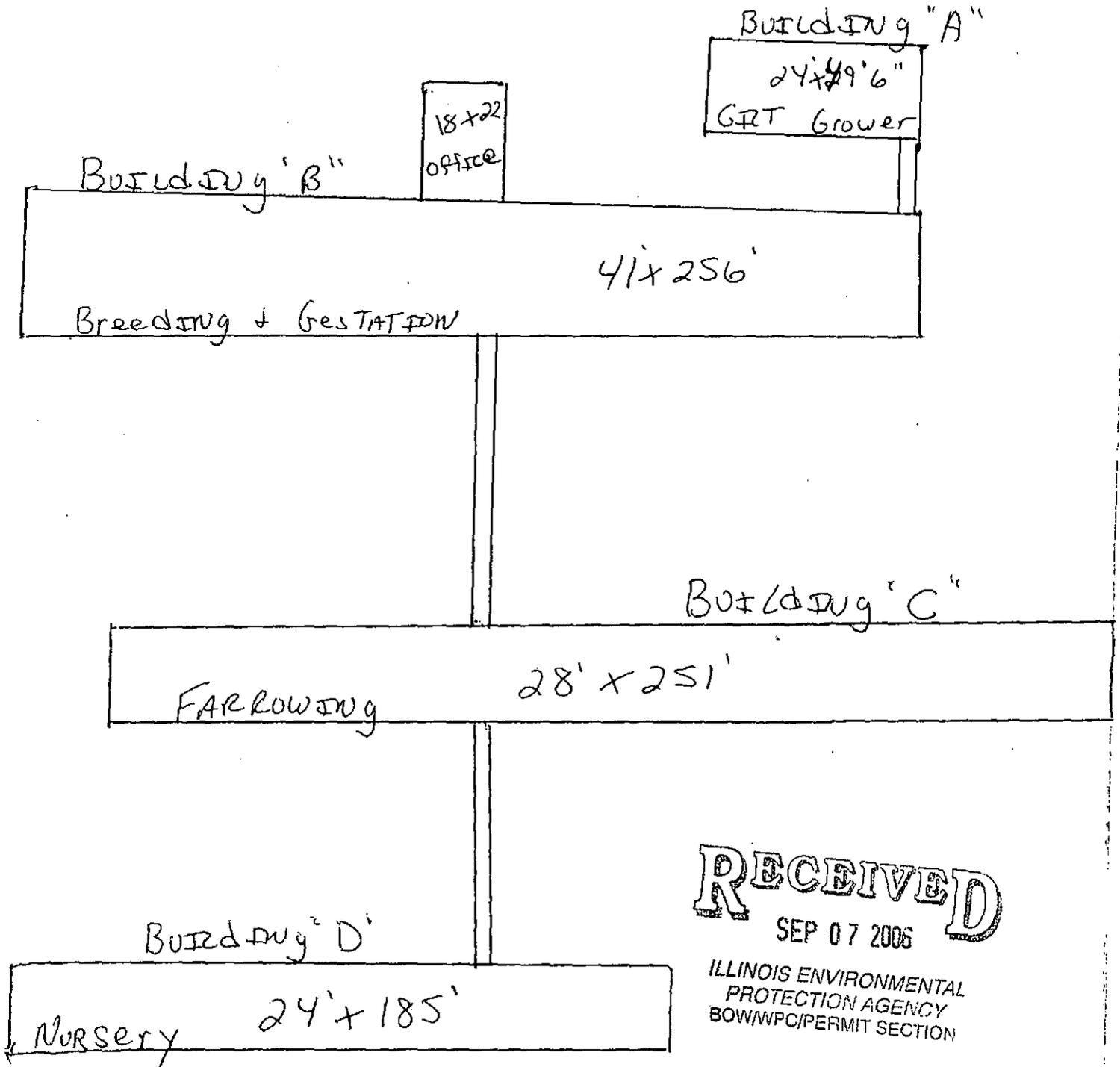
This Agency is authorized to request this information under Illinois Revised Statutes, 1979, Chapter, 120, Section 502a-5. Disclosure of this information is voluntary. However, failure to comply could prevent your application from being processed or could result in denial of your application for certification.

FOR AGENCY USE			
File No.	Date Received	Certification No.	Date
APPLICANT	Sec. A Company Name <b>Baby BACON INC</b>		
	Person Authorized to Receive Certification <b>Peter J. Rood</b>		Person to Contact for Additional Details <b>Peter J. Rood</b>
	Street Address <b>944 INLET Rd</b>		Street Address <b>SAME</b>
	Municipality, State & Zip Code <b>Amboy IL 61310</b>		Municipality, State & Zip Code <b>SAME</b>
	Telephone Number <b>815-857-3635</b>		Telephone Number <b>SAME</b>
	Location of Facility	Municipality	Township
	Quarter Section <b>SE 16</b>	Township <b>20N</b>	Range <b>11-E</b>
	Street Address <b>944 INLET Rd</b>	County <b>LEE</b>	Book Number <b>Lee Center</b>
	Property Identification Number	Parcel Number <b>11-16-16-400-002</b>	
MANUFACTURING OPERATIONS	Sec. B Nature of Operations Conducted at the Above Location <b>Confinement Pork Production</b>		
	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		
	Materials Used in Process		
POLLUTION CONTROL FACILITY DESCRIPTION	Sec. D Describe Pollution Abatement Control Facility		
	<p><b>SLATTed FLoors over PETS</b></p> <p><b>see ATTACHED DRAWINGS</b></p> <p><b>Buildings A-B-C-D</b></p>		

**RECEIVED**  
 SEP 07 2006

ILLINOIS ENVIRONMENTAL  
 PROTECTION AGENCY  
 BOW/WPC/PERMIT SECTION

# Building Layout

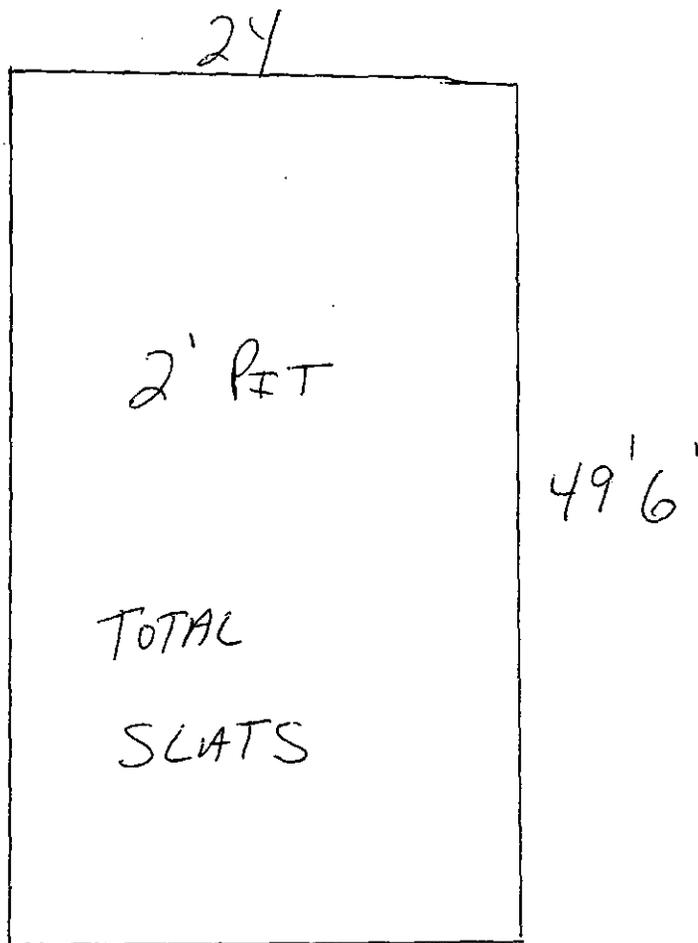


**RECEIVED**  
SEP 07 2006

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY  
BOW/WPC/PERMIT SECTION

Baby BACON INC

Building "A"



Baby BACON INC

Building "B"

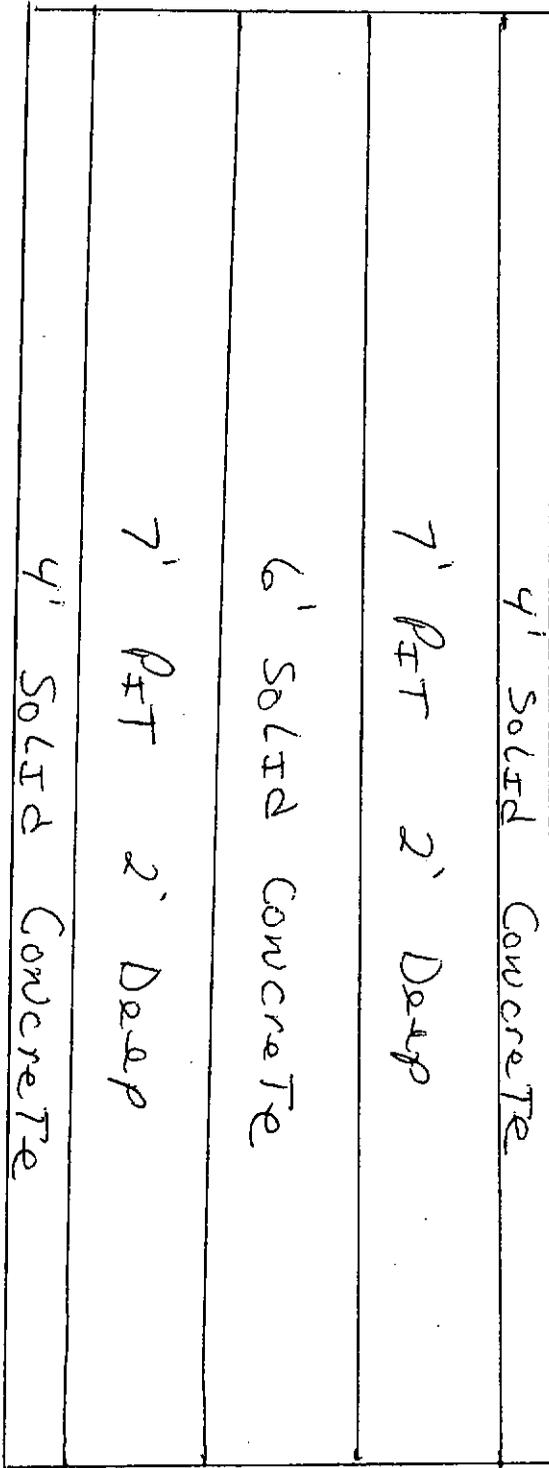
41'

5' SLATS over 2' Deep PIT
SOLID CONCRETE
8' SLATS over 2' Deep PIT
SOLID CONCRETE
5' SLATS over 2' Deep PIT

256'

Baby Bacon Inc

Build way "C"



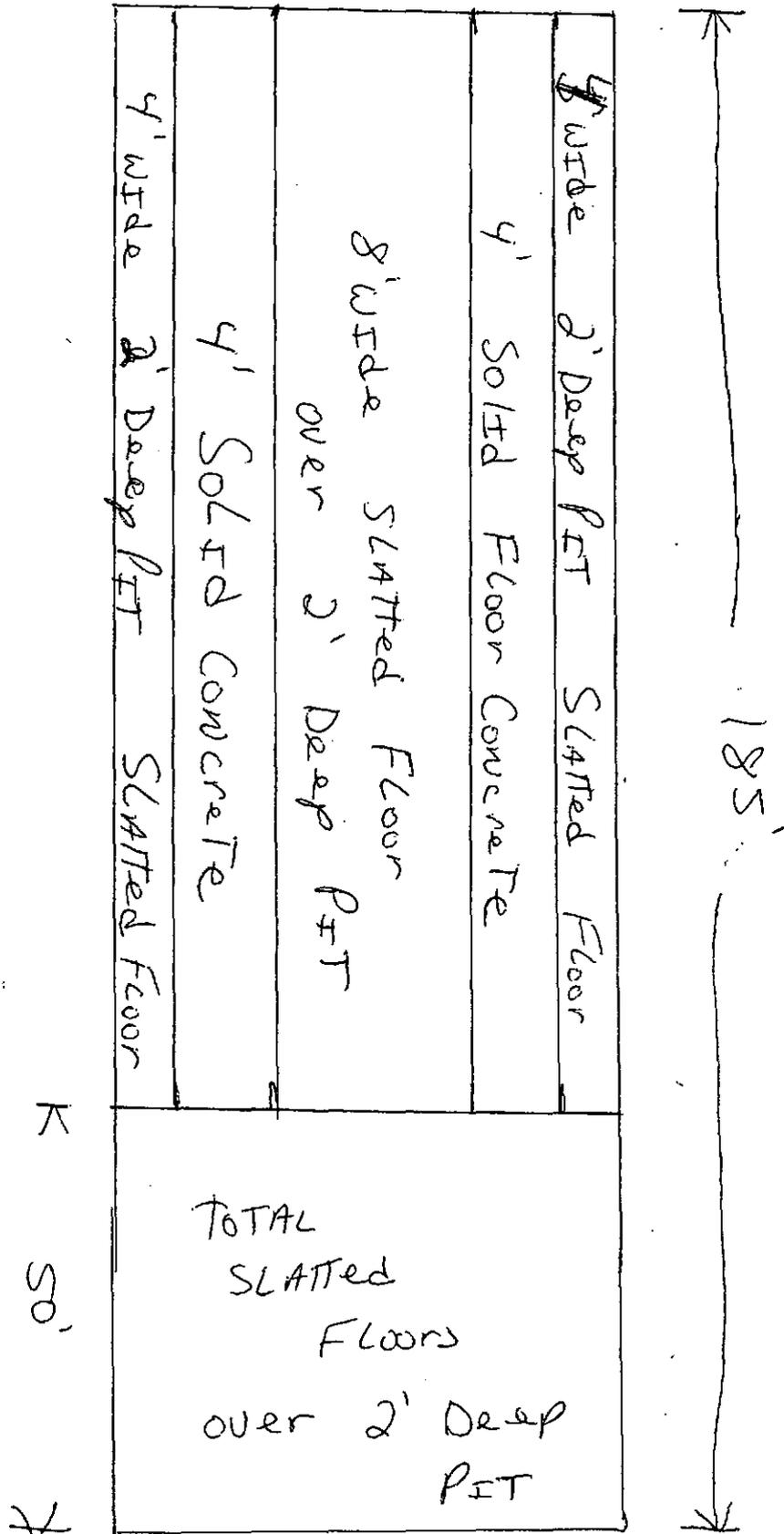
1/2

28'

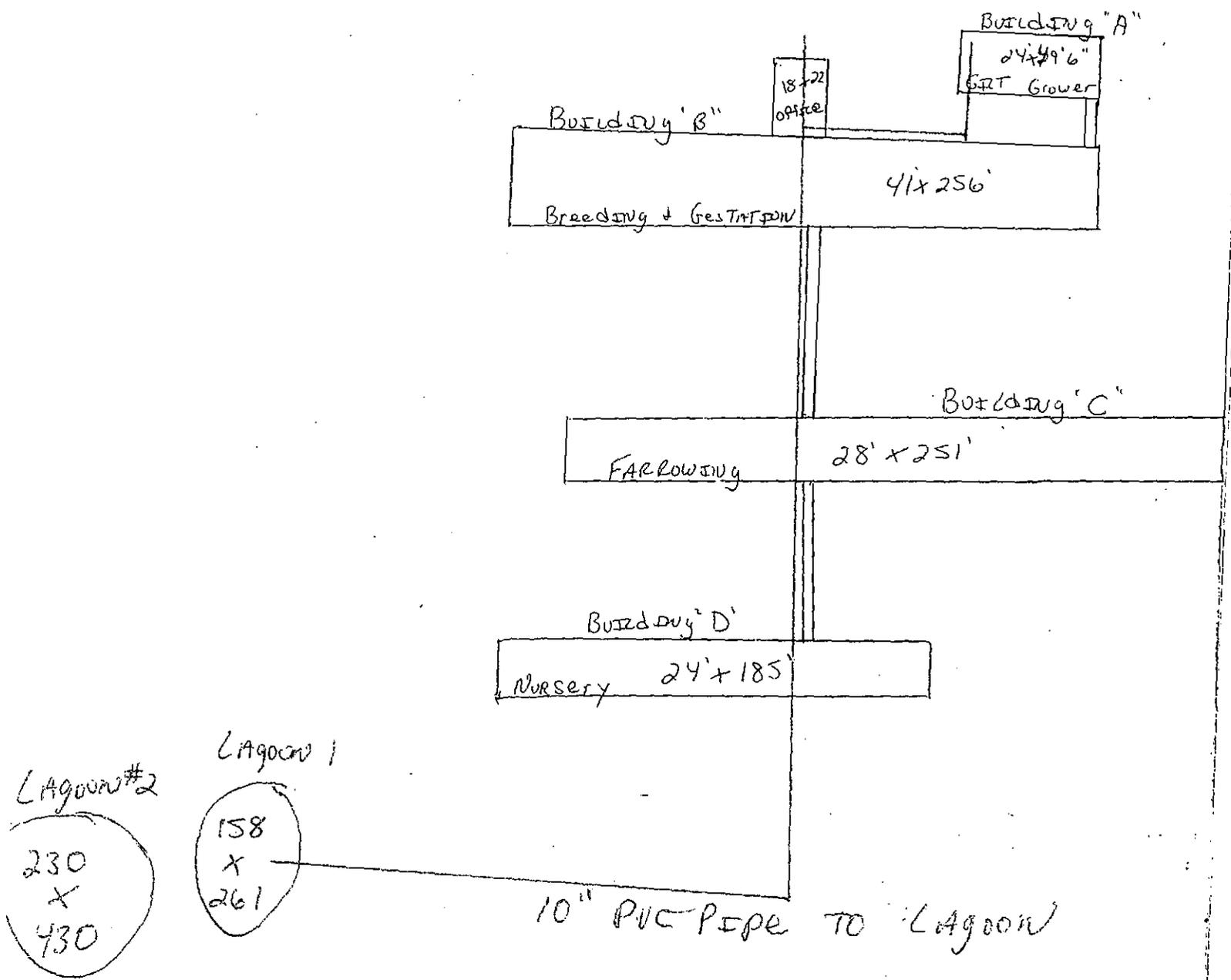
Baby BALCON DUC

# Building "D"

24



Windy DUCKON LLC



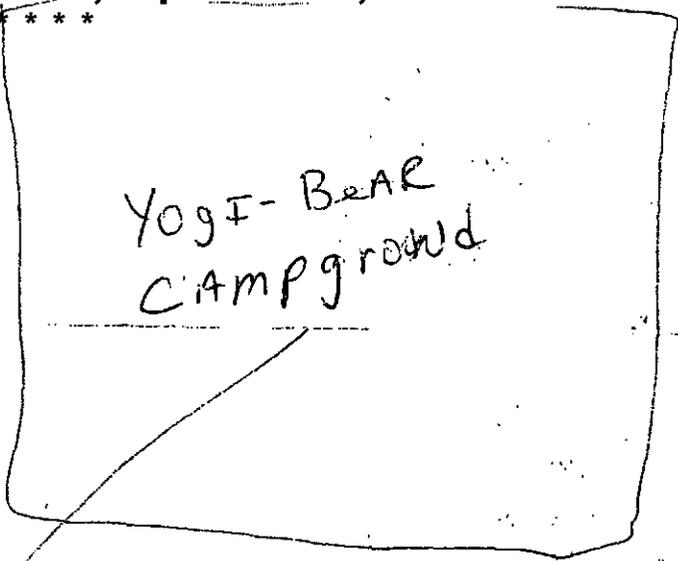
Approx. 586 FT OF 10" PVC PIPE

WATER IS pumped off LAGOON #2 TO CROPLAND.

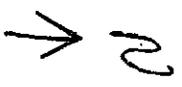
LAGOON #1 IS pumped INTO TRUCKS + HAULED TO OFFSITE NEIGHBORING FARMS.

Baby Bacon

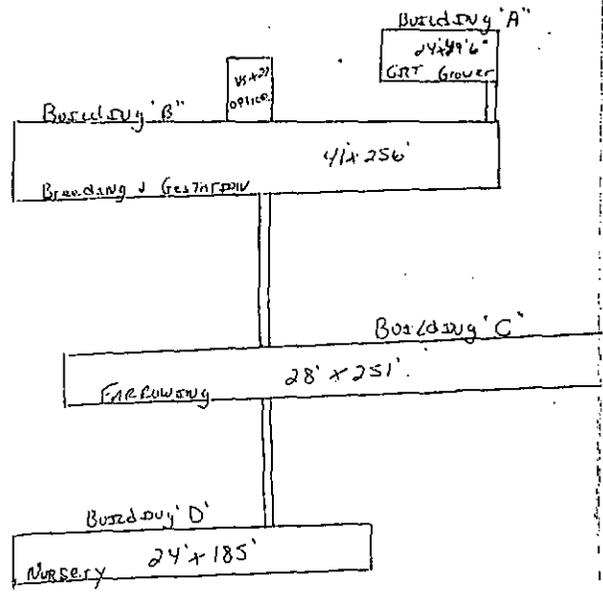
\*\*\*\*\* PCB 2009-018 \*\*\*\*\*



Creek



INLET Rd



STATE OF ILLINOIS

COUNTY OF SANGAMON

)  
)  
)  
)  
)

**PROOF OF SERVICE**

I, the undersigned, on oath state that I have served the attached **APPEARANCE AND THE RECOMMENDATION**, upon the person to whom it is directed, by placing a copy in an envelope addressed to:

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

Peter Rood (Baby Bacon, Inc.)  
944 Inlet Road  
Amboy, IL 61310

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

and mailing it from Springfield, Illinois, on September 18, 2008, with sufficient postage affixed for first class mail.

*Meredith Kelly*

SUBSCRIBED AND SWORN TO BEFORE ME

This 18th day of September, 2008

*Dawn A. Hollis*  
Notary Public

