

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Jerry L. Riggins- Macomb)
(Property Identification Number) PCB 11-
01-000-218-00) (Tax Certification)
)

NOTICE

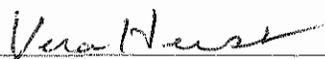
Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite. 11-500
Chicago, Illinois 60601

Jerry Riggins
3780 Bellingham Rd.
Macomb, Illinois 61455

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: September 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

Jerry L. Riggins- Macomb)
(Property Identification Number) PCB 11-
01-000-218-00) (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
Assistant Counsel
Division of Legal Counsel

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

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Jerry L. Riggins- Macomb)
(Property Identification Number) PCB 11-
01-000-218-00) (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 16, 2009, the Illinois EPA received a request from Jerry L. Riggins (log number TC-22-09, 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: Jerry L. Riggins
3685 Bellingham Road
Macomb, Illinois 61455
3. The proposed water pollution control facilities in this request are located at NE ¼ of Section 24, T4N, R3W of the 4th PM in McDonough County, at the above street address and consist of the following:

Livestock waste management facilities consisting of one concrete manure pit (approximately 281 ft. x 71.17 ft. x 8 ft. deep) with four concrete pump out pits (approximately 6 ft. x 6 ft. x 8 ft. deep); concrete slat flooring over the entire manure pit and approximately 850 feet of 6-inch PVC perimeter drain including sampling port in building # 1; one concrete manure pit (approximately 281 ft. x 71.17 ft. x 8 ft. deep) with four concrete pump out pits (approximately 6 ft. x 6 ft. x 8 ft. deep); concrete slat flooring over the entire manure pit and approximately 850 feet of 6-inch PVC perimeter drain including sampling port in building #2

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
Vera Herst
Assistant Counsel
Division of Legal Counsel

Dated: September 1, 2010
Illinois Environmental Protection Agency
1021 North Grand Ave. East.
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

also letter by D. Heard

Date: August 5, 2010

Re: Jerry L. Riggins - Macomb
Recommendation of Tax Certification
Log # TC-22-09
Property Identification # 01-000-218-00

RECEIVED
Division of Legal Counsel

AUG 06 2010

**Environmental Protection
Agency**

The Bureau of Water received a request on December 16, 2009 from Jerry L. and Lynne J. Riggins 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:

Jerry L. Riggins
3685 Bellingham Rd.
Macomb, IL 61455

NE 1/4 of Section 24, Township 4N, Range 3W of the 4th PM in McDonough County.

Livestock waste management facilities consisting of one concrete manure pit approximately (281 ft. x 71.17 ft. x 8 ft. deep) with 4 concrete pump out pits approximately (6 ft. x 6 ft. x 8 ft. deep), concrete slat flooring over the entire manure pit and approximately 850 feet of 6 inch PVC perimeter drain including sampling port in building #1; one concrete manure pit approximately (281 ft. x 71.17 ft. x 8 ft. deep) with 4 concrete pump out pits approximately (6 ft. x 6 ft. x 8 ft. deep), concrete slat flooring over the entire pit and approximately 850 feet of 6 inch PVC perimeter drain including sampling port in building #2.

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-22-09_Tax Cert Recommendation_16Dec09.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 Mall 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

Watershed Unit Tax Certification Review Sheet

Project Name: Jerry L. Riggins

Location: Macomb

Reviewer: DRG

Date: June 30, 2010

Log number: TC-22-09

Type: Agchem
 Livestock

Applicant: Jerry L. and Lynne J. Riggins
3780 Bellingham Rd.
Macomb, IL 61455

Contact: _

Phone: _Jerry L Riggins 309 254-3507

Facility: Jerry L. Riggins
3685 Bellingham Rd.
Macomb, IL 61455

Property ID: 01-000-218-00

County: McDonough

Legal Description:

S: NE 1/4 of Section 24 Twp: R: 3W PM:

Signature: Jerry Riggins

Title: Owner

S: 24 T: 4N

Date Control Devices installed: 6/14/2008

Provided Fair cash Value: \$990,000

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:

Swine Finishing facilities
 Bldg # 1 & Bldg # 2 are identical per phone call
 with Jerry Riggins 7/1/2010. No other equipment is
 Required/requested - he submitted google map of
 the facility area.

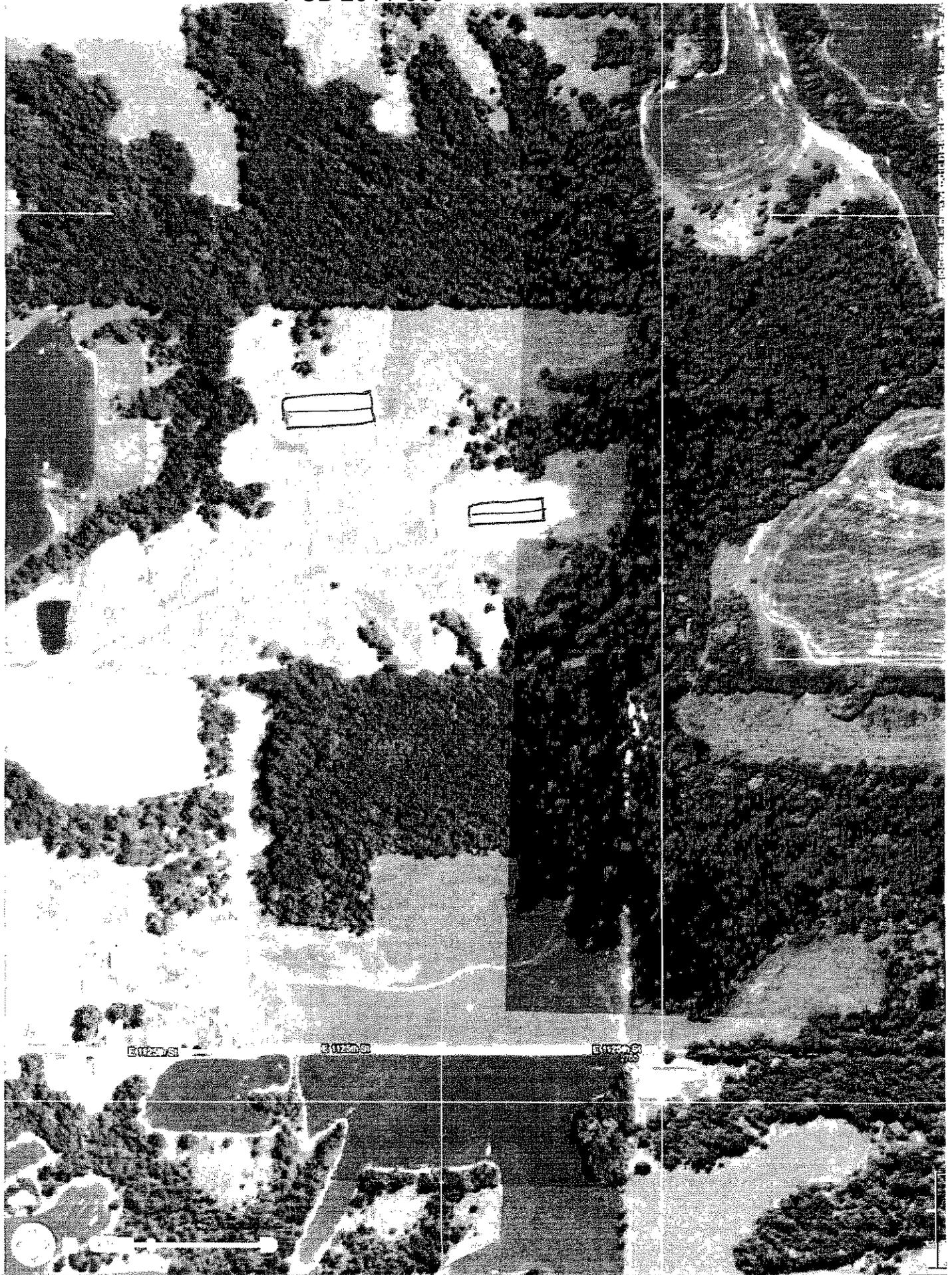
Gove, Darren

From: noreply@google.com
Sent: Friday, July 02, 2010 9:44 AM
To: Gove, Darren
Subject: jriggins@winco.net sent this to you using Google Maps: 3780 Bellingham Rd, Macomb, IL 61455

Both perimeter drain outlets are approximately 100 feet from the buildings.
The manure from the buildings is pumped to fields in close proximity to the buildings. No manure is hauled to other sites.

Jerry Riggins

This email was sent to you by a user on Google Maps (maps.google.com)



10-22-09

**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.	
Sec. A APPLICANT	Company Name Jerry L. and Lynne J. Riggins		
	Person Authorized to Receive Certification Jerry L. Riggins		
	Street Address 3780 Bellingham Rd.		
	Municipality, State & Zip Code Macomb, IL 61455		
	Telephone Number (309) 254-3507		
	Location of Facility		
	Quarter Section NE 24	Township Bethel	Range 3W
	Street Address 3685 Bellingham Rd.		
	Property Identification Number 01-000-218-00		
	Sec. B MANUFACTURING OPERATIONS	Nature of Operations Conducted at the Above Location Swine finishing facilities	
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	
Sec. C MANUFACTURING PROCESS	Describe Unit Process		
	Materials Used in Process		
Sec. D POLLUTION CONTROL FACILITY DESCRIPTION	Describe Pollution Abatement Control Facility The property has two identical swine finishing buildings. Both buildings are 71 ft. 2 in. wide by 281 ft. long with 8 ft. deep concrete pits beneath. The pits are 100% covered with concrete slats. There are four (4) 6 ft. by 6 ft. pump-out locations on each facility, one at each end and two on one side. Each facility has a perimeter drain with sampling outlet. (See attached drawings) The south building is approximately 400 ft. from Grindstone Creek.		

~~XXXXXXXXXXXX~~

Dec 2009
Riggin Jerry
cell (309) 337 2875
called 6-20-2010

RECEIVED

DEC 16 2009

Sec. E POLLUTION CONTROL FACILITY - CONTAMINANTS	(1) Nature of Contaminants or Pollutants Swine manure		
			Material Retained, Captured or Recovered
	Contaminant or Pollutant	DESCRIPTION	DISPOSAL OR USE
	Swine manure	Swine manure	Crop nutrient
	(2) Point(s) of Waste Water Discharge None		
	Plans and Specifications Attached		Yes <input 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>06/14/08</u> status of installation on date of application <u>12/17/09/in use</u>		
ACCOUNTING DATA	(5) a.	FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:	\$ 990,000.00
	b.	NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY:	\$ 0.00
	c.	PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY:	\$ 104,000.00
	d.	PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY:	\$ 0.00
	e.	PERCENTAGE CONTROL FACILITY BEARS TO WHOLE FACILITY VALUE:	% 75
Sec. F SIGNATURE	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.		
		Owner	
	Signature	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

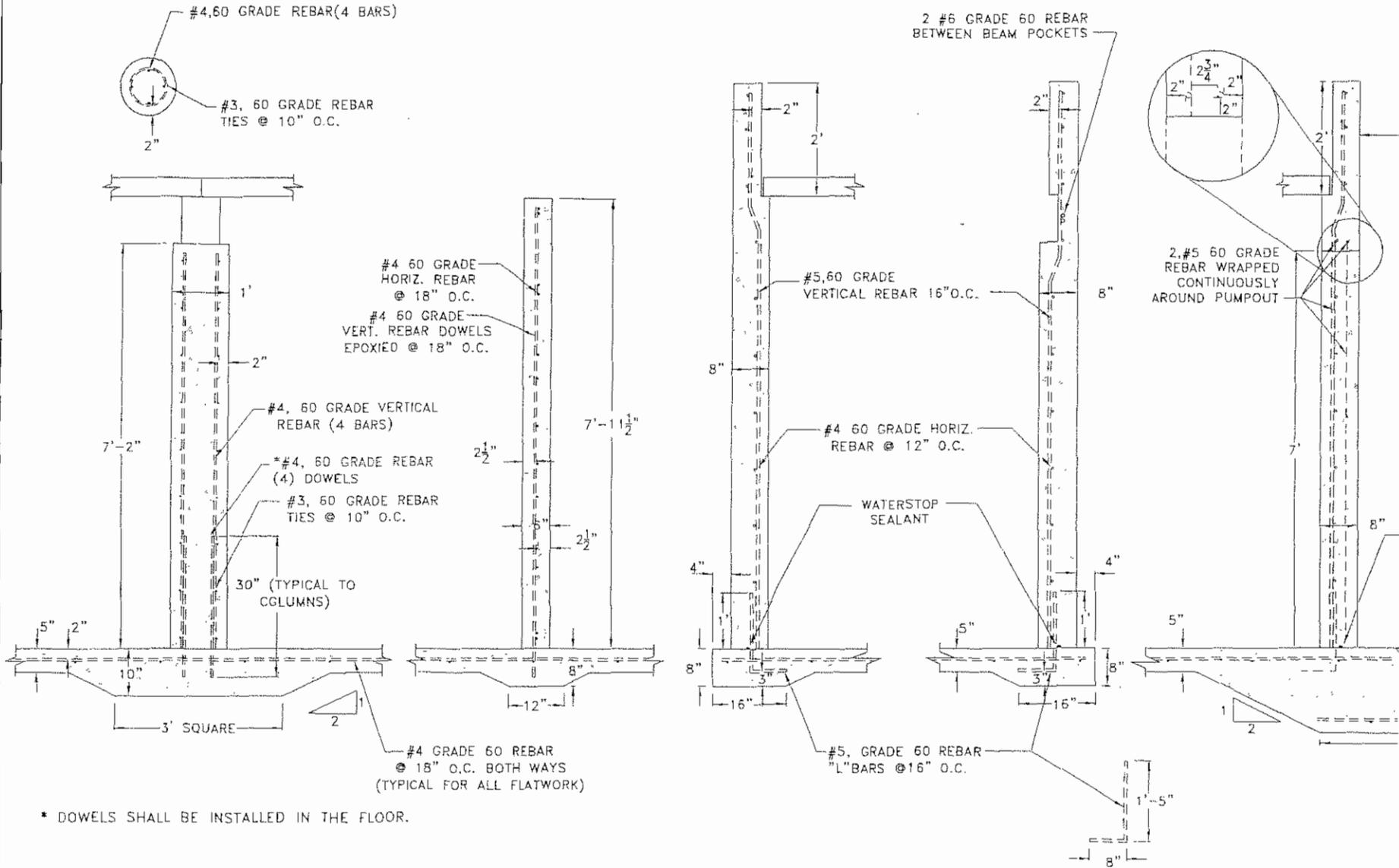
***** PCB 2011-009 *****

COLUMN DETAIL

INTERIOR CENTER WALL DETAIL

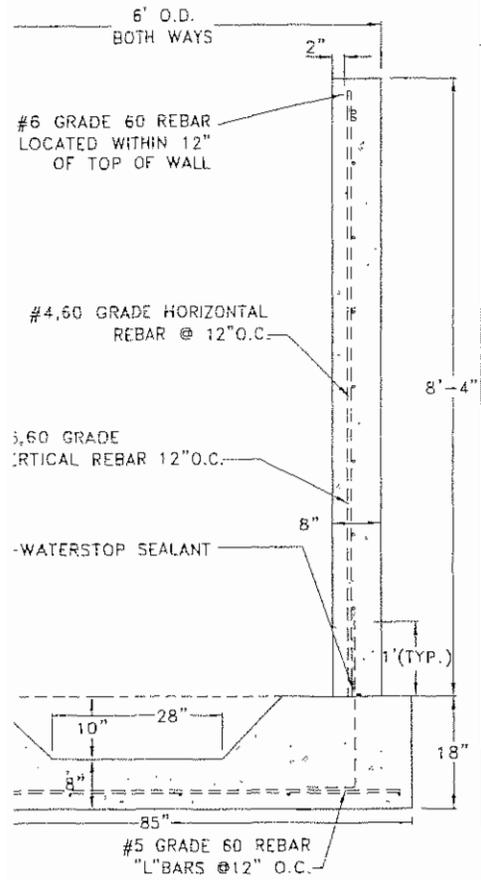
EXTERIOR SIDE WALL DETAIL

EXTERIOR END WALL DETAIL



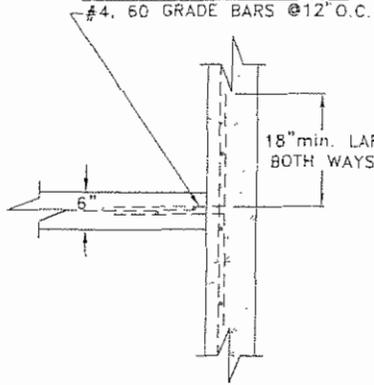
***** PCB 2011-009 *****

PUMP OUT DETAIL

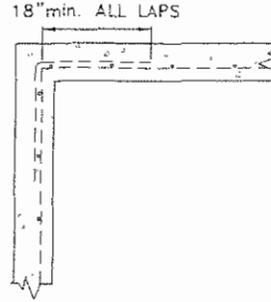


15"Ø SCH 40 PVC R

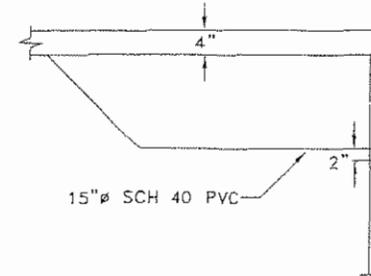
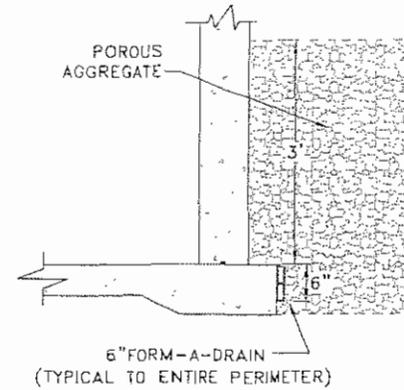
PARTITION TIE-IN



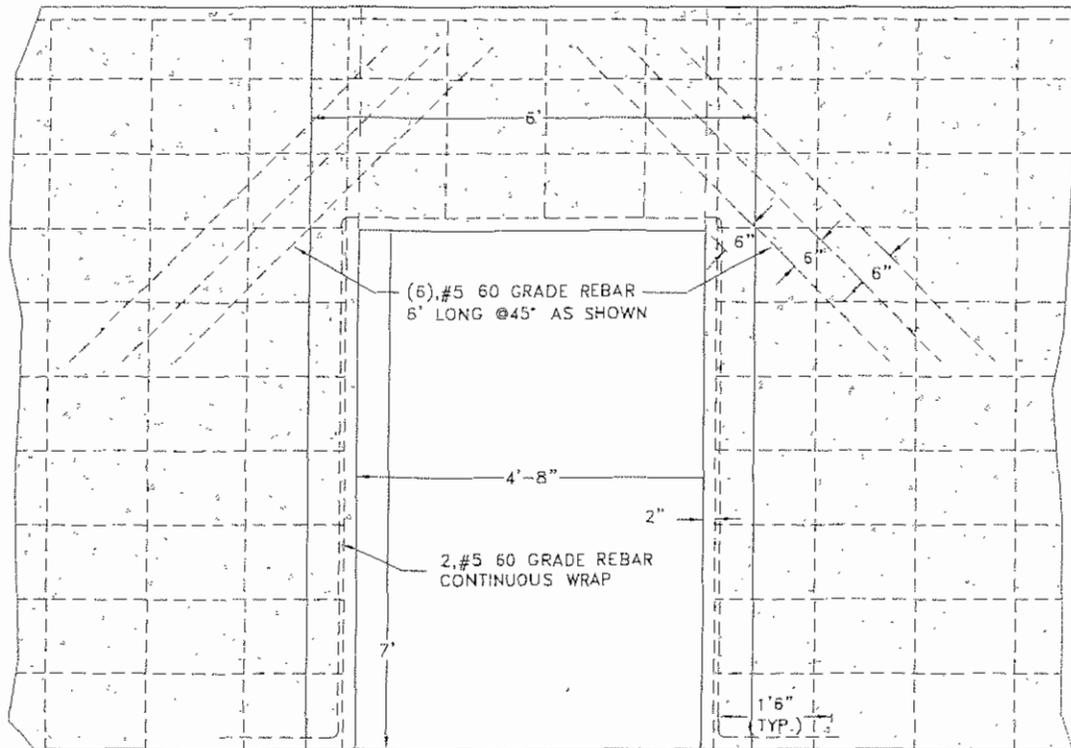
CORNER TIE-IN



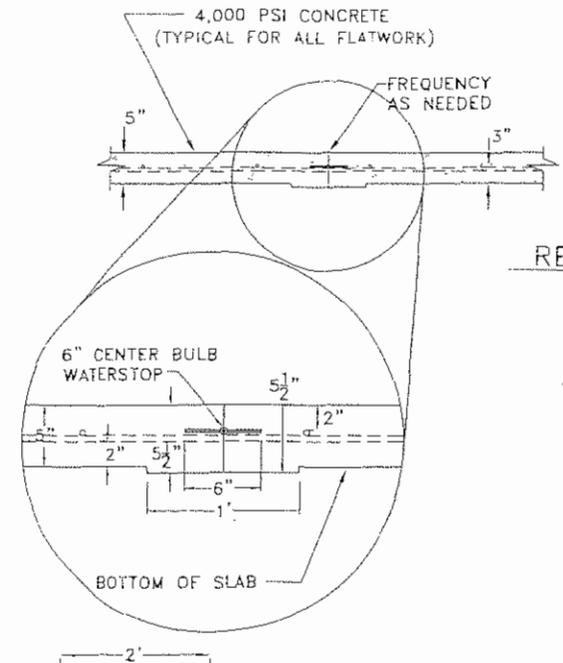
FOUNDATION DRAIN DETAIL



PUMP OUT OPENING AND WALL JOINT DETAIL

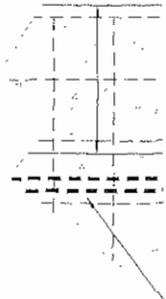


FLOOR CONSTRUCTION JOINT



REINFORCEM

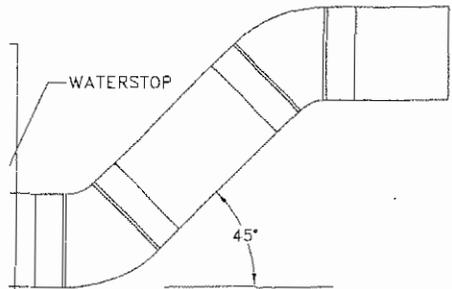
24" TOP OF TO 2" LEI



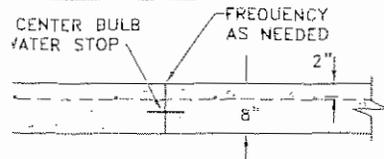
2a

***** PCB 2011-009 *****

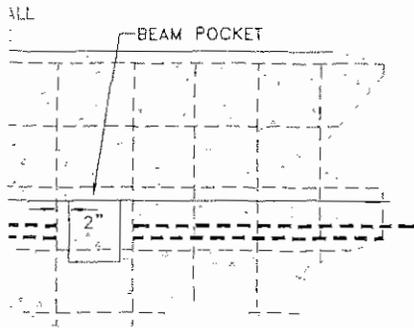
IND AIR DUCT DETAIL



OR SIDE WALL JOINT
TOP VIEW



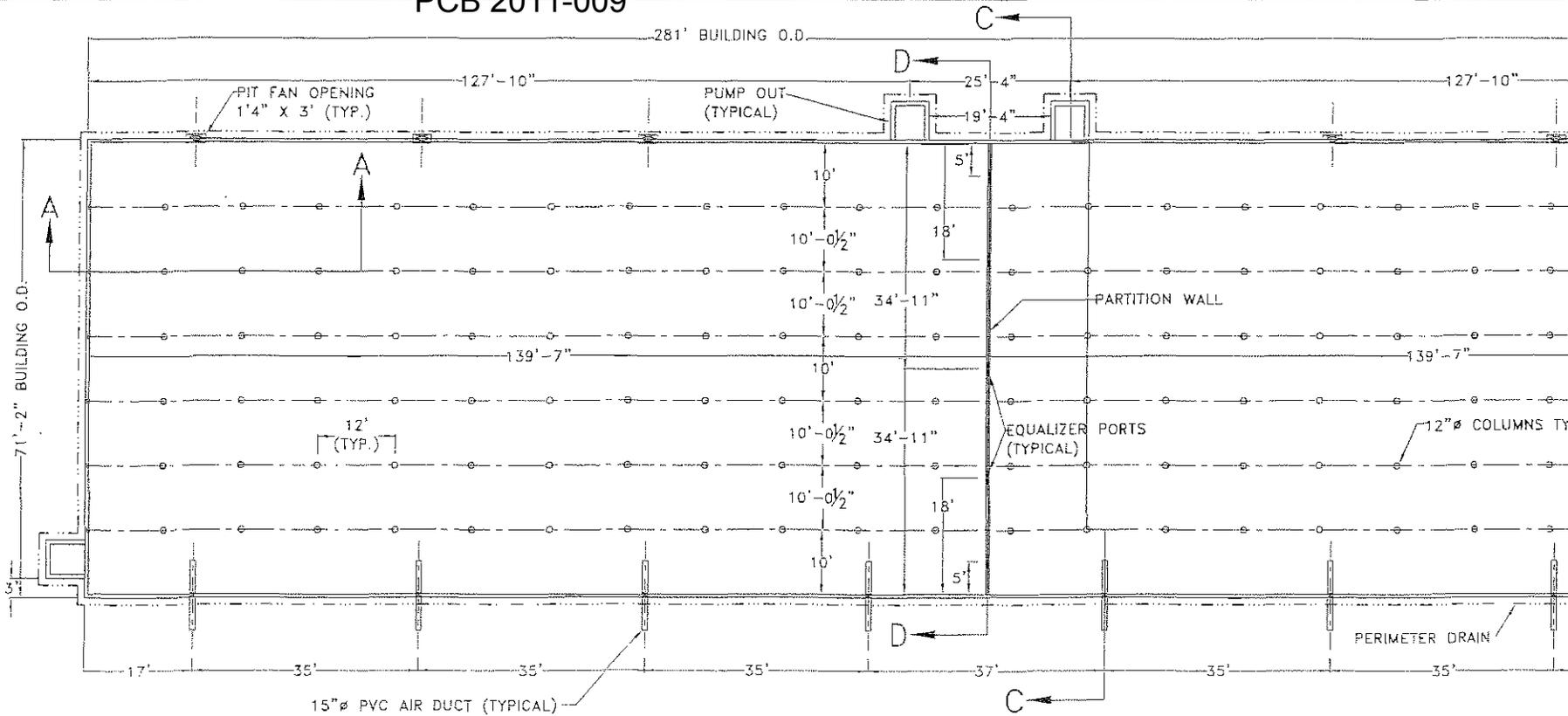
JOINT DETAIL AT BEAM POCKET



(2) #6 GRADE 60 REBAR

2b

***** PCB 2011-009 *****



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'S 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, COLUMNS, AND FLOORS ARE TO BE CONSTRUCTED OF 4,000 PSI CONCRETE.
- 7.) CONCRETE SLATS WILL BE UTILIZED FOR FLOORING.
- 8.) THE CONCRETE PAD WILL BE A CONTINUOUS POUR.
- 9.) EXTERIOR WALL CONSTRUCTION JOINTS WILL BE INSTALLED AT 100' O.C.
- 10.) NO VEHICLE LOADS ALLOWED WITHIN 5' OF PIT/GUTTER WALLS.
- 11.) ALL BEAMS SHALL BE BUTTED TIGHT AND/OR GROUTED TIGHT THE FULL WIDTH AND HEIGHT OF THE BEAM. GROUT WILL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 5,500 PSI.
- 12.) ALL SLATS SHALL BE BUTTED TIGHT AND/OR GROUTED TIGHT THE FULL LENGTH AND DEPTH OF THE SLAT. GROUT WILL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 5,500 PSI.

30
1"=20'

 **Frank & West**
Environmental Engineers, Inc.

7226 N. State Route 29
Springfield, IL 62707

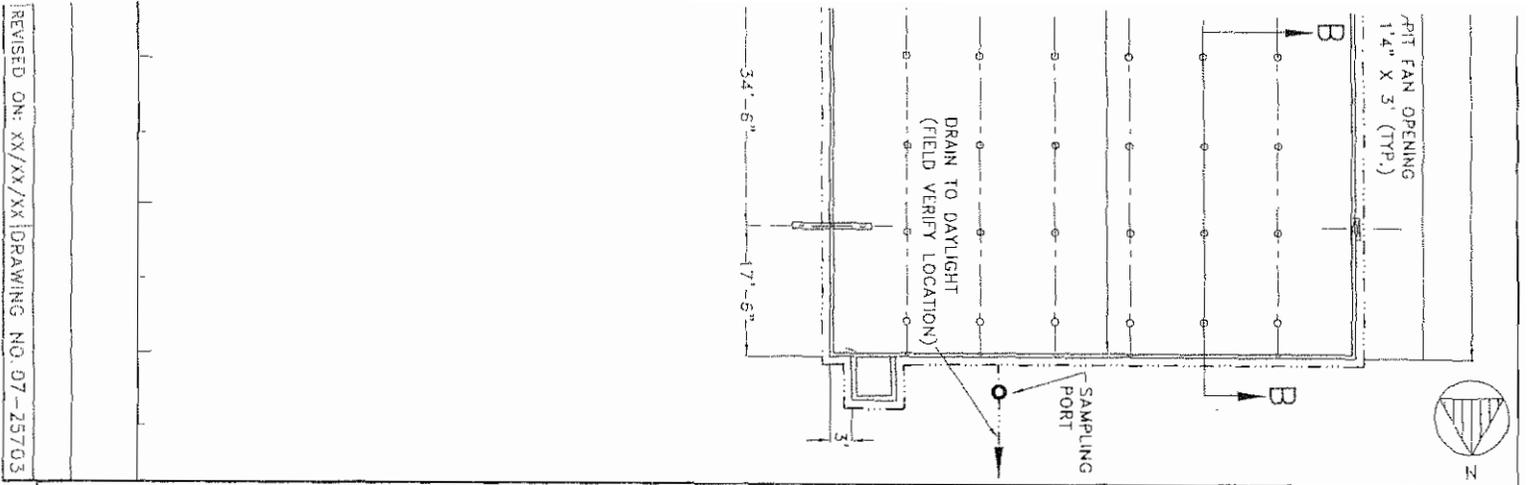
Phone: 217/487-7606
Fax: 217/487-7687

JERRY L. & LYNN J. RIGGINS
MACOMB, ILLINOIS

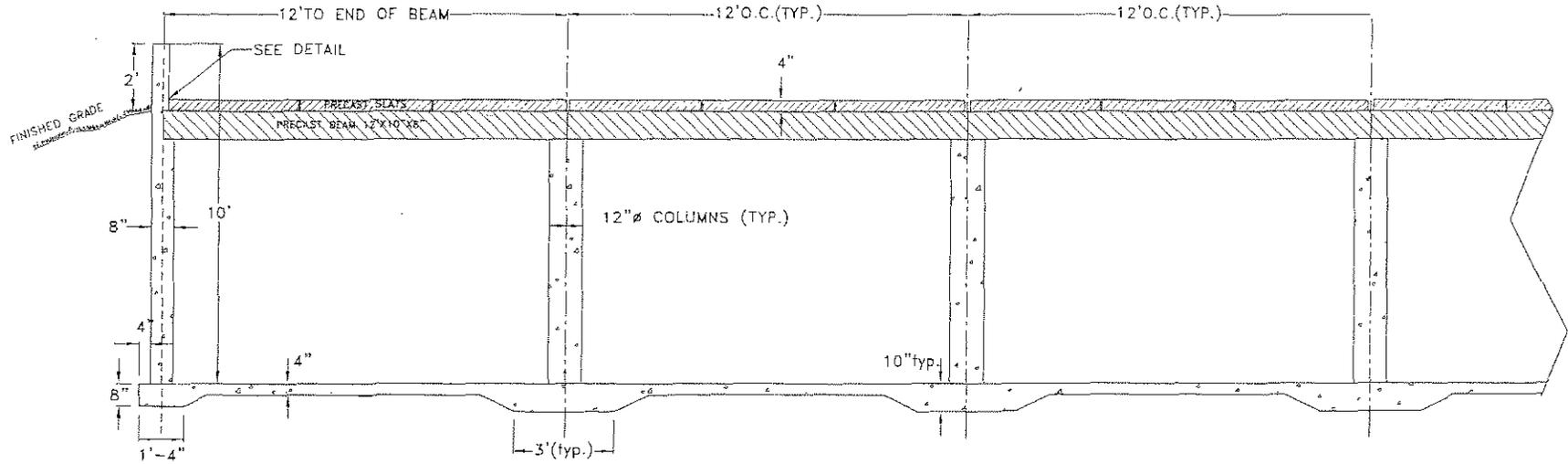
PLAN VIEW

DRAWN BY: CEO

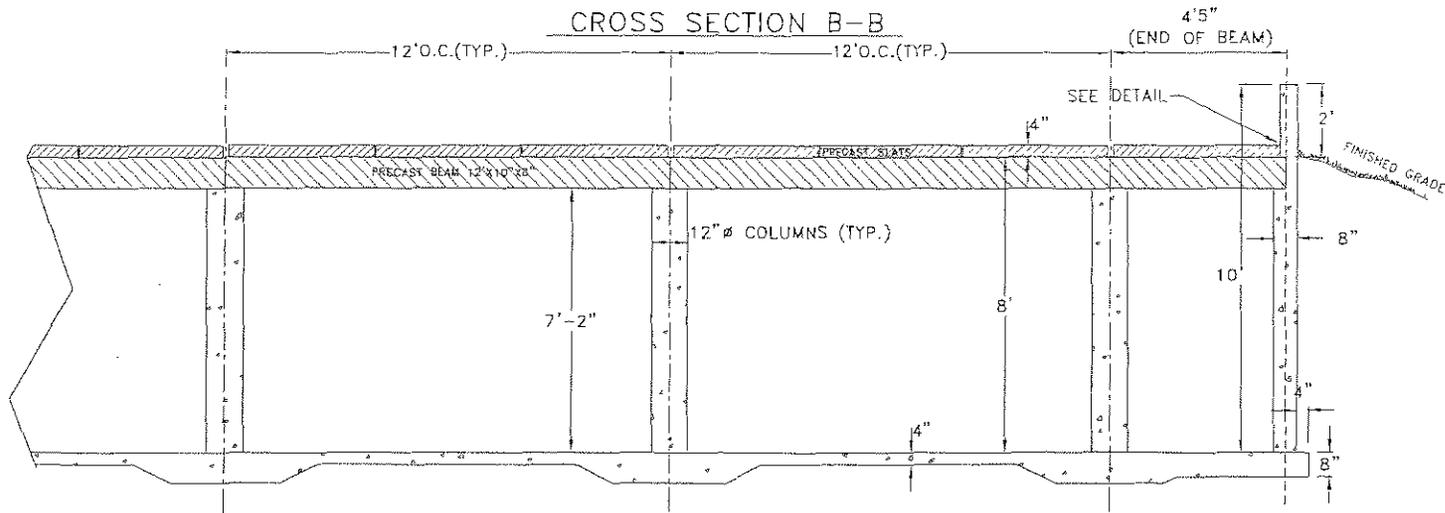
SCALE: AS SHOWN | DATE: 01/22/08

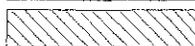
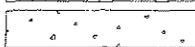


CROSS SECTION A-A



CROSS SECTION B-B



-  PRECAST SLATS
-  PRECAST BEAMS
-  CONCRETE POURED ON SITE

 **Frank & West**
Environmental Engineers, Inc.

JERRY L. & LYNN J. RIGGINS
MACOMB, ILLINOIS

CROSS SECTIONS A-A, & B-B

DRAWN BY: CEO

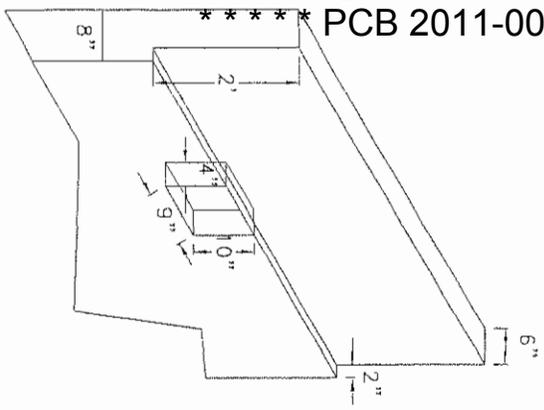
7226 N. State Route 29
Springfield, IL 62707

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

4/2

PCB 2011-009

* * * * *
* TYPICAL BEAM POCKET DETAIL *
* NO SCALE *
* * * * *



STATE OF ILLINOIS

COUNTY OF SANGAMON

)
)
)
)
)

PROOF OF SERVICE

I, the undersigned attorney at law, hereby certify that on September 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]

Jerry Riggins
3780 Bellingham Rd.
Macomb, Illinois 61455

[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)

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