

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Mark Erdman)	
(Property Identification Number)	PCB 15-
10-06-100-004))	(Tax Certification)
)	
)	

NOTICE

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

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

Mark Erdman
29758 N 2850 East Road
Chenoa, Illinois 61726

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.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: 
Roberto M. Durango
Assistant Counsel
Division of Legal Counsel

DATED: July 2, 2015

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

Mark Erdman)	
(Property Identification Number)	PCB 15-
10-06-100-004))	(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:  _____
Roberto M. Durango
Assistant Counsel
Division of Legal Counsel

DATED: July 2, 2015

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RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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 October 17, 2014, the Illinois EPA received a request from Mark Erdman (log number TC-13-14, 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 facility's address is:

Mark Erdman
30231 E 2600 North Road
Lexington, Illinois 61753

The proposed water pollution control facilities in this request are located at Section 6, T25N, R3E of the 3rd P.M. in McLean, at the above street address and consist of the following:

Livestock waste handling facilities consisting of one concrete manure pit (approximately 81 ft. x 225 ft. x 8.5 ft. deep), concrete slotted floors over the pit, and eight concrete pump-out ports (approximately 5ft. x 6ft. x 8 ft. each).

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.

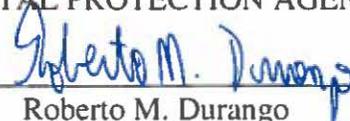
4. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2014), defines “pollution control facilities” as:

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:



Roberto M. Durango
Assistant Counsel
Division of Legal Counsel

Dated: July 2, 2015
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
BRUCE RAUNER, GOVERNOR LISA BONNETT, DIRECTOR



Memorandum

To: Charles Gunnarson, Division of Legal Counsel

From: Al Keller, Manager, Permit Section

Handwritten initials "AK" in black ink, positioned to the right of the "From:" line.

Date: June 15, 2015

Re: Mark Erdman
29758 N 2850 East Rd.
Chenoa, IL 61726
Recommendation of Tax Certification
Log # TC-13-14
Property ID # 10-06-100-004

The Bureau of Water received a request on October 17, 2014 from Mark Erdman for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to 35 II. Adm. Code 125.204. We offer the following recommendation.

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

Mark Erdman
30231 E 2600 North Rd.
Lexington, IL 61753

Section 6, T25N, R3E of the 3rd PM in McLean County

Livestock waste handling facilities consist of one (1) concrete manure pit (approximately 81 ft. x 225 ft. x 8.5 ft.), concrete slotted floors over the pit, and eight (8) concrete pump out ports (approximately 5 ft. x 6 ft. x 8 ft. each). These livestock waste handling facilities are used to collect, transport, and/or store livestock waste 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 Jenny Larsen at 217/782-0610.

SAK:JML:Tax Certs\AgChem\LogTC-13-14.docx

cc: Tax Cert File

4302 N. Main St., Rockford, IL 61103 (815)987-7760
595 S. State, Elgin, IL 60123 (847)608-3131
2125 S. First St., Champaign, IL 61820 (217)278-5800
2009 Mall St., Collinsville, IL 62234 (618)346-5120

9511 Harrison St., Des Plaines, IL 60016 (847)294-4000
5407 N. University St., Arbor 113, Peoria, IL 61614 (309)693-5462
2309 W. Main St., Suite 116, Marion, IL 62959 (618)993-7200
100 W. Randolph, Suite 11-300, Chicago, IL 60601 (312)814-6026

Watershed Unit Tax Certification Review Sheet

Project Name: Mark Erdman

Location: Lexington, IL

Reviewer: Jenny Larsen

Date: November 20, 2014

Log number: TC-13-14

Type: Agchem
 Livestock

Applicant: Mark Erdman
29758 N 2850 East Rd.
Chenoa, IL 61726

Contact: Mark Erdman

Phone: (309)825-9695

Facility:
30231 E 2600 North Rd.
Lexington, IL 61753

Property ID: 10-06-100-004

County: McLean

Legal Description:
S: 6 T: 25N R: 3E PM: 3rd

Signature: Mark Erdman

Title: Owner

Date Control Devices installed: unknown

Provided Fair cash Value:
\$ 789,720

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:

This facility consists of a concrete manure pit (81 ft. x 225 ft. x 8.5 ft.) with slotted floors to collect swine waste and eight concrete pump out ports (5 ft. x 6 ft. x 8 ft.).

Spoke with Mark Erdman on 3/25/2015 and he added that the manure pit and slotted floors were concrete as well as the pump out ports. He also gave the dimensions of the pump out ports.

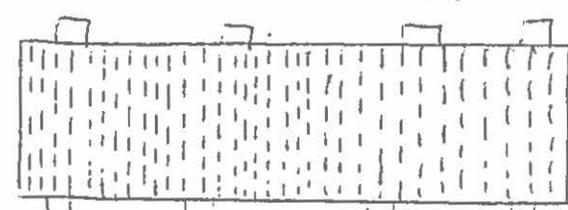
The primary purpose for these structures is to contain swine manure thereby preventing contaminated water runoff.

Recommended Action: Permit the above mentioned structures.

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
Sec. A APPLICANT	Company Name MARK Erdman		Person to Contact for Additional Details MARK Erdman
	Person Authorized to Receive Certification MARK Erdman		Street Address 29758 N DESOERD
	Street Address 29758 N DESOERD		Municipality, State & Zip Code Chenoa IL 61726
	Municipality, State & Zip Code Chenoa IL 61726		Telephone Number 309-825-9695
	Telephone Number 309-825-9695		Municipality Lawn Dale
	Location of Facility Quarter Section Township Range 35 N 6 25 5		Township Book Number
	Street Address 30231 E 2600 N RD		County Lexington
	Property Identification Number		Parcel Number 10-06-100-004
	Sec. B MANUFACTURING OPERATIONS	Nature of Operations Conducted at the Above Location SWINE MANURE	
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		
	 <p>SPUMP OUT PORTS ALL SEALED PUMP OUT OF PORTS TO DRAG LINE OR HAULED IN TRUCKS ALL SLATTED FLOORS</p>		

RECEIVED
 OCT 17 2014
 IEPA
 BOW/WPC/PERMIT SECTION

over

Electronic Filing - Received, Clerk's Office: 07/02/2015 - *** PCB 2016-002 ***

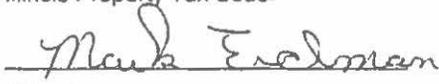
All MANURE IS INJECTED TO CROP FIELD

AND APPLIED ACCORDING TO NUTRIENT MANAGEMENT

PLAN. All MANURE COLLECTED AND STORED IN

IN MANURE PIT UNDER SLATED FLOORS

PIT IS 81' x 225' x 8.5'

Sec E	(1) Nature of Contaminants or Pollutants		
CONTAMINANTS		Material Retained, Captured or Recovered	
	Contaminant or Pollutant	DESCRIPTION	DISPOSAL OR USE
	SWINE MANURE	MANURE	FERTILIZE FOR CROPS
	(2) Point(s) of Waste Water Discharge		
	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 _____ status of installation on date of application <u>IN USE</u>		
ACCOUNTING DATA	(5) a	FAIR CASH VALUE IF CONSIDERED REAL PROPERTY	TAX APP \$ 789,720
	b	NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY:	\$
	c	PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY:	\$
	d	PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY:	\$
	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. <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="width: 30%; text-align: center;">  Signature </div> <div style="width: 60%; text-align: center;"> <u>OWNER</u> Title </div> </div>		
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 pollution control facility. Include a listing of each major piece of equipment included in the claimed fair cash value for real property. Include an average 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

STATE OF ILLINOIS

COUNTY OF SANGAMON

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PROOF OF SERVICE

I, the undersigned attorney at law, hereby certify that on July 2, 2015 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
P.O. Box 19033
Springfield, Illinois 62794

[1st Class U.S. Mail]

Mark Erdman
29758 N 2850 East Road
Chenoa, Illinois 61726

[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/ Roberto M. Durango
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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