

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Larry Wernsing)	
(Property Identification Number)	PCB 15-
06-11-300-008))	(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

Larry Wernsing
9212 N. 22nd Avenue
Raymond, Illinois 62560

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
Roberto M. Durango
Assistant Counsel
Division of Legal Counsel

DATED: July 14, 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

Larry Wernsing)	
(Property Identification Number)	PCB 15-
06-11-300-008))	(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 14, 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 July 8, 2014, the Illinois EPA received a request from Larry Wernsing (log number TC-10-14, 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:

Larry Wernsing
10627 N 22nd Avenue
Raymond, Illinois 62560

The proposed water pollution control facilities in this request are located at Section 26, T10N, R4W of the 3rd P.M. in Montgomery County, at the above street address and consist of the following:

Livestock waste handling facilities consisting of a concrete-manure-pit (approximately 51 ft. x 160 ft. x 8 ft. deep), slotted floors over the pit, and four concrete pump-out ports (approximately 4ft. x 8ft. x 8 ft. each).

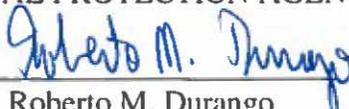
These livestock waste management facilities are used to collect, transport and/or store livestock wastes prior to cropland application, and are further described in Exhibit A.

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 14, 2015
Illinois Environmental Protection Agency
1021 North Grand Ave. E.
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

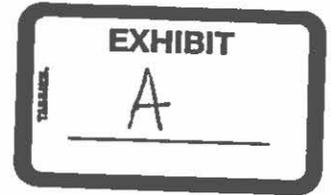


ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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 

Date: June 15, 2015

Re: Larry Wernsing
9212 N. 22nd Ave.
Raymond, IL 62560
Recommendation of Tax Certification
Log # TC-10-14
Property ID # 06-11-300-008

The Bureau of Water received a request on July 8, 2014 from Larry Wernsing 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:

Larry Wernsing
10267 N 22nd Ave.
Raymond, IL 62560

Section 26, T10N, R4W of the 3rd PM in Montgomery County

Livestock waste handling facilities consist of a concrete manure pit (approximately 51 ft. x 160 ft. x 8 ft.), slotted floors over the pit, and four (4) concrete pump outs (approximately 4 ft. x 8 ft. x 8ft. 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\Livestock\LogTC-10-14.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: Larry Wernsing

Location: Raymond, IL

Reviewer: Jenny Larsen

Date: July 11, 2014

Log number: TC-10-14

Type: Agchem
 Livestock

Applicant: Larry Wernsing
9212 N 22nd Ave.
Raymond, IL 62560

Contact: Larry Wernsing

Phone: (217)229-3638

Facility:
10267 N 22nd Ave.
Raymond, IL 62560

Property ID: 06-11-300-008

County: Montgomery

Legal Description:
S: 16 T: 10N R: 4W PM: 3rd

Signature: Larry Wernsing

Date Control Devices installed: 10/01/2013

Title: Owner

Provided Fair cash Value: \$250,000

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:

The facility consists of a concrete manure pit (51 ft. wide x 160 ft. long x 8 ft. deep) with slotted floors and four concrete pump outs (4 ft. x 8 ft. x 8 ft.) The primary purpose for the pit is containment and holding for hog manure. The manure pit is pumped empty and injected into the fields annually.

Within one quarter of a mile of the facility there is a drainage ditch that provides surface and tile drainage. The primary purpose for the manure pit is to store swine waste thereby eliminating waste discharge into surface water.

Spoke with Larry Wernsing on 3/26/2015. He confirmed that he is only trying to certify the pit, pump outs, and slotted floors as pollution control facilities. He also confirmed the construction materials of the pit and pumps outs is concrete.

Recommended Action: Permit the above mentioned structures.

IC-10-14

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.

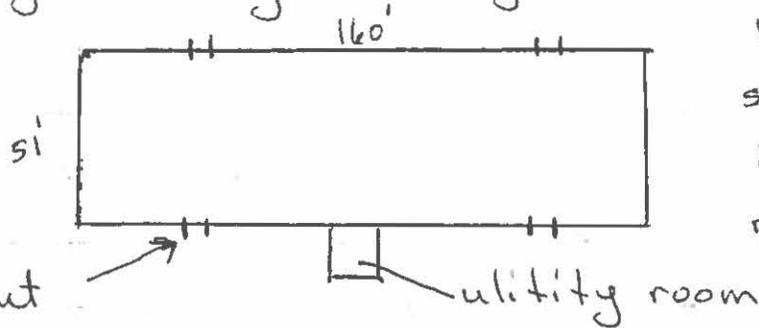
FOR AGENCY USE

File No.	Date Received	Certification No.	Date	
Sec. A APPLICANT	Company Name Larry Wernsing			
	Person Authorized to Receive Certification Larry Wernsing		Person to Contact for Additional Details same	
	Street Address 9212 N 22nd Ave		Street Address	
	Municipality, State & Zip Code Raymond, Ill. 62560		Municipality, State & Zip Code	
	Telephone Number 217-229-2638		Telephone Number	
	Location of Facility Quarter Section	sec 4 Township E 1/2 SW 1/4 10	Range 4	Municipality Raymond
	Street Address 10267 N 22nd Ave		County Montgomery	Township Book Number
	Property Identification Number		Parcel Number 06-11-300-008	
Sec. B MANUFACTURING OPERATIONS	Nature of Operations Conducted at the Above Location swine wean/finish building			
	Water Pollution Control Construction Permit No.	Date Issued		
	NPDES PERMIT No.	Date Issued	Expiration Date	
	Air Pollution Control Construction Permit No.	Date Issued		
Sec. C MANUFACTURING PROCESS	Describe Unit Process			
	Materials Used in Process concrete, steel, lumber, stainless built to LMFA standards @ Ill. Dept. Agr. facility i.d. # LF1350160001			
Sec. D POLLUTION CONTROL FACILITY DESCRIPTION	Describe Pollution Abatement Control Facility building is 51' wide x 160' long has 8' deep pit under bldg 64,000 cuft. hog manure containment & holding pit for seasonal spreading in fields			

RECEIVED

Sec. E	(1) Nature of Contaminants or Pollutants			
	CONTAMINANTS	Material Retained, Captured or Recovered		
		Contaminant or Pollutant	DESCRIPTION	DISPOSAL OR USE
		swine liquid manure	retained in deep pit	spread + injected into farm fields for fertilizer
		(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 <u>10-1-2013</u> status of installation on date of application <u>100% done</u>		
ACCOUNTING DATA	(5) a.	FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:	\$ 250,000	
	b.	NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY:	\$ unsure	
	c.	PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY:	\$ 320,000	
	d.	PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY:	\$ 35,000	
	e.	PERCENTAGE CONTROL FACILITY BEARS TO WHOLE FACILITY VALUE:	% 60	
SIGNATURE	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.			
		<u>Harry Werusing</u>	<u>owner</u>	
	Signature	Title		
INSTRUCTIONS	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.			
	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

harry Wernsing facility swine



1000 hd. capacity
slotted concrete floor above
8' deep concrete pit for
manure containment

pump-out
access

facility built to L.M.F.A. spec. by Frank + West
Engineering and Ill. Dept. Agr. inspections
100% poured concrete with steel reinforcement

this manure holding pit is pumped empty and
injected to fields annually. I own the P.T.O.
6" pump - hoses - fittings - and slurry wagon to
do this. when full, pit will hold 365,000 gal for
field fertilizer. This is normally done in the
fall of the year after harvest.

facility was built by Lenghorn Confinement Inc.
Pittsfield, Ill. put into operation 10-1-13. It
was inspected 3 times during construction
phases by Ill. Dept. Agr.

4 pump-out access ports are provided on the
2 sides of the manure pit. this allows hoses +
suction devices to enter the pit for transfer
to wagon for field injection

- the field around the facility has drainage tiles installed. Within 1/4 mile of bldg is a drainage ditch that provides surface & tile drainage. The deep pit protects any discharge into these structures

STATE OF ILLINOIS

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COUNTY OF SANGAMON

PROOF OF SERVICE

I, the undersigned attorney at law, hereby certify that on July 14, 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]

Larry Wernsing
9212 N. 22nd Avenue
Raymond, Illinois 62560

[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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