

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Brandon LaFever)
(Property Identification Number) PCB No.
03-03-09-100-004)) (Tax Certification)
)

NOTICE

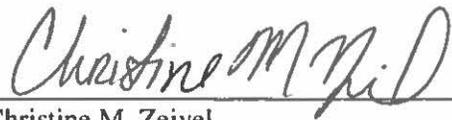
Steve Santarelli
Illinois Department of Revenue
101 West Jefferson
Post Office Box 19033
Springfield, Illinois 62794

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

Brandon LaFever
1788 80th Street
Illinois City, Illinois 61259

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: 
Christine M. Zeivel
Assistant Counsel
Division of Legal Counsel

DATED: December 15, 2016

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

Brandon LaFever)
(Property Identification Number) **PCB No.**
03-03-09-100-004)) **(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: 
Christine M. Zeivel
Assistant Counsel
Division of Legal Counsel

DATED: December 15, 2016

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

Brandon LaFever)
(Property Identification Number) **PCB No.**
03-03-09-100-004)) **(Tax Certification)**
)

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 (“Board”), 35 Ill. Adm. Code 125.204.

1. On September 19, 2016, the Illinois EPA received a request from Brandon LaFever (log number TC-136751, 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:

Brandon LaFever
170 th Avenue
Joy, IL 61260

The proposed water pollution control facilities in this request are located at Section 9, T15N, R4W of the 4th P.M. in Mercer County, at the above street address and consist of the following:

Livestock waste management facilities consisting of one concrete manure pit (approximately 391 ft. x 51 ft. x 8 ft. deep) with ten concrete livestock waste pump out pits to allow for waste removal (approximately 5 ft. x 6 ft. x 8 ft.), a PVC perimeter tile drain (4” diameter and approximately 988 ft. in length) and slotted floors over the pit that collect livestock waste.

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

3. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2014), and Section 125.200(a) of the Board's regulations, 35 Ill. Adm. Code 125.200(a), define

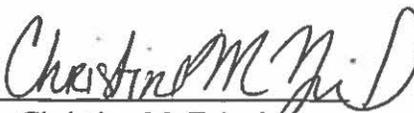
"pollution control facilities" as:

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: eliminating, preventing, or reducing air or water pollution ...or 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.

4. In order to receive preferential tax treatment as pursuant to 35 ILCS 200/11-5 (2014), pollution control facilities must be certified as such by the Board, 35 ILCS 200/11-20 (2014) and 35 Ill. Adm. Code 125.200(a).
5. Upon receipt of a tax certification application, the Illinois EPA must file a recommendation on the application with the Board, 35 Ill Adm. Code 125.204(a).
6. Based on the information in the application and the purpose of the facility, 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: 
Christine M. Zeivel
Assistant Counsel
Division of Legal Counsel

Dated: December 15, 2016
Illinois Environmental Protection Agency
1021 North Grand Ave. E.
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544

Watershed Unit Tax Certification Review Sheet

Project Name: Brandon Lafever

Location: Joy, IL

Reviewer: Jenny Larsen

Date: 9/19/2016

Log number: TC-136751

Type: Agchem
 Livestock

Applicant:

Brandon Lafever
1788 80th St.
Illinois City, IL 61259

Contact: Brandon Lafever

Phone: (563)260-3302

Facility:

170th Avenue
Joy, IL 61260

Property ID: 03-03-09-100-004

County: Mercer

Legal Description:

S: 9 T: 15N R: 4W PM: 4th

Signature: Brandon Lafever

Title: Owner

Date Control Devices installed: 9/12/16

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 (approximately 391 ft. x 51 ft. x 8 ft. deep), ten concrete pump out ports (approximately 5 ft. x 6 ft. x 8 ft. deep), a PVC perimeter tile drain (4" diameter and approximately 988 ft. long) and slotted floors over the pit to collect swine waste. The manure is pumped out of the pits and applied to the fields as crop fertilizer.

10/27/2016- Received an email from Jake Nims confirming that the facility also has slotted floors, pump out ports, and a perimeter tile drain. See email attached.

The primary purpose for these structures is to contain livestock waste thereby preventing contaminated water runoff.

Recommended Action: Permit the above mentioned structures.

Larsen, Jenny

From: Jake Nims <jnims@fwieng.com>
Sent: Thursday, October 27, 2016 9:21 AM
To: Larsen, Jenny
Subject: [External] Brandon Lafaver project
Attachments: Lafaver Location map.pdf

Ms. Larson,

Per our phone conversation, please find the additional information for the Brandon Lafaver project.

*Location – I have attached a map showing the building location relative to the closest town.

*Slotted floors – There is 19,833 ft² of precast concrete slats in the building.

*Pumpout Ports – There are ten (10) pumpout ports each measuring 5' x 6' wide.

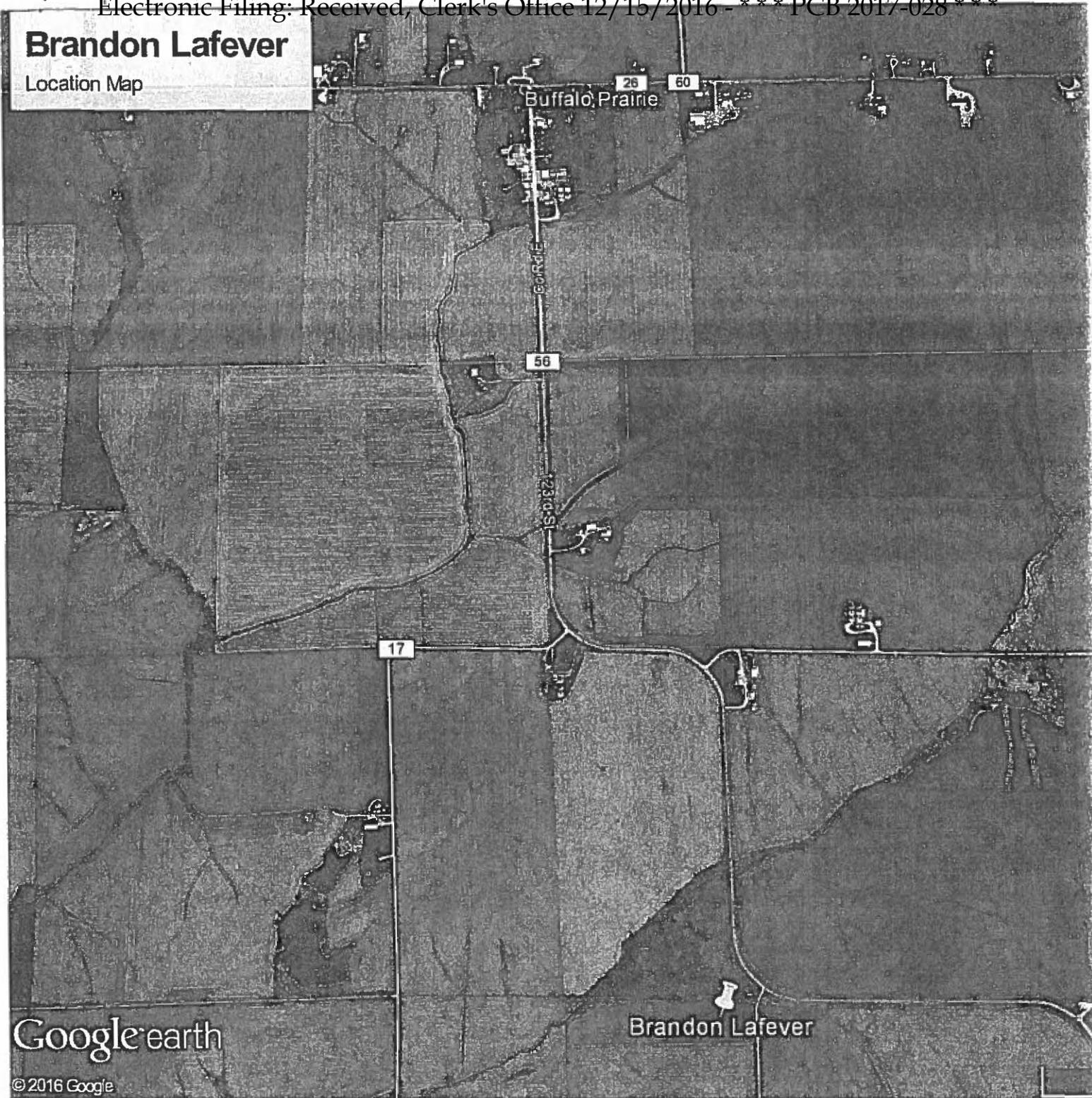
*Perimeter Tile – There is 988 linear feet of perimeter footing tile. 

Please let me know if you have any further questions.

Jake Nims
Frank & West Environmental Engineers, Inc.
1032 S. 2nd St.
Springfield, IL 62704
(217) 679-7361 office
(217) 679-8362 fax
(309) 530-2894 cell

Brandon Lafever

Location Map



Google earth

© 2016 Google



Frank & West
Environmental Engineers, Inc.

APR 21 2016
EPA/SPC/ILLINOIS

April 21, 2016

Al Keller
Permit Section
Division of Water Pollution Control
Illinois EPA
P.O. Box 19276
Springfield, Illinois 62794-9276

RE: Brandon Lafever facility

Dear Mr. Keller:

Frank & West is submitting an application for certification of property tax treatment for pollution control facility on behalf of the Brandon Lafever facility.

If you have any further questions or comments regarding the Brandon Lafever non-lagoon livestock waste handling facility, please advise.

FRANK & WEST
ENVIRONMENTAL ENGINEERS, INC.

Jacob Nims
Agricultural Engineer

Attachment: Application for Certification

Facility Location:

~~Brandon Lafever facility~~

slotted floors?

pump out parts?

perimeter tile drain?

217 6779 7361

**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 Brandon Lafever			
	Person Authorized to Receive Certification Brandon Lafever		Person to Contact for Additional Details Brandon Lafever	
	Street Address 1788 80th St.		Street Address 1788 80th St	
	Municipality, State & Zip Code Illinois City, IL 61259		Municipality, State & Zip Code Illinois City, IL 61259	
	Telephone Number (563) 260-3302		Telephone Number (563) 260-3302	
	Location of Facility Quarter Section	Township 15N	Range 4W	Municipality Township 15N
	Street Address		County Mercer	Book Number
	Property Identification Number		Parcel Number	
	Sec. B MANUFACTURING OPERATIONS	Nature of Operations Conducted at the Above Location The structure is a swine finishing facility where swine are housed on concrete slats with a below ground concrete pit used as waste storage.		
		Water Pollution Control Construction Permit No. N/A		Date Issued
NPDES PERMIT No. N/A		Date Issued	Expiration Date	
Air Pollution Control Construction Permit No. N/A		Date Issued		
Air Pollution Control Operating Permit No. N/A		Date Issued		
Sec. C MANUFACTURING PROCESS	Describe Unit Process N/A			
	Materials Used in Process N/A			
Sec. D POLLUTION CONTROL FACILITY DESCRIPTION	Describe Pollution Abatement Control Facility A concrete pit with dimensions of 391' x 51' x 8' deep is used to storage livestock waste until the appropriate time to apply the manure to agricultural fields at agronomic rates.			

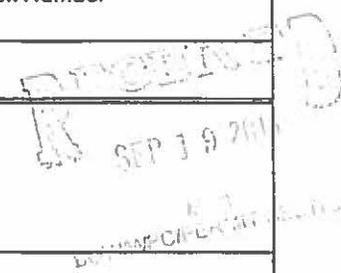
ATTACHMENT B
HIGHLIGHTED TAX CERTIFICATION FORM

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

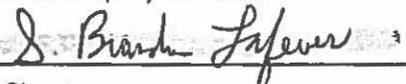
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
 P. O. Box 19276, Springfield, IL 62794-9276

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			
	Person Authorized to Receive Certification		Person to Contact for Additional Details	
	Street Address		Street Address	
	Municipality, State & Zip Code		Municipality, State & Zip Code	
	Telephone Number		Telephone Number	
	Location of Facility Quarter Section Township Range		Municipality Township	
	Street Address		County Book Number	
	Property Identification Number 03-03-09-100-004		Parcel Number	
MANUFACTURING OPERATIONS	Sec. B Nature of Operations Conducted at the Above Location			
	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			



 SEP 3 9 2011

Sec. E	(1) Nature of Contaminants or Pollutants			
	CONTAMINANTS	Material Retained, Captured or Recovered		
		Contaminant or Pollutant	DESCRIPTION	DISPOSAL OR USE
		Livestock Manure	Stored in below ground concrete pits	
		(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 type="checkbox"/> No <input type="checkbox"/>	
	(4)	Date installation completed <u>9-12-16</u> status of installation on date of application <u>9-12-16</u>		
ACCOUNTING DATA	(5)	a. FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:	\$ <u>350,000⁰⁰</u>	
		b. NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY:	\$ <u>20,000⁰⁰</u>	
		c. PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY:	\$ <u>98,400</u>	
		d. PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY:	\$ <u>15,000</u>	
		e. PERCENTAGE CONTROL FACILITY BEARS TO WHOLE FACILITY VALUE:	% <u>45</u>	
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.			
SIGNATURE	 Signature		Title Owner	
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	

ATTACHMENT C
IEPA COVER LETTER

ATTACHMENT
APPLICATION FOR CERTIFICATION

RECEIVED
SEP 23 2016
IEPA
DOW/MP/PERMIT SECTION

ATTACHMENT A

BRANDON LAFEVER TAX CERTIFICATION FORM

STATE OF ILLINOIS

COUNTY OF SANGAMON

)
)
)
)
)

PROOF OF SERVICE

I, the undersigned attorney at law, hereby certify that on December 15, 2016, 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]

Frank Hopkins
675 Knox Hwy 8
Gilson, Illinois 61436

[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/ Christine M. Zeivel
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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