BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Bane Family Pork Farm (Property Identification Number 24-07-300-005)

)) PCB 20-) (Tax Certification)

NOTICE

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board an <u>APPEARANCE</u> and <u>RECOMMENDATION OF THE ILLINOIS</u> <u>ENVIRONMENTAL PROTECTION AGENCY</u>, copies of which are herewith served upon you.

Pat Bane 12125 N. 3000 E. Road Arrowsmith, Illinois 61722

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

Copies also provided electronically as follows:

Illinois Department of Revenue via email at REV.PropTaxApp@illinois.gov 101 West Jefferson P.O. Box 19033 Springfield, Illinois 62794

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By:

Michael S. Roubitchek Assistant Counsel Division of Legal Counsel

DATED: November 4, 2019

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

Bane Family Pork Farm (Property Identification Number 24-07-300-005)

)) PCB 20-) (Tax Certification)

APPEARANCE

Bv:

The undersigned, as one of its attorneys, hereby enters an <u>APPEARANCE</u> on behalf of Respondent, Illinois Environmental Protection Agency.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Michael S. Roubitchek Assistant Counsel

Division of Legal Counsel

DATED: November 4, 2019

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

Bane Family Pork Farm (Property Identification Number 24-07-300-005)

)) PCB 20-) (Tax Certification))

<u>RECOMMENDATION OF THE ILLINOIS</u> <u>ENVIRONMENTAL PROTECTION AGENCY</u>

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.

 On October 2, 2018, the Illinois EPA received a request from Bane Family Pork Farm (log number TC-140408, 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:

Bane Family Pork Farm 12125 N. 3000 E. Road Arrowsmith, IL 61722

Sents

The proposed water pollution control facilities in this request are located in the SW ¼ of Section 7, T23N, R5E of the 3rd P.M. in McLean County, at the above street address and consist of the following waste management systems, structures and devices:

- One concrete manure pit with greatest dimensions of 69 ft. x 44.17 ft. x 2 ft. deep;
- One concrete manure pit with greatest dimensions of 219.5 ft. x 71 ft. x 2 ft. deep;
- One concrete manure pit with greatest dimensions of 240 ft. x 80 f. x 2 ft. deep, and approximately 19,200 sq. ft. of concrete slatted flooring over the manure pit;
- One concrete livestock waste pit with greatest dimensions of 180 ft. x 69 ft. x 2 ft. deep;

- One concrete livestock waste pit with greatest dimensions of 224 ft. x 60 ft. x 2 ft. deep, and approximately 13,440 sq. ft. of concrete slatted flooring over the waste pit;
- One concrete livestock waste pit with greatest dimensions of 228 ft. x 60 ft. x 2 ft. deep, and approximately 13,680 sq. ft. of concrete slatted flooring over the waste pit;
- One concrete livestock waste pit with greatest dimensions of 250 ft. x 41.17 ft. x 2 ft. deep, and approximately 10,000 sq. ft.
 of concrete slatted flooring over the waste pit;
- One earthen livestock waste holding pond with greatest dimensions of 500 ft. x. 150 ft. x 30 ft. deep; and
- The portion of waste drain lines installed between the abovereferenced concrete livestock waste pits and the earthen livestock waste holding pond.

These livestock waste management facilities are used to collect, transport, and/or

store livestock waste prior to cropland application, and are further described in

Exhibit A.

3.

4.

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.

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).

THIS FILING SUBMITTED ON RECYCLED PAPER

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).
 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

Bv:

Michael S. Roubitchek Assistant Counsel Division of Legal Counsel

Dated: November 4, 2019

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



1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 · (217) 782-3397 JB PRITZKER, GOVERNOR JOHN J. KIM, DIRECTOR

Memorandum

To: Charles Gunnarson, Division of Legal Counsel

From: Darin E. LeCrone P.E., Manager, Industrial Unit, Permit Section

Date: October 21, 2019

Re: Bane Family Pork Farm - Arrowsmith Recommendation of Tax Certification Log # TC-140408 BOW ID # W1138020003 Property Identification # 24-07-300-005

The Bureau of Water received a request on October 2, 2018 from Bane Family Pork Farm 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:

Bane Family Pork Farm 12125 N. 3000 E. Road Arrowsmith, IL 61722

SW 1/4 of Section 7, Township 23-North, Range 5-East of the East 3rd PM in McLean County.

Waste management systems, structures and devices consisting of:

One concrete manure pit(s) with greatest dimensions of 69 ft. (length) x 44.17 ft. (width) x 2 ft. (depth).

One concrete manure pit(s) with greatest dimensions of 219.5 ft. (length) x 71 ft. (width) x 2 ft. (depth).

One (1) concrete manure pit(s) with greatest dimensions of 240 ft. (length) x 80 ft. (width) x 2 ft. (depth) and approximately 19,200 sq. ft. of concrete slatted flooring over this manure pit.

One (1) concrete livestock waste pit(s) with greatest dimensions of 180 ft. (length) x 69 ft. (width) x 2 ft. (depth).

One (1) concrete livestock waste pit(s) with greatest dimensions of 224 ft. (length) x 60 ft. (width) x 2 ft. (depth)and approximately 13,440 sq. ft. of concrete slatted flooring over this manure pit.

One (1) concrete livestock waste pit(s) with greatest dimensions of 228 ft. (length) x 60 ft. (width) x 2 ft. (depth)and approximately 13,680 sq. ft. of concrete slatted flooring over this manure pit.

One (1) concrete livestock waste pit(s) with greatest dimensions of 250 ft. (length) x 41.17 ft. (width) x 2 ft. (depth) and approximately 10,000 sq. ft. of concrete slatted flooring over this manure pit.

4302 N. Main Street, Rockford, IL 61103 (815) 987-7760 595 S. State Street, Elgin, IL 60123 (847) 608-3131 2125 S. First Street, Champaign, IL 61820 (217) 278-5800 2009 Mall Street Collinsville, IL 62234 (618) 346-5120 9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000 412 SW Washington Street, Suite D, Peorla, IL 61602 (309) 671-3022 2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200 100 W. Randolph Street, Suite 4-500, Chicago, IL 60601

Page No. 2 Log No. TC-140408

One (1) earthen livestock waste pit(s) with greatest dimensions of 500 ft. (length) x 150 ft. (width) x 30 ft. (depth).

The portion of waste drain lines installed between the above concrete livestock waste pits and the earthen livestock waste storage basin.

These waste management facilities are used to collect, transport and/or store 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.

DRG:TC-140408_Tax Cert Recommendation_02Oct18.docx

cc: Tax Cert File

Illinois EPA - Bureau of Water - Division of Pollution Control Title 35 Subtitle A Part 125 Tax Certifications Illinois EPA Review Notes for: Agency Recommendation of Pollution Control Facilities.

BOW ID #: W1138020003

Project Name: Bane Family Pork Farm

Date application received: 10/2/2018

Reviewer: DRG

Log number: TC-140408

Legal Description: SW 1/4 of Section 7 Twp: 23-North Range: 5-East PM: East 3rd

County: McLean

Facility Contact: Jacob Nims, 1032 S. 2nd Street, Springfield, IL 62704

Pollution Control Facility Type: Swine Livestock Waste Management Facility

Property ID: 24-07-300-005

Applicant: Bane Family Pork Farm 12125 N. 3000 E. Road Arrowsmith, IL 61722

Facility: Bane Family Pork Farm 12125 N. 3000 E. Road Arrowsmith, IL 61722

Date Control Devices installed: 9/26/2018

Application Signature by: Patrick Bane

Phone: 217 679-7361

Title: Owner

Contents of Application: Printed 3 page form, facility diagram with dimensions, list of structures with dimensions and features, plat book page of facility, new structure construction diagram, and consultant cover page.

Is there a pollutant control flow diagram? Yes - Rec'd on 6/19/2019 by request on 6/18/19

Is there sufficient diagrams showing the pollution control facilities? Yes

This facility generates the following pollutants and prevents their discharge as indicated: Livestock waste is collected and land applied to cropland.

Physical description of pollution control facilities that ARE recommended:

Waste management systems, structures and devices consisting of:

One concrete manure pit(s) with greatest dimensions of 69 ft. (length) x 44.17 ft. (width) x 2 ft. (depth).

One concrete manure pit(s) with greatest dimensions of 219.5 ft. (length) x 71 ft. (width) x 2 ft. (depth).

One (1) concrete manure pit(s) with greatest dimensions of 240 ft. (length) x 80 ft. (width) x 2 ft. (depth) and approximately 19,200 sq. ft. of concrete slatted flooring over this manure pit.

One (1) concrete livestock waste pit(s) with greatest dimensions of 180 ft. (length) x 69 ft. (width) x 2 ft. (depth).

Illinois EPA Log #: TC-140408 Page 2 of 2

One (1) concrete livestock waste pit(s) with greatest dimensions of 224 ft. (length) x 60 ft. (width) x 2 ft. (depth) and approximately 13,440 sq. ft. of concrete slatted flooring over this manure pit.

One (1) concrete livestock waste pit(s) with greatest dimensions of 228 ft. (length) x 60 ft. (width) x 2 ft. (depth) and approximately 13,680 sq. ft. of concrete slatted flooring over this manure pit.

One (1) concrete livestock waste pit(s) with greatest dimensions of 250 ft. (length) x 41.17 ft. (width) x 2 ft. (depth) and approximately 10,000 sq. ft. of concrete slatted flooring over this manure pit.

One (1) earthen livestock waste pit(s) with greatest dimensions of 500 ft. (length) x 150 ft. (width) x 30 ft. (depth).

The portion of waste drain lines installed between the above concrete livestock waste pits and the earthen livestock waste storage basin.

These waste management facilities are used to collect, transport and/or store wastes prior to cropland application.

Notes:

Sent email to consultant to provide a flow diagram Nothing follows – DRG - (June 19, 2019)



Frank & West

Environmental Engineers, Inc.

August 13, 2018

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

BOWING GPERMIT SECTION

RE: Bane Family Pork Farm facility

Dear Mr. Keller:

Frank & West is submitting an application for certification of property tax treatment for pollution control facility on behalf of the Bane Family Pork Farm facility.

If you have any further questions or comments regarding the Bane Family Pork Farm non-lagoon livestock waste handling facility, please advise.

FRANK & WEST ENVIRONMENTAL ENGINEERS, INC.

Jaćob Nims Agricultural Engineer

Attachment:

Application for Certification

Electronic Filing: Received, Clerk's Office 11/04/2019 **PCB 2020-026** Illinois Environmental Protection Agency 1021 North Grand Avenue East • P.O. Box 19276 • Springfield • Illinois • 62794-9276 • (2 17) 782-3397 Application for Certification (Property Tax Treatment) **Pollution Control Facility** FOR AGENCY USE ONLY File Number: Date Rec'd: Facility Type (check one): O Air O Water Certification Number: Date: This form is to be used for any application for certification of property tax treatment for a pollution control facility for air or water from the Illinois EPA. You must have Adobe Acrobat Reader 10 or above installed to use the features on this form. You may complete this form online, save a copy locally, print, sign and submit it to: BCEINE Illinois EPA Attention: Al Keller, Permit Section Division of Water Pollution Control 1021 North Grand Avenue East, P.O. Box 19276 0 2 2018 Springfield, IL 62794-9276 IEP_A BOW/WPC/PERMIT SECTION I. Applicant Information: Company Name: Bane Family Pork Farm Person to Contact Person Authorized to for Additional Details Same Receive Certification Pat Bane Street Address: 12125 N. 3000 E. Rd. Street Address: Arrowsmith State: IL City: City: _____ State: 61722 Phone: <u>309-212-2275</u> Zip: Zio: _____ Phone: Email Address: Email Address: II. Facility Information: Facility Location: Quarter Section: SW Township: 23-North Range: 5-East Township:_____ Municipality: Section 7 Address: City: State: Zip Code: County: McLean Book Number: Property Index Number: <u>24-07-300-005</u> Note: The Property Index Number is the numerical reference used to identify a parcel of real property for assessment and taxation purposes. Manufacturing Operations Information: Nature of Operations Conducted at the Above Location: The structures are swine gestion, gilt developer, and farrowing buildings where animals are housed on concrete slats with an earthen storage pond used as waste storage. **Permit Information:** WPC Construction Permit Number: N/A Date Issued: N/A NPDES Permit Number: Date Issued: Exp. Date: Date Issued: APC Construction Permit Number: N/A N/A APC Operating Permit Number: Date Issued: Exp. Date: Note: Submit copies of all relevant permits issued by local pollution control agencies. (e.g. MSD Construction Permit) This Agency is authorized to request this information under 415 ILCS 5/4(b)(2012). Disclosure of this information is

voluntary and no penalties will result from the failure to provide the information. However, the absence of the information could prevent your application from being processed or could result in denial of your application.

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Manufacturing Process Information:

Please provide information on the manufacturing process and materials on which pollution control facility is used, including each major piece of equipment associated with the pollution control facility (or low sulfur dioxide emission) coal fueled device). Description of the Process:

Not applicable

Materials Used in the Process:

Not applicable

Pollution Control Facility Information:

Please provide a narrative description of the pollution control facility (or low sulfur dioxide emission coal fueled device), and an explanation of why its primary purpose is to eliminate, prevent or reduce pollution.

Describe the Pollution Control Facility (or Low Sulfur Dioxide Emission Coal Fueled Device):

The farm consists of three (3) swine farrowing buildings, three (3) swine gestation buildings, one (1) swine gilt developer building, and one (1) earthen storage pond. All barns utilize under ground concrete pits to store manure that also drain into the earthen waste storage pond until the appropriate time when it can be applied to agricultural fields at agronomic rates.

Please see the attached list for building dimensions, perimeter tile info, etc.

Describe the Primary Purpose of the Pollution Control Facility (or Low Sulfur Dioxide Emission Coal Fueled Device):

The primary purpose of the pits and earthen storage is to have a year's worth of livestock manure storage to allow flexibility for application to agricultural fields when conditions are ideal.

Identify the statute or regulation (federal or state), or local ordinance, if any, requiring the installation of the subject pollution control facility (or low sulfur dioxide emission coal fueled device).

Not applicable

Nature of Contaminants or Pollutants:

List air contaminants or water pollution substances released as effluents to the manufacturing processes. Also list the final disposal of any contaminants removed from the manufacturing processes.

	Material Retained, Captured or Recovered				
Contaminant or Pollutant	Description	Disposal or Use			
Livestock Manure	Stored in below ground concrete pit	Field applied at agronomic rates			
	Also stored in earthen storage pond				

Note: Contaminant or pollutant means that which is removed from the process by the pollution control facility.

Point(s) of Water Discharge:
Identify the logation of the discharge to the peeriging stream. This will the cally refer to sare a stream of the discharge to the peeriging stream. This will the cally refer to sare a stream of the discharge to the peeriging stream.
Plans and Specifications Attached 🔘 Yes 🛛 🐼 No
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.
Are contaminants (or residues) collected by the control facility? Ves O No
Note: If the collected contaminants are disposed of other than as wastes, state the disposition of the materials, and the value dollars reclaimed by the sale or reuse of the collected substances. State the cost of reclamation and related expense.
Project Status:
Date Installation Completed: 9-26-18 Provide the date the pollution control facility was first placed into service and operated. If not, explain.
abbition competete + in service 9-26-18
abbition competete + inservice 9-26-18 original buildings complete and inservice 3-1995
Status of installation on date of application:
Complete and in Servic.

III. Verification and 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.

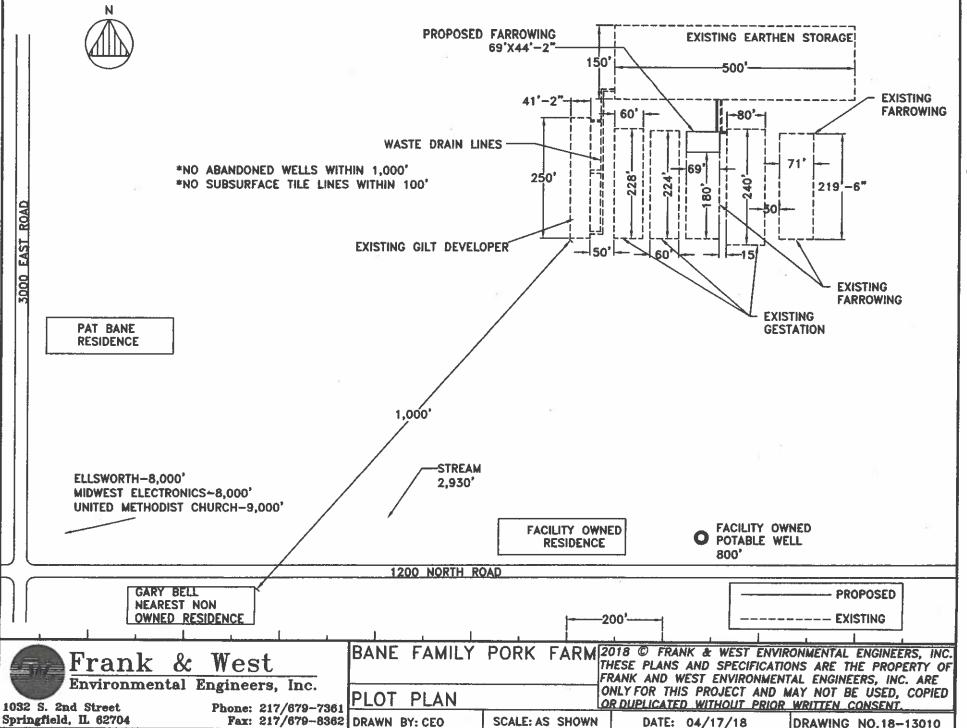
Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony. (415 ILCS 5/44(h))

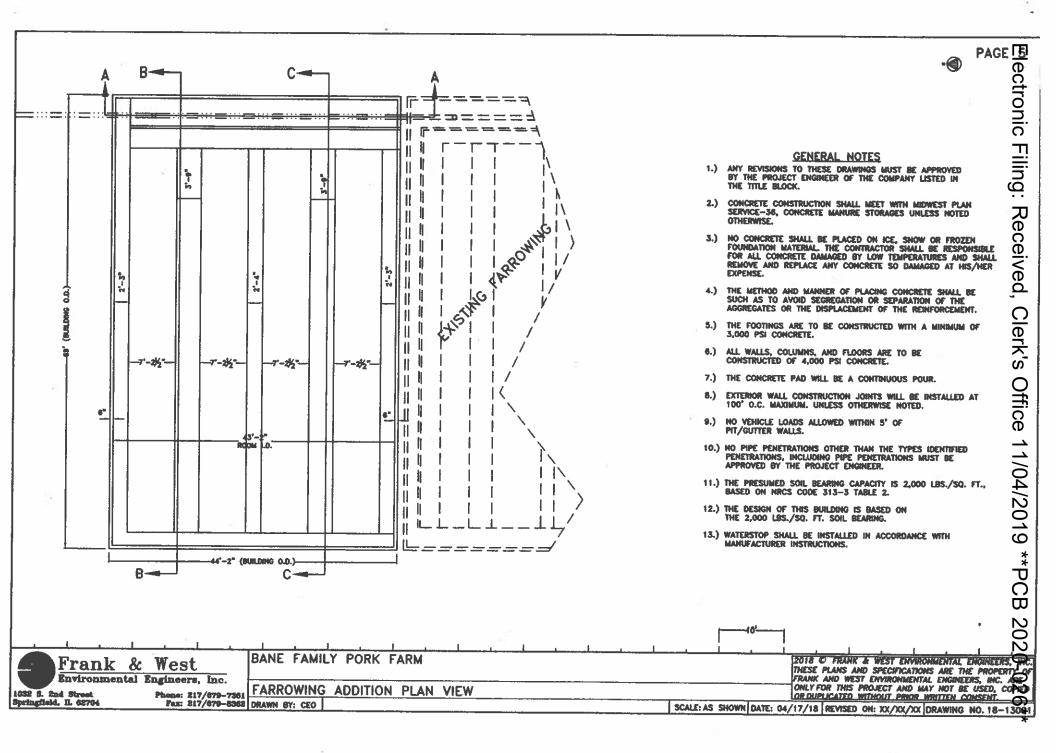
Patrick N Bane Printed Name:

OWNER Title:

For incorporated entities, signature should be from an authorized corporate representative.

Pater 1 <u>9-28-15</u> Date:





Pollution Control Facility	Dimensions	Number of Pumpouts	Pumpout Size		Length of Perimeter Tile	Type of Tile		Area of Precast Concrete Slats
Farrowing barn	44'2" x 69' x 2' deep	0	-	1	0			
Farrowing barn	219'6" x 71' x 2' deep	0	-		0			
Gestation barn	240' x 80' x 2' deep	0	•	†	0			19,200 ft^2
Farrowing barn	180' x 69' x 2' deep	0			0	· · ·	\vdash	23,200 11 2
Gestation barn	224' x 60' x 2' deep	0			0	· ·		13,440 ft^2
Gestation barn	228' x 60' x 2' deep	0	•		0	· · · · ·		13,680 ft^2
Gilt developer	250' x 41'2" x 2' deep	0	•		0			10,000 ft^2
Earthen Holding pond	500' x 150' x 30' deep	0			0		\vdash	20,000 it-2

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23

RON

Gove, Darren

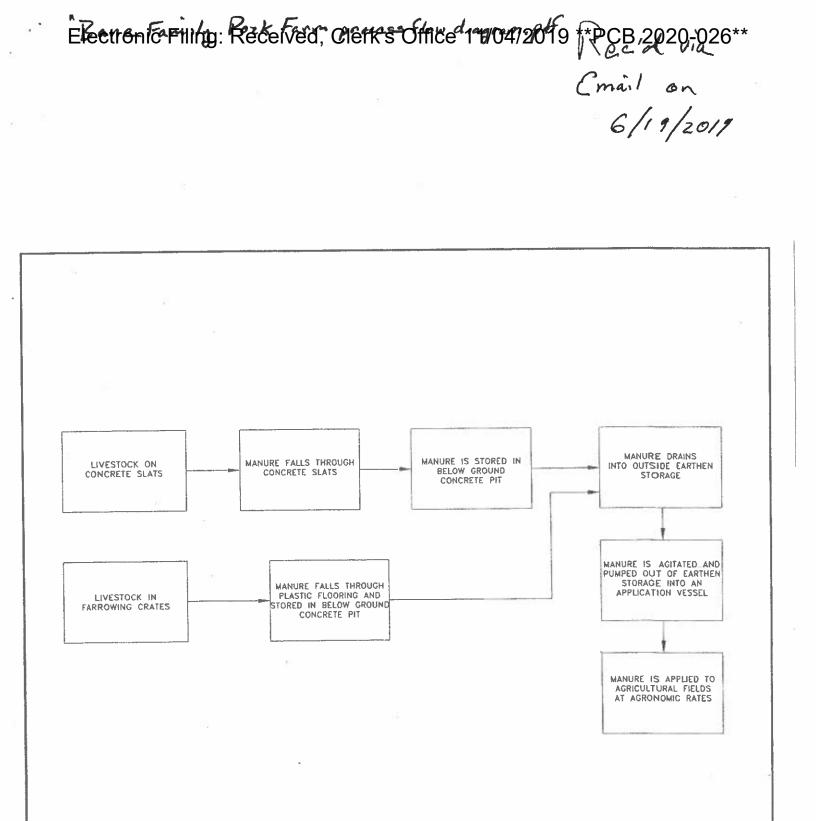
From: Sent: To: Subject: Attachments: Gove, Darren Tuesday, June 18, 2019 12:11 PM jnims@fwieng.com Tax Certification request for Bane Family Pork Farm facility Process flow diagram example.pdf

1

Mr. Nims,

The IEPA will need a waste flow diagram for this facility, an example is attached. Thanks.

Darren Gove Permit Section, DWPC BOW, Illinois EPA 217 782-3362



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STATE OF ILLINOIS

COUNTY OF SANGAMON

CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that I have served on the date of November 4, 2019, the attached <u>NOTICE</u>, <u>APPEARANCE</u> and <u>RECOMMENDATION OF THE ILLINOIS</u> <u>ENVIRONMENTAL PROTECTION AGENCY</u>, upon the following persons by causing to be mailed a true copy thereof in an envelope duly addressed, bearing proper first class postage, and deposited in the United States mail at Springfield, Illinois:

Pat Bane 12125 N. 3000 E. Road Arrowsmith, Illinois 61722

Copies also provided electronically as follows:

Illinois Department of Revenue via email at REV.PropTaxApp@illinois.gov 101 West Jefferson P.O. Box 19033 Springfield, Illinois 62794

[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/ Michael S. Roubitchek 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)

THIS FILING IS SUBMITTED ON RECYCLED PAPER