### **BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

Pro Ag Investors, LLC-Media (Property Identification Number 10-27-200-004)

) ) 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 APPEARANCE and RECOMMENDATION OF THE ILLINOIS

ENVIRONMENTAL PROTECTION AGENCY, copies of which are herewith served upon you.

Pro Ag Investors LLC Nick Briggs P.O. Box 668 Oakville, Iowa 526646

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:

Amanda S. Kimmel Assistant Counsel Division of Legal Counsel

DATED: August 5, 2020

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**

Pro Ag Investors, LLC-Media (Property Identification Number 10-27-200-004)

) ) PCB 20-) (Tax Certification) )

### APPEARANCE

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

Bv

Amanda S. Kimmel Assistant Counsel Division of Legal Counsel

DATED: August 5, 2020

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**

Pro Ag Investors, LLC-Media (Property Identification Number 10-27-200-004)

) ) 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 January 9, 2020, the Illinois EPA received a request from Pro Ag Investors, LLC (log number TC-142171, 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:

Pro Ag Investors, LLC Nick Biggs 797 State Hwy 116 Media, IL 61460

The proposed water pollution control facilities in this request are located in the NE <sup>1</sup>/<sub>4</sub> of Section 27, T9N, R4W of the 4th P.M. in Henderson County, at the above street address and consist of the following:

street address and consist of the following:

Livestock waste management facilities consisting of one concrete manure pit (approximately 281 ft. x 71 ft. x 8 ft. deep), the concrete slatted portion of the floor over the manure pit that captures and contains waste generated in the barn above, and four concrete pump out pits (each approximately 6 ft. x 6 ft.) to allow manure removal from the manure pit. 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.

Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2018), 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 (2018), pollution control facilities must be certified as such by the Board, 35 ILCS 200/11-20 (2018) 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:

Amanda S. Kimmel Assistant Counsel Division of Legal Counsel

Dated: August 5, 2020

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

THIS FILING SUBMITTED ON RECYCLED PAPER



### **ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**

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

# Memorandum

Charles Gunnarson, Division of Legal Counsel To:

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

June 1, 2020 Date:

Re: Pro Ag Investors, LLC - Media Recommendation of Tax Certification Log# TC-142171 Property Index# 10-27-200-004

The Bureau of Water received a request on January 9, 2020 from Nick Biggs for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to 35 Ill. Adm. Code 125.204. We offer the following recommendation.

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

Pro Ag Investors, LLC 797 State Hwy 116 Media, IL

NE ¼ of Section 27, T9N, R4W of the 4th PM in Henderson County

The livestock waste handling facilities consisting of one (1) concrete manure pit (approximately 281 ft. x 71 ft. x 8 ft.), the concrete slatted portion of the floor over the manure pit that capture and contain waste generated in the barn above, and four (4) pumpout pits (approximately 6 ft. x 6 ft. each) to allow manure removal from the manure pit. The facility collects, transports and stores livestock waste prior to cropland application.

The facility is 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 Wei Han at 217/782-0610.

DEL:WH:Tax Cert Recommendation.docx

cc: Tax Cert File

.

### Electronic Filing: Received, Clerk's Office 08/05/2020 \*\*PCB 2021-008\*\* Watershed Unit Tax Certification Review Sheet

Project Name: Pro Ag Investors, LLC	Date: May 15, 2020
Reviewer: WH	Type: Agchem
Log number: TC-142171	
Applicant: Nick Biggs P. O. Box 68	Contact: Nick Biggs Same as left
Oakville, IA 52646	Phone: 309-259-0008
Facility: Pro Ag Investors, LLC 797 State Hwy 116 Media, IL	Property Index#: 10-27-200-004 Parcel#:
Legal Description:	County: Henderson
NE of Section: 27 Twp: 9N R: 4W PM: 4 <sup>th</sup>	Signature: Nick Biggs
Date Control Devices installed: December 2019	Title: Manager

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 livestock waste handling facilities consist of one (1) concrete manure pit (approximately 281 ft. x 71 ft. x 8 ft.) and the concrete slatted portion of the floor over the manure pit that capture and contain waste generated in the barn above. The concrete manure pit has four (4) pumpout pits (approximately 6 ft. x 6 ft. each) to allow manure removal from the manure pit. The facility collects, transports and stores livestock waste prior to cropland application.

Pollution control facilities requested by the applicant through Description of Pollution Control Facilities, Section C of the application form and the attached drawings.

One (1) concrete manure pit;

Concrete slatted floor at the pit;

Pumpout pits attached to the manure pit,

A process flow diagram and a plan view of the pit is submitted via email of 05/14/2020.

Recommended Action: Issue tax certification.

wtaxcert review sheet

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<sup>·</sup> 

TC-142171 Electronic Filing: Received, Clerk's Office 08/05/2020 \*\*PCB 2021-0 ωĦ

> This Agency is author-ized to request this information under Illinois Revised Statues, 1979, Chapter, 120, Section 502 a 5. Disclosure of this information is voluntary. However, failure to

APPLICATION FOR CERTIFICA	TION (PROPERTY TAX TREATMENT)
	CONTROL FACILITY
AIR 🗍	WATER 🛣

## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

	ILLINOIS ENVIRONMENTAL PROTEC P. O. Box 19276, Springfield, IL 6	TION AGENCY 2794-9276		comply could pr being processed	event your application from
[····	FOR AGENCY US	·		application for ce	
				1 <u>1</u> 1	JAN 09 2020
File No.	Date Received	Certification No.		Date	
Sec. A	Company Name	0.011110411011110.			TEPA ==
	Pro Ag Investors LLC Person Authorized to Receive Certification				INPC/PERMIT SECTION
	Nick Biggs		Person to Cor	tact for Addition	nal Details
	Street Address		Street Addres	lick Biggs	·
	P.O. Box 68			P. O. Box	68
ANT	Municipality, State & Zip Code Oakuille, Iour 5264	11.	Municipality, S	State & Zip Code	E Collel
APPLICANT	Oakville, Iowa 5264 Telephone Number		Telephone Ňi	<u>aKuille, L</u>	owa 52646
APP	309-259-0008		309	1-259-0	8008
	Location of Facility Quarter Section Township		Municipality	Tow	vnship
	Quarter Section Township NE//4 T-9-N	Range R-4-W	Hander	A M	ledia
	Street Address	<u> </u>	County		k Number
	797 State Nwy 116 Property Identification Number		Nendeza	m	
		,	Parcel Numbe	er 200 - 00	4
Sec. B	Nature of Operations Conducted at the About This site is a Livestock	/e Location		h - P	
	This site is a Livestock	-LSwine J	reeding	1.1.	gs are nouse a
	loop attender concrete pit	g. manur	ban n	unulare,	a in an eight
U Z (n	and raised in the buildin deep pit ander concrete pit Applied to crop Frelds one	ce or twic	e a Vea	r.	pumped our mo
TURI	Water Pollution Control Construction Permit	INO . A	Date Issued		
FAC ERAT		NA			
MANUFACTURING OPERATIONS	NPDES PERMIT No.	NA	Date Issued	E	xpiration Date
2	Air Pollution Control Construction Permit No		Date Issued		
		NA		· · · ·	
	Air Pollution Control Operating Permit No.	NA	Date Issued		
Sec. C	Describe Unit Process Wean pigs (12-15/bs) are mo fed to markat weight (289 Collected in the below h manual is punped out on	and inte	the han	Those and	2 house dand
	Wean pigs (12-15155) are mi	The is and	a materia	al (Mana	re 2 (Water) is
Ú Z	fed to market weight (15:	STUSP CORCE	ete hold	ing pit. F	all and/or Spring
SS	Manue is pumped out an Materials Used in Plocess	& applied	to cron	Fielde	' 0
MANUFACTURING PROCESS	Materials Used in Plocess	1	<u></u> P	a- 1 - 41	a f l a d
PR	Pigs are ted the feed	and wat	er, Rigs a	digest in	e toed and
Ŵ	produce manue. Manue	e is colle	cted in	- concre	te pit below
	the floor, Pumping and A	pplication	- squipma	nt used	to apply manue
800 D	Materials Used in Plocess Pigs are fed the feed produce manue. Manue the floor, Pumping and A Describe Pollution Abatement Control Facility	to crop	fields.		
Sec. D	Pollution control facility	y I consists	of 0.71	wide,28	1' long, 8'deep
TION	Pollution control security	. 10		1	four d'all
CRIP	Concrete holding pit, h	lolding pi	t does	nave q,	0 0 0
DES	Concrete holding pit. K pumpout locations, 2 c	on each	long si	de of the	2 pit.
POLLUTION CONTROL FACILITY DESCRIPTION	1 1		4		
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Contaminant or Pollutants     Suring Trive Stock: Manuee     Contaminant or Pollutant     Description     Description	Sec. E	(1) N	ature of Contaminants or Balluta					
Contraining of Poliutiant         DESCRIPTION         DISPOSAL OR USE           1000000000000000000000000000000000000			(1) Nature of Contaminants or Pollutants Swine Livestock Manue					
Contraining of Poliutiant         DESCRIPTION         DISPOSAL OR USE           1000000000000000000000000000000000000	75	Cart		Material R	etained, Captured or Recovered			
Image: 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.         Image: Sec. G       Image: Section 11: 10 of the complete of the activation control facilities and correct. The facilities claimed herein are "pollution control facilities" as defined in Section 11: 10 of the Illinois Property Tax Code.         Sec. G       Image: Section 11: 10 of the 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 lised in the tax records and the person to be contacted for further details of 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 buordaries. The property identification number is required.         Sec. B       Self-explanatory. Submit copies of all permits issued by local pollution control facility is used.         Sec. C       Refers to manufacturing processes or materials on which pollution control facility is used.         Sec. D       Narrative description of the pollution control facility is used.         Sec. E       List air contaminants, or water pollution substances released as effluents to the manufacturing processes. List allow the calimed registry and agency issuing permit. A narrative description and a procese flow diagram description of t	NAN		aminant or Pollutant	DESCRIPTION	DISPOSAL OR USE			
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### Han, Wei

From:	Nick Biggs <nickb@trioak.com></nickb@trioak.com>
Sent:	Thursday, May 14, 2020 12:39 PM
To:	Nick Biggs; Han, Wei
Cc:	Nick Biggs
Subject:	[External] RE: TC-142171 Pro Ag Inverters - Media for Property Tax Certification
Attachments:	Untitled_05142020 122340.pdf

Wei Han,

Please find attached the answers to your questions.

Nick Biggs

-----Original Message-----From: Nick Biggs <nickb@trioak.com> Sent: Tuesday, May 12, 2020 11:17 AM To: Nick Biggs <nickb@trioak.com> Subject: FW: TC-142171 Pro Ag Inverters - Media for Property Tax Certification

-----Original Message-----From: Han, Wei <Wei.Han@Illinois.gov> Sent: Wednesday, February 5, 2020 10:54 AM To: Nick Biggs <nickb@trioak.com> Subject: FW: TC-142171 Pro Ag Inverters - Media for Property Tax Certification

EXTERNAL E-MAIL: This e-mail is from an external sender. DO NOT CLICK links, trust the content or open attachments unless you recognize the sender, the spelling of the sender's name and address are correct AND you are expecting this content.

Mr. Biggs,

The Agency has received your application for tax certification for a swine facility located in Media, IL. The following information is needed in order to complete our review:

1. Section number of the property's legal description;

2.A plan view drawing of the manure pit showing the dimension of the pit and locations of the pumpout pits.

3. A diagram showing the flow of livestock waste from the initial animal waste collection or containment area through all pollution control facilities to final disposal on cropland.

Please let me know if you have any questions.

Wei Han, P.E. Illinois Environmental Protection Agency BOW/DWPC/Permit Section 1021 North Grand Avenue E. P.O. Box 19276 Springfield, IL 62794-9276

Phone: 217-524-3034 Email: Wei.Han@Illinois.gov

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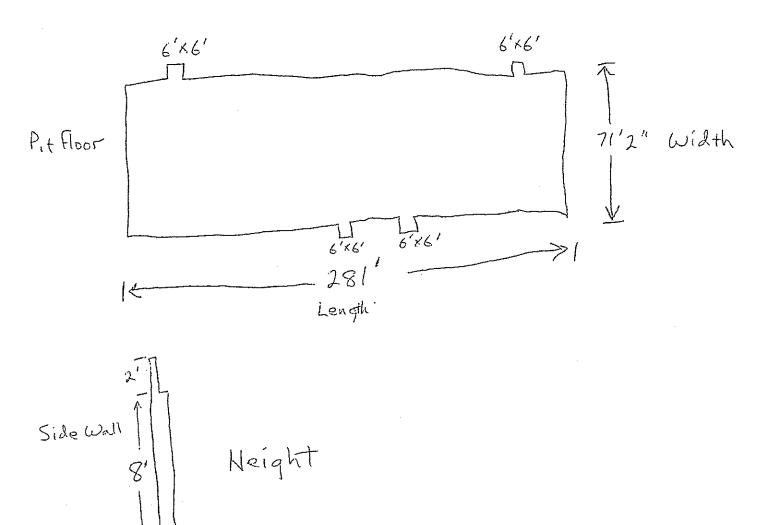
- Subject: TC-142171 Pro Ag Investors - Media for Property Tax Cert

Questionil

Flow

Section number 27

Question # 2: Planview drawing of pit dimesion and Pump out location



Electronic Filing: Received, Clerk's Office 08/05/2020 \*\*PCB 2021-008\*\* Diagram showing flow of waste material Question # 3 through system to field. Manue Pupp Pigs eat the feed Feeder R Slatted Manue Passes through slatted Floor o ö flow. 0 rManue Accumulates in holding Pit. Manue Hose R to field < Field Appilcator

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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 August 5, 2020, 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:

Pro Ag Investors LLC Nick Briggs P.O. Box 668 Oakville, Iowa 526646

### 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/ Amanda S. Kimmel 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

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