#### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Stacey Mueller-Prophetstown (Property Identification Number ) PCB 21-0505200002) (Tax Certification)

### **NOTICE**

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

Stacey Mueller 23228 2300 N. Ave Ohio, IL 61349

### Copies also provided electronically as follows:

Illinois Department of Revenue Via email at REV.PropTaxApp@illinois.gov 101 West Jefferson Post Office Box 19033 Springfield, Illinois 62794

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>

ENVIRONMENTAL PROTECTION AGENCY, a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Joshua Leopold

Assistant Counsel

Division of Legal Counsel

DATED: February 26, 2021

Illinois Environmental Protection Agency 1021 North Grand Avenue East Post Office Box 19276 Springfield, Illinois 62794-9276 (217) 558-1333

THIS FILING IS SUBMITTED ON RECYCLED PAPER

### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Stacey Mueller -Prophetstown	)
(Property Identification Number	) PCB 21-
0505200002)	) (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

Joshua Leopold

Assistant Counsel

Division of Legal Counsel

DATED: February 26, 2021

Illinois Environmental Protection Agency 1021 North Grand Avenue East Post Office Box 19276 Springfield, Illinois 62794-9276 (217)558-1333

#### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Stacey Mueller-Prophetstown	)
(Property Identification Number	) PCB 21-
0505200002)	) (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.

- On November 12, 2020, the Illinois EPA received a request from Stacey Mueller (log number TC-143340, 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: Stacey Mueller (North Prophetstown Finisher)
  29873 IL Hwy 78
  Prophetstown, IL 61277

The proposed water pollution control facilities in this request are located in the NE ¼ of Section 5, T18N, R5E of the 4th PM, in Henry County the above street address and consist of the following:

Livestock waste management facilities consisting of one (1) concrete manure storage pit (approximately 391 ft. x 51 ft. x 8 ft. as E1), the concrete slatted portion of the floor over the manure pit that capture and contain waste generated in the barns above, ten (10) pumpout pits (approximately 6 ft. x 5 ft. x 8 ft., each) to allow manure removal in the manure pit, and plastic perimeter drainage pipes (approximately 960 ft. x 4 in. total) located around the footing of the manure pit to prevent flotation of the pit.

This livestock waste management facility is 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 (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).
- 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:

Joshua Leopold Assistant Counse

Division of Legal Counsel

Dated: February 26, 2021

Illinois Environmental Protection Agency 1021 North Grand Ave. E. P.O. Box 19276 Springfield, Illinois 62794-9276 217/558-1333



# 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

To:

Mike Roubitchek, Division of Legal Counsel

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

Date:

January 22, 2021

Re:

Stacey Mueller - Prophetstown

Recommendation of Tax Certification

Log# TC-143340

Property Index# 0505200002

The Bureau of Water received a request on November 12, 2020 from Stacey Mueller 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:

Stacey Mueller (North Prophetstown Finisher) 29873 IL Hwy 78 Prophetstown, IL 61277

NE ¼ of Section 5, T18N, R5E of the 4th PM in Henry County

The livestock waste handling facilities consisting of one (1) concrete manure storage pit (approximately 391 ft. x 51 ft. x 8 ft. as E1), the concrete slatted portion of the floor over the manure pit that capture and contain waste generated in the barn above, ten (10) pumpout pits (approximately 6 ft. x 5 ft. x 8 ft. each) to allow manure removal from the manure pit, and plastic perimeter drainage pipes (approximately 960 ft. x 4 in. total) located around the footing of the manure pit to prevent flotation of the 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

# Watershed Unit Tax Certification Review Sheet

Project Name: Stacy Muller	Date: December 16, 2020			
Reviewer: WH	Type: ☐ Agchem ☐ Livestock			
Log number: TC-143340	_			
Applicant: Stacy Muller 23228 2300N Ave Ohio, IL 61349	Contact: Terry Feldmann 3116 N. Dries Lane, Suite 100 Peoria, IL 61604			
Facility: Stacy Muller - Phrophetstown 29873 IL Hwy 78	Phone: 309-693-7615  Property Index#: 0505200002			
Phrophetstown, IL 61277	Parcel#:			
Legal Description: NE of Section: 5 Twp: 18N R: 5E PM: 4 <sup>th</sup>	County: Henry			
	Signature: Stacy Muller			
Date Control Devices installed: January 2009	Title: Owner			
Wastes:				
Physical Description of Pollution Control Devices:				
The livestock waste handling facilities consist of one (1) concrete manure storage pit (approximately 391 ft. x 51 ft. x 8 ft. as E1), the concrete slatted portion of the floor over the pit that capture and contain waste generated in the barn above. The concrete manure pit has ten (10) pumpout pits (approximately 6 ft. x 5 ft. x 8 ft. each) to allow manure removal from the pit. Plastic perimeter drainage pipes (approximately 960 ft. x 4 in. total) are located around the footing of the pit to prevent flotation of the 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 concrete manure storage pit;				
Concrete slatted floor at pit E1; Pumpout pits attached to the manure pit 10 x 6 ft. x 5 ft. x 8 ft. Plastic perimeter drainage tiles at the pit: 960 ft. x 4 in.	± :#			
A plan view of the pit and a process flow diagram were submitted with the application.				
Recommended Action: Issue tax certification.				

wtaxcert review sheet



11/12/2020

Illinois EPA
Division of Water Pollution Control
1021 N. Grand Avenue East, P.O. Box 19276
Springfield, IL 62794-9276



IEPA
BOW/WPC/PERMIT SECTION

To whom it may concern,

Please find enclosed five (5) separate Pollution Control Facility (Property Tax Treatment) applications along with supporting attachments. All of the enclosed applications are for farms owned by Stacey Mueller.

Please contact Terry L. Feldmann, PE or myself at (309) 693-7615 if you have any questions.

Regards,

Daniel N. Feucht, CCA Agricultural Services Group

cc. Stacey Mueller, MSI File

WH



# Illinois Environmental Protection Agency

1021 North Grand Avenue East • P.O. Box 19276 • Springfield • Illinois • 62794-9276

# Application for Certification (Property Tax Treatment) Pollution Control Facility

1.5	1.5		FOR AGE	ENCY USE ON	LY
		File Number:			Date Rec'd:
Facility Type (check of	ne): 🗌 Air 🗹 Water	Certification Number:			Date:
Illinois EPA. Separate a	for any application for certification of applications must be completed for the related, file two applications.				
If attachments are need	ed, record them consecutively on a	an index sheet.			
You may complete this	form online, save a copy locall	y, print, sign and su	bmit it to:		
		Divisio 1021 N	on: Al Keller n of Water P		
I. Applicant Info	mation:				
Company Name:	Stacey Mueller				
Person Authorized to	<b>A. 4.4 D</b>		on to Contac Additional De		5 No. 105
Receive Certification	Stacey Mueller 23228 2300N Ave.				Feldmann, PE ane, Suite 100
Street Address: City:		tate: IL City:		Peoria	State: IL
Zip:		17-292-6291 Zip:	-	61604	Phone: 309-693-7615
Email Address:	muellerstacey74@gmail.com		il Address: t	lfeldmann@ms	stutz.com
II. Facility Inform	ation:				
Facility Location: Qu		ship: 18N	Range: 5E		
•	nicipality:	•	Township:		
	tion is requested for facilities lo	cated outside of mu	nicipal boun	daries.	
Address: 29873 IL H	NY 78		City:Proph	etstown	
State: IL Zip Code	: 61277 County: He	enry	Book Num	ber:	
Property Index Numb	er: 0505200002				
Note: The Property Intaxation purposes.	dex Number is the numerical re	eference used to ide	entify a parce	el of real proper	ty for assessment and
Manufacturing Opera Nature of Operations	ations Information: Conducted at the Above Locati	on:			
NA					
Permit Information:			-		
WPC Construction Pe	ermit Number: None		Date Issued:		
NPDES Permit Numb	er: None		Date Issued:		Exp. Date:
APC Construction Pe	rmit Number: None		Date Issued:		_
APC Operating Permi	it Number: None	1	Date Issued:		Exp. Date:
•	f all relevant permits issued by	•	-		
II 532-0222 penalties	ncy is authorized to request this inform will result from the failure to provide th cessed or could result in denial of your	e information. However,			

Manufacturing Process Information:

NA		794
		*
Materials Used in the Process:		
NA		
Pollution Control Facility Info		
explanation of why its primary prinary prinarrative description and a procinfluent and effluent of the control	urpose is to eliminate, prevent or red	
		on Coal Pueled Device).
See Attachment 1: Facility Pollu	ution Control Facility Description	
20	Ė	
Describe the Primary Purpose o	f the Pollution Control Facility (or Lo	w Sulfur Dioxide Emission Coal Fueled Device):
See Attachment 2: Purpose of t	he Pollution Control Facility	
	4.	
15		
	(federal or state), or local ordinance, ide emission coal fueled device).	if any, requiring the installation of the subject pollution
Federal: Title 35, Subtitle E, Ch	apter I, Part 502&502; State: Title 8,	Chapter 1, Subchapter t, Part 900
		ents to the manufacturing processes. Also list the final
The second secon		Retained, Captured or Recovered
Contaminant or Pollutant	Description	Disposal or Use
Swine Manure	Manure	Land Application for Crop Nutrients

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

Application for Certification (Property Tax Treatment) Pollution Control Facility
STACEY MUELLER – North Prophetstown Finisher
By: Maurer-Stutz, Inc

### ATTACHMENT 1: Facility Pollution Control Facility Description

The farm consists of the following swine buildings and storage structures:

E1	391'-4" x 51'-2" x 8'-0"	Deep pit below slats
		concrete storage pit

The building identified as E1 on the plans has an 8ft deep pit that consist of a 4" thick base slab and 8" thick pit walls. Precast concrete slotted floors enable excreta and wastewater to fall through and accumulate in the below floor pits. The walls have footings that are 9" thick and 4'-0" wide. Columns within the pit are 14" in diameter, 7'-2" tall and supported by 38"x38" square footings. The columns support 8"x10"x12ft long precast concrete floor beams. The floor beams support a 4" thick precast concrete slotted gang slat floor. The barn has 10 pumpout pits. Each pumpout pit is 6'0" x 5'-0" with 8" thick walls. Footings around the pumpout pit walls measure 14-16" wide by 13" inches thick. The recessed sump area is 2'-6"x 4'-4" x 9" deep. The pumpouts collect manure and allow manure transfer through a hose to be pumped for field application. A perimeter drain is used to control the seasonal high water table. The total length of 4" corrugated perforated plastic pipe perimeter drain is 960 ft.

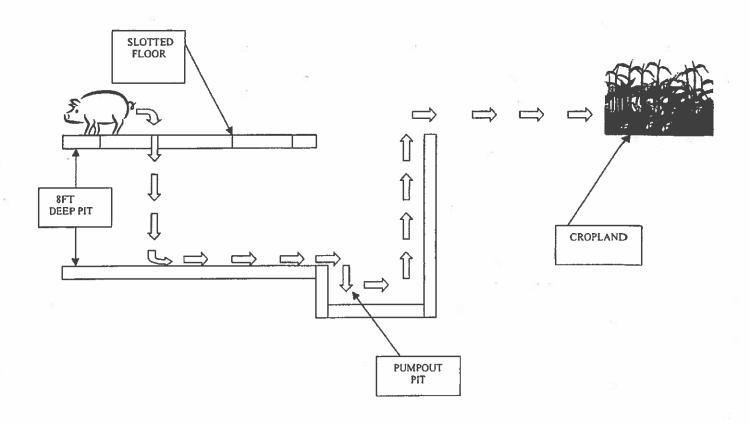
The facility protects ground and surface water by providing collection and storage of livestock waste for about 365 days with use of the holding pond. Subsequently, the waste will be applied agronomically to cropland under proper soil and weather conditions for safe use.

Application for Certification (Property Tax Treatment) Pollution Control Facility

STACEY MUELLER – North Prophetstown Finisher

By: Maurer-Stutz, Inc

### MANURE DIAGRAM



## **ATTACHMENT 2: Purpose of Pollution Control Facility**

The primary purpose of the facilities is to provide collection and storage for the manure until it can be properly land applied to cropland at agronomic rates.

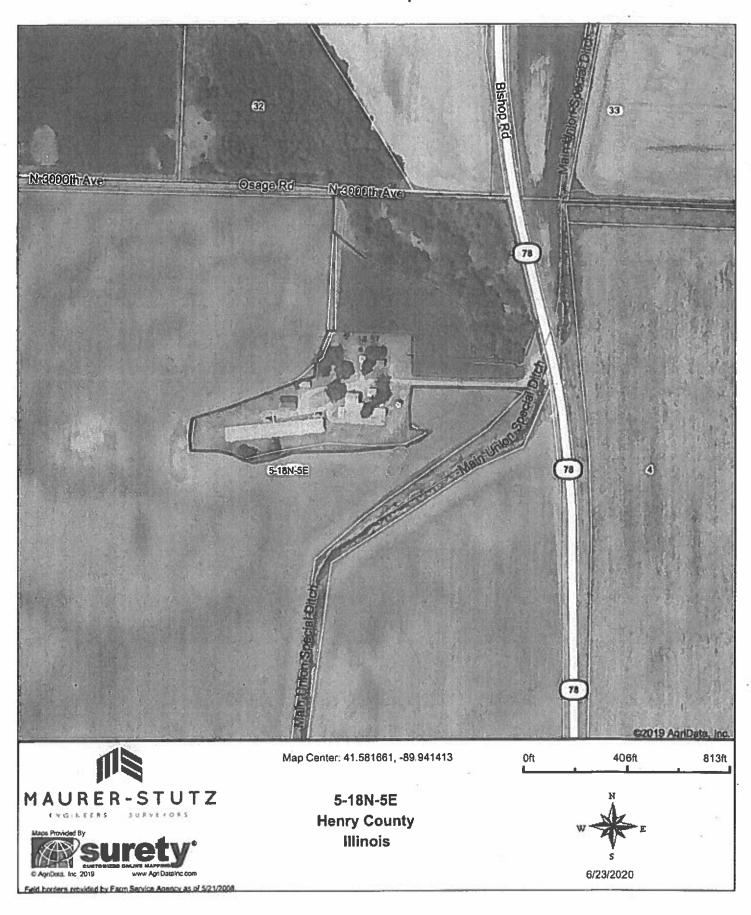
### **ATTACHMENT 3: Date of First Service**

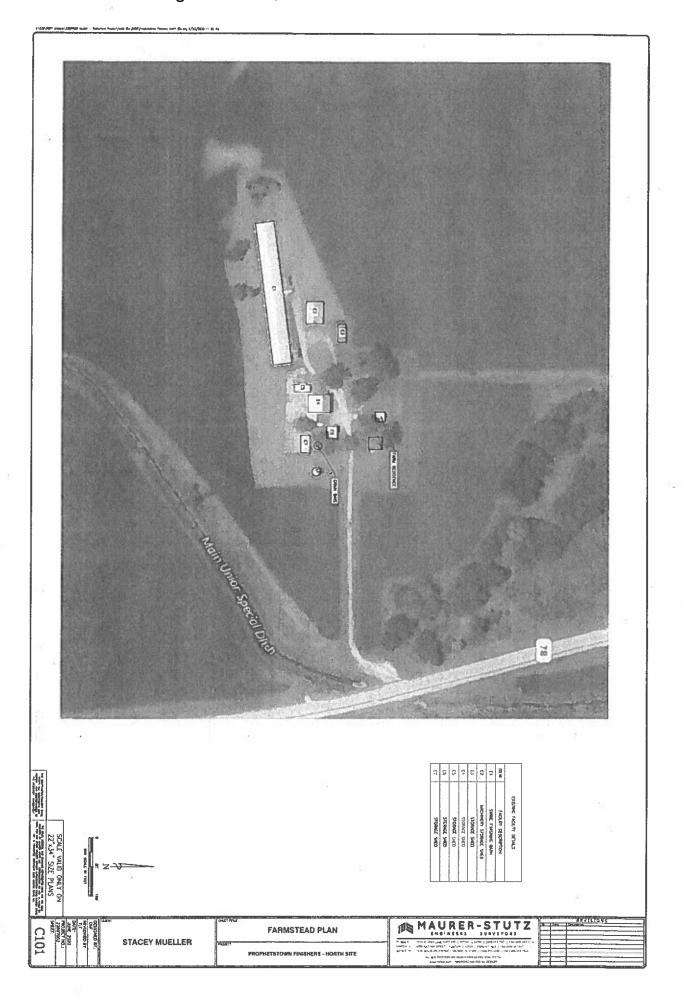
The pollution control facility was constructed in 2008, being placed into service in January 2009.

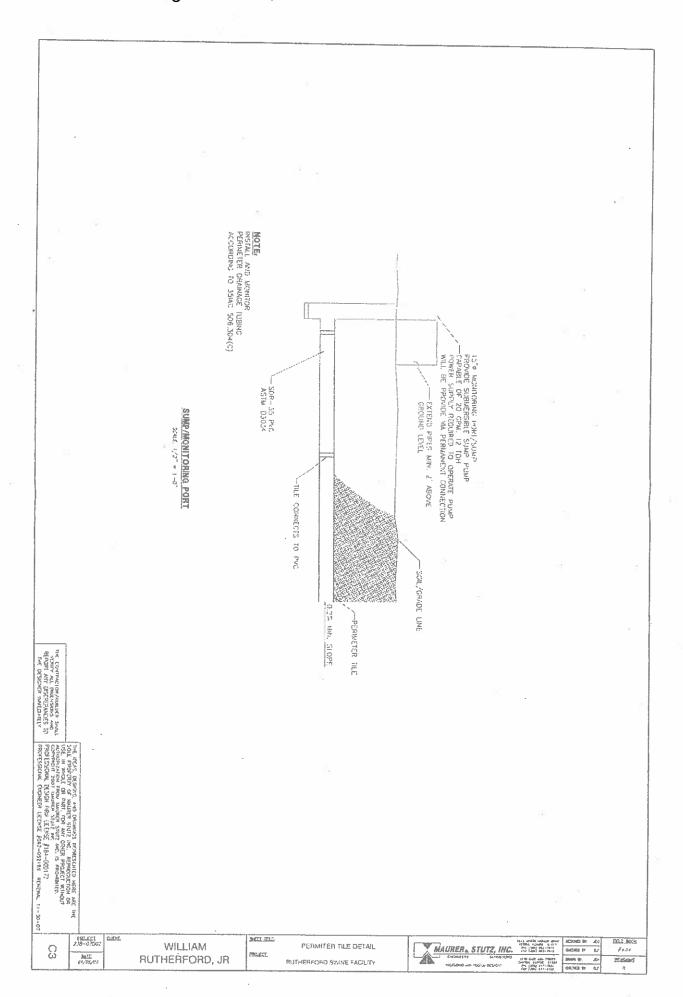
### **ATTACHMENT 4: Status of Installation**

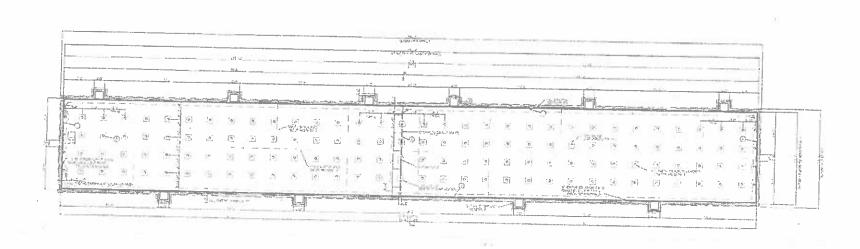
Facilities described in Attachment 1 are fully constructed and in service as of January 1, 2009.

# **Aerial Map**









## CONSTRUCTION NOTES:

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USING 4000 PSI CONCRETE GROUT MIX

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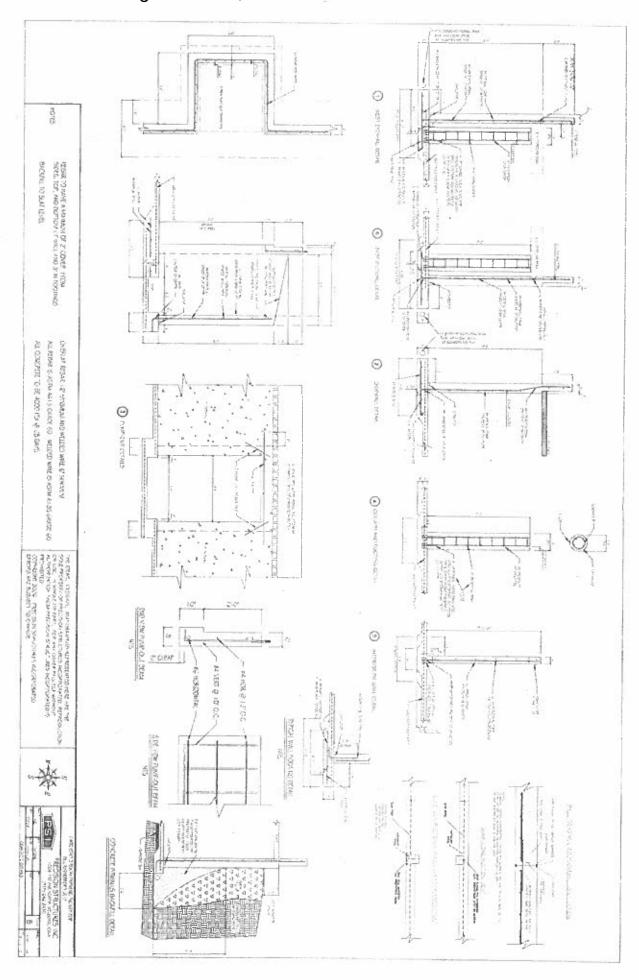


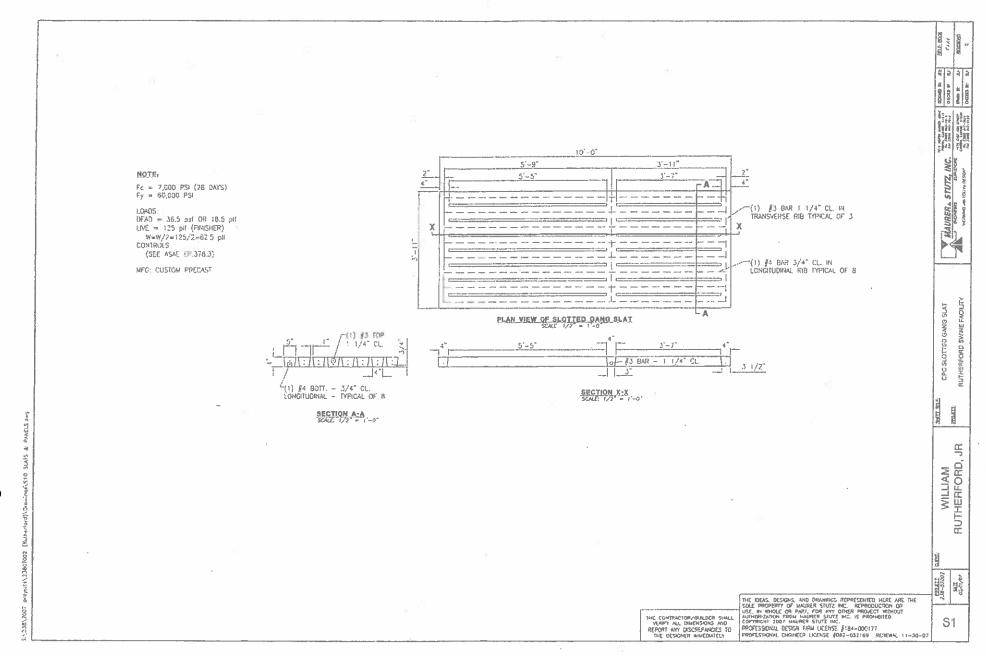
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HOES, TOP, AND BOTTOM OF WALL AND 3" IN FOOTINGS BACAPILL TO SLAT LEVEL

AUTHORIZATION FROM PRELIGION STRUCTURES PROGRAPORATED IS PPCHERITED. COMPRIOR CHOC. POSSIBON STRUCTURES INCORPORTED ERRORS ARE SUBJECT TO CHARGE

Electronic Filing: Received, Clerk's Office 02/26/2021 \*\*PCB 2021-069\*\*





A CONTRACTOR OF THE PARTY OF TH MAURER, STUTZ, INC. BEAM ELEVATION L GOTTOM LAYER = 3-76 BARS 2. TOP LAYER = 2-#3 BARS CUSTOM PRECAST 3. STIRRUPS - NONE REQUIRED PHI°VC>VO FOR FINISHER PICS AND BEAV <= 10° DEEP 4. ALL GRADE 50; Fy = 50,000 PSI S. CONCRETE IS t'c + 7000 PSI @ 28 DAYS 6. MFG. = CUSTOM PRECAST -(2)-#3 REBAR -(3)-#6 REGAR WILLIAM · RUTHERFORD, JR 1/2 2 1/8 20070-NC SECTION S-S SCALE: J' = 1'-0' THE 10FAS, GESICHS, AND GRAFFINGS REPRESENTED HERE ARE 1HE SOLE PROPERTY OF MAJERS STUTZ INC. REPRODUCTION OR USE, AN INCLU OR PAPE, FOR MAY OTHER PROJECT INFOLUTION AND ALMORET STUTZ INC. IS PROMABITED.

PROFESSIONAL DESIGN FARE LICENSE # 1082—00377

PROFESSIONAL ENGINEER LICENSE # 002—032189 RENEWAL 11—30—07 THE CONTRACTOR/BURDER SHALL VERIFY ALL OBJUSTATIONS AND REPORT MAY DESCREPANCES TO THE DESIGNER IMMEDIATELY. S2

## Hafliger, Belinda

From: Han, Wei Sent: Friday, November 13, 2020 9:09 AM To: Hafliger, Belinda Cc: LeCrone, Darin Subject: FW: Mueller PCF Applications **Attachments:** Sibley Finisher\_West Parcel PTax Submittal.pdf; Sibley Finisher\_East Parcel PTax Submittal.pdf; Prophetstown Finishers North PTax Submittal\_6-23-20.pdf; Mueller W Tax SUBMITTAL.pdf; Mueller E Tax SUBMITTAL.pdf Belinda, Please log in these 5 tax certs. The receiving date was yesterday, 11/12/2020. Assign them to me. Thanks, 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 From: Daniel N. Feucht <dnfeucht@mstutz.com> Sent: Thursday, November 12, 2020 1:44 PM To: LeCrone, Darin < Darin.LeCrone@Illinois.gov> Cc: Han, Wei < Wei. Han@Illinois.gov >; Terry L. Feldmann < tlfeldmann@mstutz.com >; Stacey Mueller <muellerstacey74@gmail.com> Subject: [External] Mueller PCF Applications Darin. Please find attached five (5) Pollution Control Facility (Property Tax Treatment) applications for swine finishing sites owned by Stacey Mueller in Bureau, Henry, and Ford Counties. Please contact Terry L. Feldmann or myself at (309) 693-7615 if you have any questions. The applications will follow by paper mail. Regards, Daniel

Daniel Feucht, CCA

MAURER-STUTZ | Agricultural Services Group 3116 N. Dries Lane Suite 100 | Peoria, IL 61604

Ph: (309) 693-7615 | Fax: (309) 693-7616 | Cell: (309) 635-5046

Email: dnfeucht@mstutz.com | Website: www.mstutz.com

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STATE OF ILLINOIS	ž	)
COUNTY OF SANGAMON		)

### **CERTIFICATE OF SERVICE**

I, the undersigned attorney at law, hereby certify that I have served on the date of February 26, 2021, the attached <u>APPEARANCE</u> and <u>RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL</u>

<u>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:

Stacey Mueller 23228 2300N Ave, Ohio, IL 61349

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/ Joshua Leopold Assistant Counsel Division of Legal Counsel 1021 North Grand Avenue East P.O. Box 19276 Springfield, Illinois 62794-9276 217-558-1333

THIS FILING IS SUBMITTED ON RECYCLED PAPER