

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Oak Grove LLC - Burnside)	
(Property Identification Numbers)	PCB No. 25 -
09-26-000-316, 09-26-000-317, 09-26-000-001))	(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.

Oak Grove LLC – Burnside
Daniel Bendlage
2446 North County Road 1500
Niota, IL 62358

Don Brown, Clerk
Illinois Pollution Control Board
60 E. Van Buren St., Ste. 630
Chicago, Illinois 60605

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: Emma Hudspath
Emma Hudspath
Assistant Counsel
Division of Legal Counsel

DATED: April 15, 2025

Illinois Environmental Protection Agency
2520 W Iles Ave.
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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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: Emma Hudspath
Emma Hudspath
Assistant Counsel
Division of Legal Counsel

DATED: April 15, 2025

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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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 ("Board"), 35 Ill. Adm. Code 125.204.

1. On November 27, 2023, the Illinois EPA received a request from Oak Grove LLC – Burnside (Log Number TC-148668, 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: Oak Grove LLC
1920 North County Road 2340
Burnside, IL 62330

The proposed water pollution control facilities in this request are located in the SW ¼ of Section 26, T6N, RSW in Hancock County, at the above street address and consist of the following livestock waste management structures:

One (1) concrete manure deep pit measuring 414.5 ft. (length) x 85.33 ft. (width) x 8 ft. (depth), precast concrete slatted flooring over the manure pit with an area of 34,776 ft², three (3) pumpout pits measuring 8 ft. (length) x 6 ft. (width) x 8 ft. (depth) each, twelve (12) pumpout pits measuring 6 ft. (length) x 6 ft. (width) x 8 ft. (depth) each, and one (1) perimeter drain measuring 1,196 ft. (length) x 6 in. (diameter).

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

3. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2022), 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 (2022), pollution control facilities must be certified as such by the Board, 35 ILCS 200/11-20 (2022) 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: Emma Hudspath
Emma Hudspath
Assistant Counsel
Division of Legal Counsel

Dated: April 15, 2025

Illinois Environmental Protection Agency
2520 W Iles Ave.
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

2520 WEST ILES AVENUE, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397
JB PRITZKER, GOVERNOR JAMES JENNINGS, ACTING DIRECTOR

Memorandum

To: Mike Roubitchek, Division of Legal Counsel

From: Darin LeCrone, P.E., Manager, Permit Section, Division of Water Pollution Control, Illinois Environmental Protection Agency *DLC*

Date: MAR 31 2025

Re: Oak Grove LLC – Burnside
Recommendation of Tax Certification
Log No.: TC-148668
BOW ID No.: W0678130002
Property Index Numbers: 09-26-000-316, 09-26-000-317, 09-26-000-001

The Bureau of Water received a request on November 27, 2023, from Daniel Bendlage, having a principal place of business at 2446 North County Road 1500, Niota, IL 62358, 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:

Oak Grove LLC
1920 North County Road 2340
Burnside, IL 62330

SW ¼ of Section 26, T6N, R6W in Hancock County.

Livestock waste handling facilities consist of:

One (1) concrete manure deep pit measuring 414.5 ft. (length) x 85.33 ft. (width) x 8 ft. (depth), precast concrete slatted flooring over the manure pit with an area of 34,776 ft², three (3) pumpout pits measuring 8 ft. (length) x 6 ft. (width) x 8 ft. (depth) each, twelve (12) pumpout pits measuring 6 ft. (length) x 6 ft. (width) x 8 ft. (depth) each, and one (1) perimeter drain measuring 1,196 ft. (length) x 6 in. (diameter).

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

The 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 Ill. Adm. Code 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.

2125 S. First Street, Champaign, IL 61820 (217) 278-5800
115 S. LaSalle Street, Suite 2203, Chicago, IL 60603
1101 Eastport Plaza Dr., Suite 100, Collinsville, IL 62234 (618) 346-5120
9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000

595 S. State Street, Elgin, IL 60123 (847) 608-3131
2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022
4302 N. Main Street, Roddford, IL 61103 (815) 987-7760

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Tax Certification Recommendation

Log No. TC-148668

If you have any questions regarding this letter, please contact Sarah Coulton at 217/782-0610.

SC:TC-148668_Tax Cert Recommendation_26Feb25.docx

cc: Tax Cert File

ECW ID#: W0678130002



Illinois Environmental Protection Agency

1021 North Grand Avenue East • P.O. Box 19276 • Springfield • Illinois • 62794-9276 • (217) 782-3397

Application for Certification (Property Tax Treatment) Pollution Control Facility

NOV 17 2023
#EPA
BOWWPC/PERMIT SECTION

FOR AGENCY USE ONLY

File Number: _____ Date Rec'd: _____
Certification Number: _____ Date: _____

Facility Type (check one): Air Water

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:

Illinois EPA
Attention: Ray E. Pitapil, Permit Section
Division of Air Pollution Control
1021 North Grand Avenue East, P.O. Box 19276
Springfield, IL 62794-9276

Illinois EPA
Attention: Al Keller, Permit Section
Division of Water Pollution Control
1021 North Grand Avenue East, P.O. Box 19276
Springfield, IL 62794-9276

I. Applicant Information:

Company Name: Oak Grove LLC
Person Authorized to Receive Certification: Daniel Bendlage Person to Contact for Additional Details: Same
Street Address: 2446 North County Road 1500 Street Address: _____
City: Niota State: IL City: _____ State: _____
Zip: 62358 Phone: 217-242-5298 Zip: _____ Phone: _____
Email Address: daniel.bendlage@oak.com Email Address: _____

II. Facility Information:

Facility Location: Quarter Section: SW Township: 6-North Range: 6-West
Municipality: Section 26 Township: Pilot Grove

Address: 1920 North County Rd 2340 City: Burnside

State: IL Zip Code: 62330 County: Hancock Book Number: _____

Property Index Number: 09-26-000-316, 09-26-000-317, 09-26-000-001

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 structure is a swine nursery building where swine are housed on concrete slats with a below ground concrete pit used as waste storage.

Permit Information:

WPC Construction Permit Number: _____ N/A Date Issued: _____
NPDES Permit Number: _____ N/A Date Issued: _____ Exp. Date: _____
APC Construction Permit Number: _____ N/A Date Issued: _____
APC Operating Permit Number: _____ N/A 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.



Illinois Environmental Protection Agency

Point(s) of Waste Water Discharge:

Identify the location of the discharge to the receiving stream. This will typically refer to a source of water pollution but can include water-carried wastes from air pollution control facilities.

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? Yes 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: 10/25/23

Provide the date the pollution control facility was first placed into service and operated. If not, explain.

Status of installation on date of application:

Complete in use.

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))

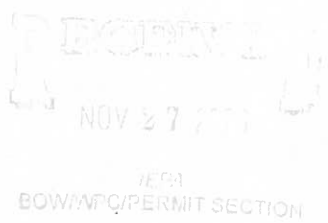
DANIEL J BENDLAGE
Printed Name:

Business Development Tri-Val Food/ OAK Grove
Title:

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

[Signature]
Signature:

9/12/2023
Date:



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):

A concrete pit with dimensions of 414'6" x 85'4" x 8' deep is used to store livestock waste until the appropriate time to apply the manure to agricultural fields at agronomic rates. The building has three (3) 8' x 6' x 8' deep pumpouts, twelve (12) 6' x 6' x 8' deep pumpouts, 1,196' of 6" form a drain perimeter tile, and 34,776 ft² of precast concrete slats.

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

The primary purpose of the pit is to have a years 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.

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

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

STATE OF ILLINOIS
COUNTY OF SANGAMON

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CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that I have served on the date of April 15, 2025, the attached **NOTICE, APPEARANCE and RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**, 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:

Oak Grove LLC – Burnside
Daniel Bendlage
2446 North County Road 1500
Niota, IL 62358

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
60 E. Van Buren St., Ste. 630
Chicago, Illinois 60605

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

/s/ Emma Hudspath
Assistant Counsel
Division of Legal Counsel
2520 W Iles Ave.
P.O. Box 19276
Springfield, Illinois 62794-9276
217.782.5544
217.782.9143 (TDD)