

OCT 01 2003

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Gregory M. and Nancy C. Leigh
(Property Identification Number
06-05-26-200-002)

)
) PCB ~~04~~ 04-43
) (Tax Certification)
)

STATE OF ILLINOIS
Pollution Control Board

NOTICE

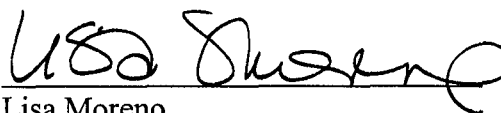
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite. 11-500
Chicago, Illinois 60601

Gregory M. and Nancy C. Leigh
5087 E. IL 9 Highway
Avon Illinois 61415

Steve Santarelli
Illinois Department of Revenue
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 **APPEARANCE AND THE RECOMMENDATION** of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 
Lisa Moreno
Assistant Counsel
Division of Legal Counsel

DATED: September 29, 2003

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

RECEIVED
CLERK'S OFFICE

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

OCT 01 2003

Gregory M. and Nancy C. Leigh
(Property Identification Number
06-05-26-200-002)

)
) PCB # 04-43
) (Tax Certification)
)

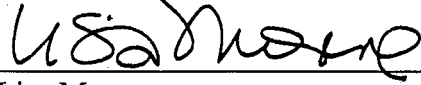
STATE OF ILLINOIS
Pollution Control Board

APPEARANCE

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

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: _____


Lisa Moreno
Assistant Counsel
Division of Legal Counsel

DATED: September 29, 2003

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

RECEIVED
CLERK'S OFFICE

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD OCT 01 2003

Gregory M. and Nancy C. Leigh
(Property Identification Number
06-05-26-200-002)

)
) PCB ~~04~~ 04-43
) (Tax Certification)
)

STATE OF ILLINOIS
Pollution Control Board

RECOMMENDATION

The Illinois Environmental Protection Agency ("Illinois EPA") hereby files its Recommendation regarding the tax certification of water pollution control facilities pursuant to pursuant to Section 125.204 of the regulations of the Illinois Pollution Control Board, 35 Ill. Adm. Code 125.204.

1. On December 27, 2002, the Illinois EPA received a request from Gregory M. and Nancy C. Leigh (Lee County) (log number TC 27-02, 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 applicant's address is: Gregory M. and Nancy C. Leigh
5087 E. IL 9 Highway
Avon Illinois 61415
3. The proposed water pollution control facilities in this request are located at Section 26, T7N, Range 5E of the 3rd Principal Meridian, Lee County at the above address, and consist of the following:

Livestock waste management facilities consisting of one concrete manure pit (12 ft. x 46 ft. x 6 ft.), having two concrete pump-out tubes and the slotted portion of the floor over the manure pit in one swine production building.

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

4. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2000), defines "pollution control facilities" as:

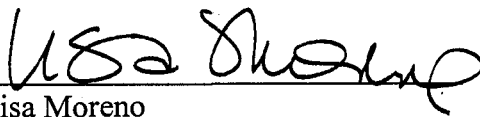
THIS FILING IS SUBMITTED ON RECYCLED PAPER

“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: (a) eliminating, preventing, or reducing air or water pollution ...or (b) 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.”

5. Pollution control facilities are entitled to preferential tax treatment, 35 ILCS 200/11-5.
6. Based on the information in the application and the purpose of the facilities, 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: 
Lisa Moreno
Assistant Counsel
Division of Legal Counsel

DATED: September 29, 2003

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

STATE OF ILLINOIS

COUNTY OF SANGAMON

)
)
)
)
)

PROOF OF SERVICE

I, the undersigned, on oath state that I have served the attached **APPEARANCE AND THE RECOMMENDATION**, upon the person to whom it is directed, by placing a copy in an envelope addressed to:

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

Gregory M. and Nancy C. Leigh
5087 E. IL 9 Highway
Avon Illinois 61415

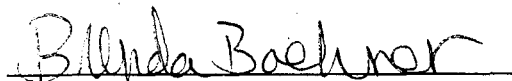
Steve Santarelli
Illinois Department of Revenue
101 West Jefferson
Post Office Box 19033
Springfield, Illinois 62794

and mailing it from Springfield, Illinois on September 29, 2003 with sufficient postage affixed for first class mail.

_____

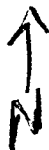
SUBSCRIBED AND SWORN TO BEFORE ME

this 29th day of September, 2003.

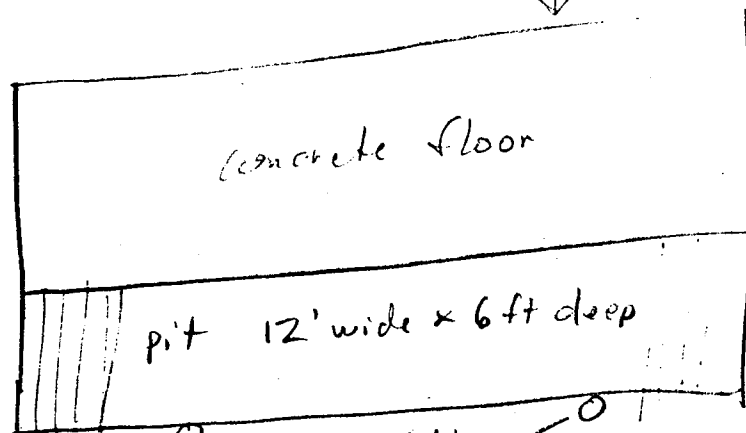

Notary Public



THIS FILING IS SUBMITTED ON RECYCLED PAPER



26'



pump out tubes

46'

Finishes
Buildings

Barn
& Garage

* Hog
confinement

driveway

Rigdon Road

Sec. E	(1) Nature of Contaminants or Pollutants			
	CONTAMINANTS	Material Retained, Captured or Recovered		
		DESCRIPTION	DISPOSAL OR USE	
	Contaminant or Pollutant			
	Air Contaminants	Hog Manure	waste is pumped from the pit and	
	Runoff Pollutants	(liquids + solids)	injected into the soil (weather	
			permitting). If spread on top	
			of the soil, slope will be 45°	
			and not near any water courses	
		(2) Point(s) of Waste Water Discharge		
2 tubes along S side of pit				
POLLUTION CONTROL FACILITY - ACCOUNTING DATA	Plans and Specifications Attached		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
	(3)	Are contaminants (or residues) collected by the control facility?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
	(4)	Date installation completed <u>9/01</u> status of installation on date of application <u>completed + in use</u>		
	(5)	a. FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:	\$ <u>19,300</u>	
		b. NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY:	\$ <u>0</u>	
		c. PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY:	\$ <u>0</u>	
		d. PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY:	\$ <u>0</u>	
		e. PERCENTAGE CONTROL FACILITY BEARS TO WHOLE FACILITY VALUE:	% <u>27.7</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.		
		<div style="text-align: center;"> Signature </div>	<div style="text-align: center;"> <u>owner</u> Title </div>	
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.			
	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	Thomas McSwiggin Permit Section Division of Water Pollution Control	Donald E. Sutton Permit Section Division of Air Pollution Control

APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT)

POLLUTION CONTROL FACILITY

AIR ☐WATER ☒

RECEIVED

DEC 27 2002

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

Agency is authorized to request this information under Illinois Revised Statutes, 1979, Chapter 110, 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.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY
BOW/WPC/PERMIT SECTION

FOR AGENCY USE

File No.	Date Received	Certification No.	Date
Sec. A APPLICANT	Company Name <i>Gregory M. and Nancy C. Leish</i>		
	Person Authorized to Receive Certification <i>Gregory Leish</i>		Person to Contact for Additional Details <i>Same</i>
	Street Address <i>5087 E. IL 9 Hwy</i>		Street Address
	Municipality, State & Zip Code <i>Avon, IL 61415</i>		Municipality, State & Zip Code
	Telephone Number <i>309 465 3768</i>		Telephone Number
	Location of Facility	Municipality	Township
	Quarter Section <i>SE 1/4 of Sec. 26</i>	Township <i>7N</i>	Range <i>1E</i>
	Street Address <i>Rigdon Road</i>	County <i>Fulton</i>	Book Number
Property Identification Number <i>06-05-26-200-002</i>	Parcel Number		
Sec. B MANUFACTURING OPERATIONS	Nature of Operations Conducted at the Above Location <i>Agricultural production, specifically hog production for finishing hogs to be marketed for slaughter</i>		
	Water Pollution Control Construction Permit No. <i>N/A</i>		Date Issued
	NPDES PERMIT No. <i>N/A</i>		Date Issued Expiration Date
	Air Pollution Control Construction Permit No. <i>N/A</i>		Date Issued
	Air Pollution Control Operating Permit No. <i>N/A</i>		Date Issued
Sec. C MANUFACTURING PROCESS	Describe Unit Process <i>1196 sq. ft Hog Confinement with a 552 sq. ft manure pit under one side of the building</i>		
	Materials Used in Process <i>structure is wood framed on a concrete foundation and floor exterior is steel with aluminum doors that can be opened for natural ventilation</i>		
Sec. D POLLUTION CONTROL FACILITY DESCRIPTION	Describe Pollution Abatement Control Facility <i>Concrete pit is 12 ft wide and 6 ft deep with steel reinforced concrete floor and walls. Reinforced concrete slats are over the pit. There are 2 pump out tubes on the south for pumping out the manure. (See plat)</i>		

Attachment A