

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD RECEIVED

GREGORY M. AND NANCY C. LEIGH
(Property Identification Number
06-05-26-200-002)

)
) PCB 04- 121
) STATE OF ILLINOIS
POLLUTION CONTROL BOARD

JAN - 9 2004

NOTICE

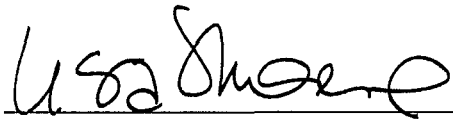
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite. 11-500
Chicago, Illinois 60601

Gregory Leigh
5087 E. ILL. 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: January 5, 2004

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

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

JAN - 9 2004

STATE OF ILLINOIS
POLLUTION CONTROL BOARD

GREGORY M. AND NANCY C. LEIGH
(Property Identification Number
06-05-26-200-002)

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) PCB 04- 121
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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: January 4, 2004

Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
(217)782-5544

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STATE OF ILLINOIS
POLLUTION CONTROL BOARD

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

GREGORY M. AND NANCY C. LEIGH
(Property Identification Number
06-05-26-200-002)

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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 and Nancy Leigh (log number TC 28-02, Exhibit A) for a 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. ILL 9 Highway
Avon Illinois 61415
3. The proposed water pollution control facilities in this request are located at the Southeast 1/4 of Section 26, T7N, Range 1E of the 4th Principal Meridian, Fulton County at Rigdon Road, Avon, and consist of the following livestock waste management facilities:

one concrete manure pit (23 ft. x 100 ft. x 9 ft. deep) with 6 manure pump-out tubes and the slotted concrete portion of the floor over the manure pit located in each of 3 swine finishing buildings.

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

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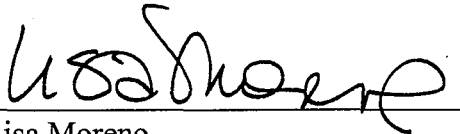
4. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2000), defines "pollution control facilities" as:

"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: (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 **grant** the requested tax certification.

ILLINOISENVIRONMENTAL PROTECTION
AGENCY

By: 

Lisa Moreno
Assistant Counsel
Division of Legal Counsel

DATED: January 5, 2004

Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

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APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT)

POLLUTION CONTROL FACILITY

AIR

WATER

RECEIVED

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

DEC 27 2002

This Agency is authorized to request this information under Illinois Revised Statutes, 1979, Chapter 120, Section 502a-5. Disclosure of this information is voluntary. However, failure to provide this information could prevent your application from being processed or could result in denial of your application for certification.

TC-28-C

FOR AGENCY USE

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
BOW/WPC/PERMIT SECTION

File No.	Date Received	Certification No.	Date
Sec. A APPLICANT	Company Name <i>Gregory M. and Nancy T. Leigh</i>		
	Person Authorized to Receive Certification <i>Gregory Leigh</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>		
	Telephone Number <i>309 465 3768</i>		
	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 Hog Production for finishing market hogs to be slaughtered</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>2300 sq. ft. now finished with slats covering a pit under the entire facility</i>		
	Materials Used in Process <i>Structure is a wood framed building on a concrete foundation and masonry pit. Plastic slats over the pit for a floor. Building is sided with aluminum siding with insulation sheetrock g-lath and vinyl over the walls inside</i>		
Sec. D POLLUTION CONTROL FACILITY DESCRIPTION	Describe Pollution Abatement Control Facility <i>Concrete pit is located under the entire facility 9ft deep with steel reinforced concrete walls and plastic slats covering the pit. There are six tubes on the sides of the building for pumping out the manure (see plat)</i>		

APPENDIX A

Sec. C POLLUTION CONTROL FACILITY - CONTAMINANTS	(1) Nature of Contaminants or Pollutants		
			Material Retained, Captured or Recovered
	Contaminant or Pollutant	DESCRIPTION	DISPOSAL OR USE
	For Contaminants	Hog Manure	Livestock waste is removed
	2 types of Pollutants	(Liquids + Solids)	from the pit and injected
			into the soil (see letter
			permitted for ground-water)
			If spread on top of soil, spread 4500
	(2) Point(s) of Waste Water Discharge		
	located about 10 miles S of the City		
Plans and Specifications Attached			
		Yes <input checked="" type="checkbox"/>	No
(3)	Are contaminants (or residues) collected by the control facility?		No
		Yes <input checked="" type="checkbox"/>	No
(4)	Date installation completed 7/99 status of installation on date of application Completed + in use		
ACCOUNTING DATA	(5) a. FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:		\$ 21,880
	b. NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY:		\$ 0
	c. PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY:		\$ 0
	d. PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY:		\$ 0
	e. PERCENTAGE CONTROL FACILITY BEARS TO WHOLE FACILITY VALUE:		% 60
Sec. F	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. The facilities claimed herein are "pollution control facilities" as defined in Section 11-10 of the Illinois Property Tax Code.			
Signature		Title	
Gregory M. Leitch		owner	
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 pollution control facility. Include a listing of each major piece of equipment included in the claimed fair cash value for real property. Include an average 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

All 3 Buildings identical

Bldg. 1

Bldg. 2

Bldg. 3

p't is under
g'doop
Building

pump out tubes

100'

100'

23'

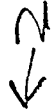
9.5'

Driveway

Highway
Road

Subject

All 3 Buildings
are identical



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 Leigh
5087 E. ILL. 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 January __, 2004 with sufficient postage affixed for first class mail.

SUBSCRIBED AND SWORN TO BEFORE ME
this __th day of January 2004.

Notary Public