

RECEIVED CLERK'S OFFICE

JAN 1 4 2004

STATE OF ILLINOIS
Pollution Control Board

BACON HILL FARM, INC. (Property Identification Number 06-05-25-100-005)

) PCB 04- /2²

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. 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 <u>APPEARANCE AND THE RECOMMENDATION</u> of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Lisa Moreno

Assistant Counsel

Division of Legal Counsel

DATED: January 12, 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

CLERK'S OFFICE

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

JAN 1 4 2004

STATE OF ILLINOIS Pollution Control Board

BACON HILL FARM, INC. (Property Identification Number 06-05-25-100-005)

) PCB 04- /22

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

Bw.

Lisa Moreno Assistant Counsel

Division of Legal Counsel

DATED: January 12, 2004

Illinois Environmental Protection Agency 1021 North Grand Avenue East Post Office Box 19276 Springfield, Illinois 62794-9276 (217)782-5544 BEFORE THE ILLINOIS POLITION CONTROLS OARD

RECEIVED CLERK'S OFFICE

JAN 1 4 2004

STATE OF ILLINOIS
Pollution Control Board

BACON HILL FARM, INC. (Property Identification Number 06-05-25-100-005)

)) PCB 04- /22

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 Bacon Hill Farm, Inc. (log number TC 23-02, 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. Leigh

Bacon Hill Farms, Inc. 5087 E. ILL 9 Highway Avon Illinois 61415

3. The proposed water pollution control facilities in this request are located at the Northwest 1/4 of Section 25, T7N, Range 1E of the 4th Principal Meridian, Fulton County at the above address, and consist of the following livestock waste management facilities:

One concrete manure pit (40 ft. x 54 ft. x 8 ft. deep) with 4 manure pump-out tubes and the slotted concrete portion of the floor located over the manure pit in a swine finishing building.

One concrete manure pit (10 ft. x 60 ft. x 6 ft. deep) having 2 manure pump-out tubes and the slotted portion of the floor located over the manure pit in a swine sow confinement building.

THIS FILING IS SUBMITTED ON RECYCLED PAPER

Three concrete manure pits (each 10 ft. x 34 ft. x 3 ft. deep) with 2 manure drain pull plugs per pit and the slotted plastic portion of the floor located over the manure pits in one swine nursery building.

Approximately 44 feet of 6-inch diameter PVC manure transfer pipe.

One concrete manure pit (23 ft. x 70 ft. x 4 ft. deep) with 4 manure pump-out tubes and the slotted plastic and steel portion of the floor located over the manure pit in one swine farrowing building.

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.

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.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Lisa Moreno

Assistant Counsel

Division of Legal Counsel

DATED: January 12, 2004

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

HON CONTROL FACILITY POLLUTION CONTROL FACILITY

is authorized to request this der Illinois Revised Statues, 1979, Section 502a-5. Disclosure of this informațio oluntary. However, failure to 2069 nply count prevent your application from being processed or could result in denial of your

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

ILLINOIS ENVIRONMENTAL for certification.

FOR AGENCY USE

PROTECTION AGENCY BOW/WPC/PERMIT SECTION

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No.	Date Received	Certification No.	D	ale	
c. A	Bacon Hill Farm, Inc.				
;	Person Authorized to Receive Certification	Person to Contact for Additional Details			
	Gregory Leigh	Samo			
	Street Address		Street Address		
	S087 E. IL 9 Awy. Municipality, State & Zip Code	·	Municipality, State & Zip Co	nde	
APPLI-JANT	Avon, IL 61415		manapanty; atata at hip of		
PLE	Telephone Number		Telephone Number		
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ILLINOIS ENVIRONMENTAL PROTECTION AGENC P. O. Box 19276, Springfield, IL 62794-9276

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	FOR AGENCY USE	LINUIS ENVIRONMENTAL		
	-	PROTECTION AGENCY		
File No.	Date Received Certification	OW/WPC/PERMIT SECTION	Date	
Sec. A	Company Name			
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	Person Authorized to Receive Certification	Person to Contact for Add	itional Details	
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<u>. </u>	Municipality, State & Zip Code	Municipality, State & Zip C	ode	
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ÄTK	Plans and Specifications Attached Yes 🗸 No						
00	(3)	Are contaminants (or residues) co		Yes / No			
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G DA		b. NET SALVAGE VALUE IF CONS	SIDERED REAL PROPERTY:	\$ 0			
Ň		c. PRODUCTIVE GROSS ANNUAL	INCOME OF CONTROL FACILITY:	\$ 0			
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000.1				facilities" as defined in Section 11-10 of the			
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Sec. G		INSTRUCTI	ONS FOR COMPILING AND FILING AP	PLICATION			
	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	•		contacted for further details or for inspection of			
	000.71	facilities. Define facility location by stre		ap location is required for facilities located			
	Sec. B		· · · · · · · · · · · · · · · · · · ·	gencies. (e.g. MSD Construction Permit)			
	Sec. C	Refers to manufacturing processes or	materials on which pollution control facilit	y is used.			
	Sec. D	Narrative description of the pollution co	ontrol facility, indicating that its primary pu	rpose 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					
SN		collection efficiency.	•				
	Sec. E	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.					
OF.		Item (1) – Refers to pollutants and contaminants removed from the process by the pollution control facility.					
INSTRUCTIONS		Item (2) – Refers to water pollution but can apply to water-carried wastes from air pollution control facilities. Submit drawings,					
ISTE		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	c. F Self-explanatory. Signature must be a corporate authorized signature.					
Ī		Submit to:	Attention:	Attention:			
		Illinois EPA	Thomas McSwiggin	Donald E. Sutton			
		P.O. Box 19276	Permit Section	Permit Section			
		Springfield, IL 62794-9276	Division of Water Pollution Control	Division of Air Pollution Control			

Highway Jow Bilding concrete floor

60'

APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT) POLLUTION CONTROL FACILITY AIR WATER WATER

AIR (100)

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

This Agency is authorized to request information under Illinois Revised Statues, 1979. Chapter, 120, 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.

FOR AGENCY USE					
File No.	Date Received	Certification No.		Date .	
Sec. A	Company Name				
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<u></u>	Municipality, State & Zip Code		Municipality, State		
APPLICANT	Avon, IL 61415		sa m		
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	Quarter Section Township	Range			
	Quarter Section Township	Range / /_	Avon	Lee	
	Street Address		County	Book Number	
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		Page 1 of 2	m of Lachings	BOW/WPC/PERMIT SECTION	
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	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		permits issued by local pollution control ag		
	Sec. C	Refers to manufacturing processes or	materials on which pollution control facility	y is used.	
	Sec. D	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.			
All the second	Sec. E	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			
	Sec. F	Self-explanatory. Signature must be a corporate authorized signature.			
Ì		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	

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34'

APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT) POLLUTION CONTROL FACILITY,

AIR WATER

ILLINOIS ENVIRONMENTAL PROTECTION AGENC P. O. Box 19276, Springfield, IL 62794-9276 This Agency is authorized to request this information under Illinois Revised Statues, 1979, Section 502a-5. Disclosure of this interpretation in voluntary. However, failure to comply bould prevent your application from DEC 2 7 2002 application for certification.

FOR AGENCY LISE

File No. Date Received Certification MAPC/PERMIT SECTION Sec. A Sec. A Person Authorized to Receive Certification Person to Contact for Additional Details Street Address Street Address Street Address Municipality, State & Zip Code Hongicipality, State & Zip Code Municipality, State & Zip Code Hongicipality, State & Zip Code Hongicipality County Street Address County Book Number Property Identification Number Sec. B Nature of Operations Conducted at the Above Location Water Pollution Control Construction Permit No. NPDES PERMIT No. NPDES PERMIT No. Air Pollution Control Construction Permit No. Date Issued Expiration Date Sec. C Describe Unit Process			
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Property Will Brown			
Sec. C Describe Unit Process			
1610 syst decreased with plastic and what wading			
corring a pit wholen the today this			
Materials Used in Process Waterials Used in Pro			
Display Materials Used in Process			
wood framed building on a concrete found on and maringit.			
The second of th			
Plastic + steel grades rough to litter after Building is Aluminum Sided with a roughd insulation and a regularison inside			
Aluminum Stated with a max and insulation in a virginialison inside			
Sec. D Describe Pollution Abatement Control Facility			
Describe Pollution Abatement Control Facility			
Concrete pit located moor entire indition,			
EEE Den 1400 milk sixtee har will one of the control of the control of the control of the second of			
OSE Atuses on the state soil sing see plat			
Atroses on the steel property see plat			
P P P P P P P P P P P P P P P P P P P			

ec. E	(1) Nature of Contaminants or Pollutants					
_			Material Reta	Material Retained, Captured or Recovered		
SEZ	Contaminant or Pollutant		DESCRIPTION	DISPOSAL OR USE		
N A		Ade Proto Handis	Hoa . Tonise	master or from the pit and		
ΓΑW		A Secretary of the Secretary	(Navid 22 Salids)	injected into the soil (realizer		
, NO				porning. If sometion is worth		
E O				Spi stipe will be 45000 and		
텋				not hear sive linter tourses		
L F.A	(2) Point(s) of Waste Water Discharge					
3	C					
NO			Plans and Specifications			
o z	-	Are contaminants (or residues) co		Yes / No		
57.	(4)	Date installation completed/	172 status of installation or	ridate or application		
POLLUTION CONTROL FACILITY ACCOUNTING DATA CONTAMINANTS	(5)	a. FAIR CASH VALUE IF CONSIDE	<u></u>	\$ 6190		
NG E		. NET SALVAGE VALUE IF CONS		\$		
ENS			INCOME OF CONTROL FACILITY:	\$ <u>0</u>		
CCC		D. PRODUCTIVE NET ANNUAL INC		\$		
	<u> </u>		LITY BEARS TO WHOLE FACILITY			
The following information is submitted in accordance with the Illinois Property Tax knowledge, is true and correct. The facilities claimed herein are "pollution control Illinois Property Tax Code. Manual Control of the facilities claimed herein are pollution control of the facilitie						
S	Signat	ure'	Title			
Sec. G			IONS FOR COMPILING AND FILING APF	PLICATION		
	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	facilities. Define facility location by stre	d in the tax records and the person to be co eet address or legal description. A plat ma property identification number is required.	ontacted for further details or for inspection of ap location is required for facilities located		
	Sec. B	Self-explanatory. Submit copies of all	permits issued by local pollution control ag	gencies. (e.g. MSD Construction Permit)		
	Sec. C	Refers to manufacturing processes or materials on which pollution control facility is used.				
INSTRUCTIONS	Sec. D Narrative description of the poliution control facility, indicating that its primary purpose is to eliminate, prevent or reduce poliution. 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	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.				
Ì	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		

Highway Finston residence Shop entire building 4' deep 0 70'

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 envelope addressed to:	whom it is directed, by placing a copy in an
Dorothy M. Gunn, Clerk Illinois Pollution Control Board James R. Thompson Center 100 West Randolph Street, Suite. 11-500 Chicago, Illinois 60601	Gregory M. Leigh Bacon Hill Farms, Inc. 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 Janu	pary, 2004 with sufficient postage affixed for
first class mail.	
SUBSCRIBED AND SWORN TO BEFORE M	E
thisth day of January 2004.	
Notary Public	