

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD NOV 04 2004

STATE OF ILLINOIS
Pollution Control Board

KATHRYN BRADLEY AND)
BRIAN BRADLEY)
(Property Identification Number)
06-022-007-00))
Petitioner,)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY)
Respondent.)

PCB 05-81
(Tax Certification)

NOTICE


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

Kathryn and Brian Bradley
RR#1 Box 69
Timewell, IL 62375

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.

ENVIRONMENTAL PROTECTION AGENCY
OF THE STATE OF ILLINOIS

By: 
James Allen Day
Assistant Counsel
Division of Legal Counsel

DATED: November 3, 2004

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

NOV 04 2004

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS
Pollution Control Board

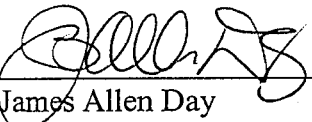
KATHRYN BRADLEY AND)
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06-022-007-00))
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PROTECTION AGENCY)
Respondent.)

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(Tax Certification)

APPEARANCE

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

ENVIRONMENTAL PROTECTION
AGENCY OF THE STATE OF ILLINOIS

By: 
James Allen Day
Assistant Counsel
Division of Legal Counsel

DATED: November 3, 2004

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06-022-007-00))
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PCB 05- 8/
(Tax Certification)

RECOMMENDATION

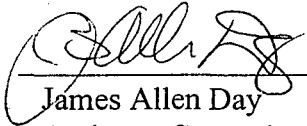
Now Comes the Illinois Environmental Protection Agency ("Illinois EPA") by James Allen Day, one of its attorneys, and pursuant to Section 125.204 of the Illinois Pollution Control Board's (Board) regulations files the following Recommendation regarding the tax certification of water pollution control facilities pursuant to 35 Ill. Adm. Code 125.204.

- 1) On July 16, 2004, the Illinois EPA received a request from Kathryn Bradley for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to 35 Ill. Adm. Code 125.204, and noted the request as log number TC-21-04.
(Exhibit A)
- 2) The applicant's mailing address is: Kathryn and Brian Bradley
RR#1 Box 69
Timewell, IL 62375
- 3) The water pollution control facilities in this request are located in the northwest quarter of the southeast quarter of Section 19, Township 1 South, Range 4 West of the 4th Principal Meridian in Brown County, Illinois and consist of the following:

Livestock waste management facilities consisting of one concrete manure-pit (100 ft. x 200 ft. x 8 ft. deep) with the slotted concrete portion of the floor over the manure pit and six 6 ft. x 6 ft. x 10 ft. deep concrete pump out pits in each of two swine finish buildings.

- 4) These livestock waste management facilities are used to collect, transport, and/or store livestock wastes prior to cropland application.
- 5) 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.”
- 6) Pollution control facilities are entitled to preferential tax treatment, 35 ILCS 200/11-5 (2000).
- 7) Based on the information in the application and the purpose of the facilities (collecting, transporting and/or storing livestock wastes prior to cropland application), 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. Therefore, the facilities are eligible for tax certification from the Board.
- 8) Therefore, the Illinois EPA recommends that the Board issue the requested tax certification.

Illinois Environmental Protection Agency,

By: 
James Allen Day
Assistant Counsel
Division of Legal Counsel

November 3, 2004

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

STATE OF ILLINOIS
COUNTY OF SANGAMON

)
)
)
)
)

PROOF OF SERVICE

I, the undersigned, on oath state that I have served the attached **APPEARANCE AND 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

Kathryn and Brian Bradley
RR#1 Box 69
Timewell, IL 62375

Steve Santarelli
Illinois Department of Revenue
101 West Jefferson
Post Office Box 19033
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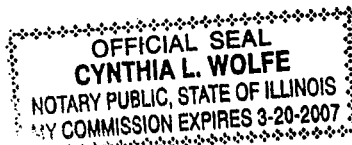
and mailing it from Springfield, Illinois on November 3, 2004 with sufficient postage affixed for first class mail.

Nancy J. Lampost

SUBSCRIBED AND SWORN TO BEFORE ME

this third day of November 2004

Cynthia L. Wolfe
Notary Public



TC-21-04

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


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

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 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 APPLICANT	Company Name <i>Brian & Kathryn Bradley</i>		
	Person Authorized to Receive Certification <i>Kathryn Bradley</i>		Person to Contact for Additional Details <i>Brian Bradley</i>
	Street Address <i>RR#1 Box 69</i>		Street Address <i>RR#1 Box 69</i>
	Municipality, State & Zip Code <i>Timewell, IL 62375</i>		Municipality, State & Zip Code <i>Timewell, IL 62375</i>
	Telephone Number <i>217-773-3071</i>		Telephone Number <i>217-430-5086</i>
	Location of Facility Quarter Section <i>NW of SE 19</i>		Municipality <i>Timewell</i>
	Township <i>L 15</i>		Township <i>LEE</i>
	Range <i>R 4W</i>		County <i>Brown</i>
	Street Address		Book Number <i></i>
Property Identification Number <i>06-022-007-00</i>		Parcel Number <i></i>	
Sec. B MANUFACTURING OPERATIONS	Nature of Operations Conducted at the Above Location <i>Hog Finisher, used to grow pigs from wean to market.</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>2-100'x200' finishing buildings with fully slatted floors and a 9' deep concrete pit under them. The 2 buildings are connected with a nine ft wide hallway.</i>		
	Materials Used in Process <i>The buildings are wood framed with metal siding. The pits are poured concrete with rubber membrane at all joints.</i>		
Sec. D POLLUTION CONTROL FACILITY DESCRIPTION	Describe Pollution Abatement Control Facility <i>Each pit is 100'x200'x5' with a volume of 160,000 cu/ft. Each pit has 6-6'x6'x10' ports through the exterior walls to facilitate the removal of manure. These ports extend 1 ft below the floor and 1 ft above the top of the pits.</i>		

RECEIVED

JUL 16 2004

Sec. E	(1) Nature of Contaminants or Pollutants			
	POLLUTION CONTROL FACILITY - CONTAMINANTS	Material Retained, Captured or Recovered		
		Contaminant or Pollutant	DESCRIPTION	DISPOSAL OR USE
		RUNOFF pollutants	Hog Manure containing 50% N - 26% P + 36% K per 1000 gallons	Waste is applied to crop land as fertilizer
		(2) Point(s) of Waste Water Discharge		
		ports give access to pump manure		
		Plans and Specifications Attached	Yes	No
	(3)	Are contaminants (or residues) collected by the control facility?	Yes	No
	(4)	Date installation completed	status of installation on date of application	
		2-01-04	in use	
ACCOUNTING DATA	(5)	a. FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:	\$	925,000
		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:	%	40%
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.			
SIGNATURE	 Kathryn Bradley Owner			
	Signature	Title		
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	

BROWN COUNTY
 CANDACE E. KNIGHT
 200 COURT ST ROOM 2
 MT. STERLING, IL. 62353

PROPERTY NUMBER	CLASS	CODE	NUMBER	TAX
06-022-007-00	0011	06002	162	NOTIC

S END E 1/2 SW & SE
 SEC 19

TOWNSHIP	LENDING CODE	LAND/LOT ACRES	FARM LAND ACRES	FORFEITED TAX
LEE			232.00	

LAND/LOT ASSESSED	FARM LAND ASSESSED	FARM BLDG. ASSESSED	BUILDING ASSESSED	TOTAL ASSESSED
	45975	164145		210120
LAND/LOT B.O.B. MULT	FARM LAND B.O.B. MULT	FARM BLDG. B.O.B. MULT	BUILDING B.O.B. MULT	DEPARTMENTAL MULT
				1.0531
IMPROVEMENT EXEMPTION	DEPARTMENTAL EQUALIZED	OWNER OCCUPIED	HOMESTEAD/VETERAN	TAXABLE VALUE
	210120			210120
SCAFHE	1ST INSTALLMENT	DUE DATE	2ND INSTALLMENT	
	08/03/2001		09/07/2001	
	7,948.96	INSTALLMENT	7,948.9	
	238.97	PENALTY/COST		
	8,187.42	TOTAL		

BRADLEY KATHRYN J
 RR1 BOX 69
 TIMEWELL IL 62375-0000

492,435 / 98

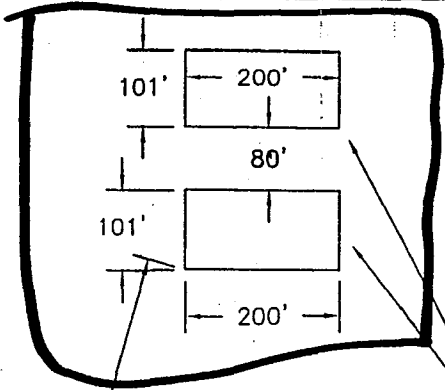
PROPERTY OWNER IF OTHER THAN ABOVE

2000 REAL ESTATE TAX

CHECKS PAYABLE TO CO COLLECTOR. INCLUDE
 POSTAGE FOR RETURN. AFTER DUE DATE
 1 1/2% PENALTY PER MO OR PORTION THEREOF
 TOTAL TAX: 15,897.92

PROPERTY NUMBER		CLASS	NUMBER	TOWNSHIP			
06-022-007-00		0011	162	LEE			
1999 RATE	1999 TAX	TAXING DISTRICT		2000 RATE	PERCENT	2000 TAX	PENSION
1.33061	2,859.68	COUNTY TAX		1.54365	20.4	3,243.52	1,119.59
1.49623	3,215.62	LEE TOWNSHIP		1.44734	19.1	3,041.16	462.62
3.75219	8,064.02	UNIT SCHOOL 001		3.91119	51.7	8,218.20	646.37
.32502	698.52	JOHN WOOD COMM COL		.30998	4.1	651.32	
.13149	282.60	BROWN CO FIRE P D		.13140	1.7	276.10	
.03931	84.48	MULTI-TWP ASSESSOR		.04215	.8	88.56	
		MCKEE DRAIN DIST					
.17275	371.26	BR.CO. PUBLIC LIB		.18040	2.4	379.06	
		MCKEE DRAIN DIST					
		MCKEE DRAIN DIST					
		MCKEE DRAIN DIST					
		MCKEE DRAIN DIST					
7.24760	15,576.18	TOTAL TAX		7.56611	100.0	15,897.92	

YOU MAY BE ELIGIBLE FOR THE SENIOR CITIZENS AND DISABLED PERSONS PROPERTY TAX RELIEF AND PHARMACEUTICAL ASSISTANCE ACT
 APPLICATIONS ARE AVAILABLE FROM THE ILLINOIS DEPARTMENT OF REVENUE FOR QUESTIONS CALL (217) 244-1100



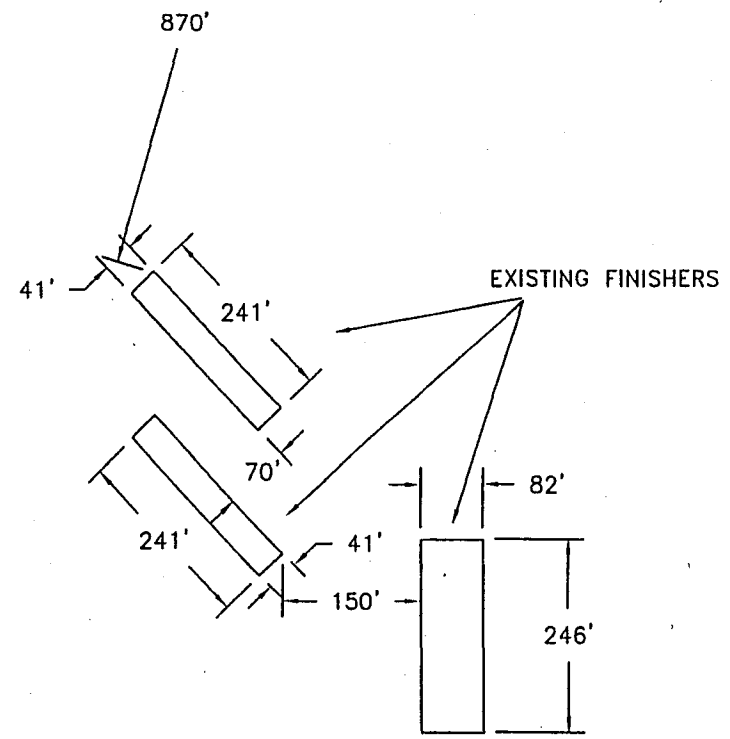
New Site

*15-4w
sec 19*

BETTY WATTERS
2,470'

PROPOSED 2,400 HEAD FINISHERS

PURPUS CREEK
1,600'



- NOTES:
- *CLOSEST NEIGHBOR IS BETTY WATTERS
 - *CLOSEST STREAM IS PURPUS CREEK
 - *NO ABANDONED WELLS WITHIN 1,000'
 - *NO SUBSURFACE DRAINAGE LINES WITHIN 100'

— SURFACE WATER FLOW DIRECTION



Frank & West
Environmental Engineers, Inc.

BRIAN BRADLEY
TIMEWELL, ILLINOIS

PLOT PLAN

226 N. State Route 29
Springfield, IL 62707

Phone: 217/487-7686
Fax: 217/487-7687

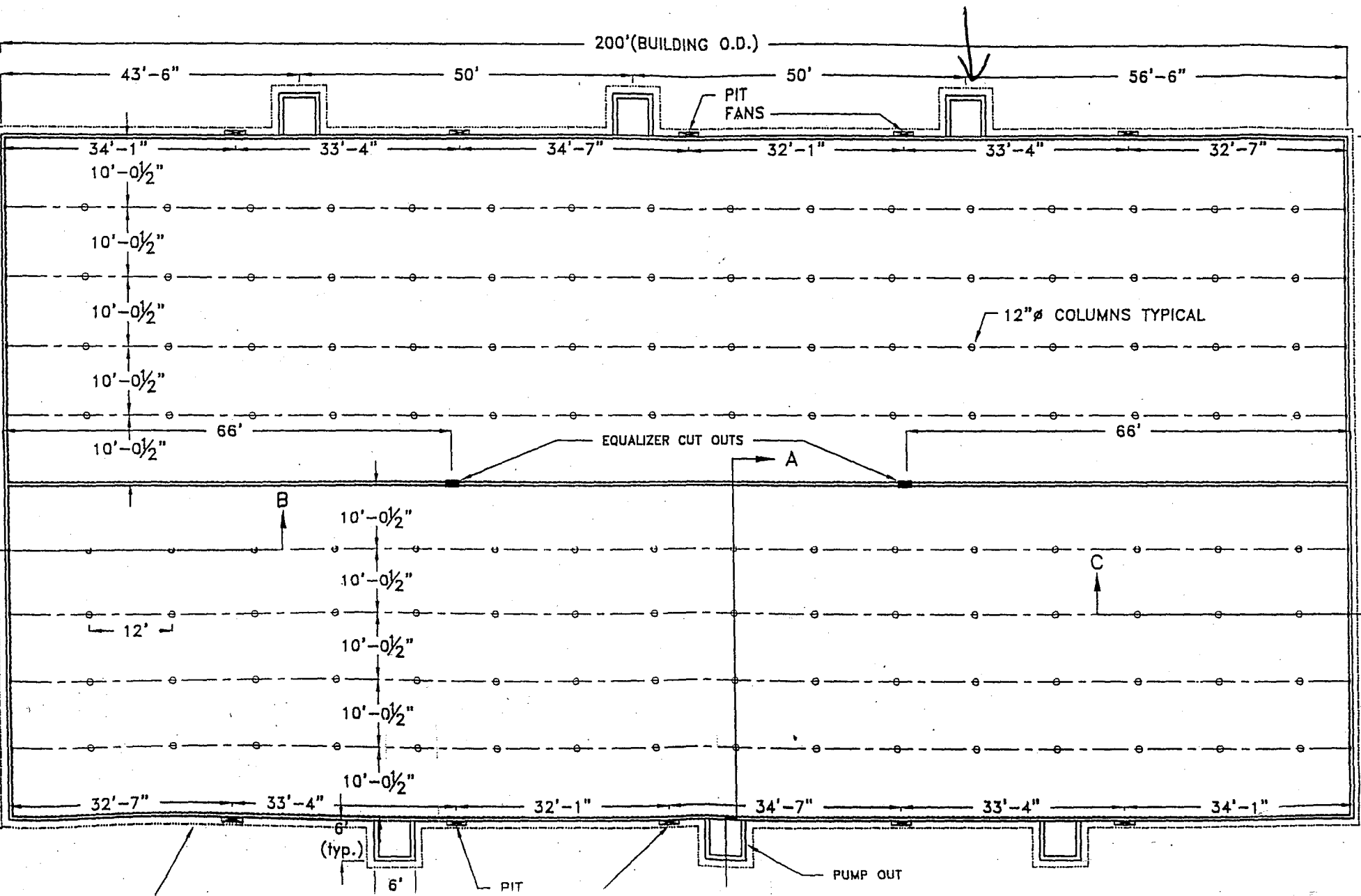
DRAWN BY: CEO

SCALE: 1"=250'

DATE: 6/19/03

DRAWING NO.03-12101

Ports



101'-11" (MINIMUM)