

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

MAR 2 & 2007

Roy and Nathan Wiegand Roanoke (Property Indentification Number 11-33-100-004)) PCB-07 - 9 () (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

Steve Santarelli Illinois Department of Revenue 101 West Jefferson Post Office Box 19033 Springfield, Illinois 62794 Roy Wiegand 2254 County Road 1100 N. Secor, Illinois 61771

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.

ENVIRONMENTAL PROTECTION AGENCY OF THE STATE OF ILLINOIS

Vera Herst

Assistant Counsel

Division of Legal Counsel

DATED: March 22, 2007

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

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD CLERK'S OFFICE

Roy and Nathan Wiegand

Roanoke
(Property Indentification Number
11-33-100-004)

MAR 2 6 2007

STATE OF ILLINOIS
Pollution Control Board

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

By: <u>Vena</u> Heret

Assistant Counsel

Division of Legal Counsel

DATED: March 22, 2007 Illinois Environmental Protection Agency 1021 North Grand Avenue East Post Office Box 19276 Springfield, Illinois 62794-9276 (217)782-5544

RECEIVED CLERK'S OFFICE

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

MAR 2 6 2007

Roy and Nathan Wiengand-Roanoke (Property Identification Number 11-33-100-004	PCB-07 _48 (Tax Certification)	STATE OF ILLINOIS Pollution Control Board
))	

RECOMMENDATION

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, 35 Ill. Adm. Code 125.204.

- On July 31, 2006, the Illinois EPA received a request from Roy and Nathan Wiegand-Roanke (log number TC-08-06, 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:

 Roy and Nathan Wiegand
 2157 County Highway 6
 Roanoke, Illinois 61561
- 3. The proposed water pollution control facilities in this request are located at NW ¼ of Section 33, T27N, R1E of the 3rd P.M. in Woodford County, at the above street address, and consist of the following:

Livestock waste management facilities consisting of one concrete manure pit (100 ft. x 40 ft. x 4 ft. deep) with the slotted concrete portion of the floor over the manure pit and one concrete manure pit (300 ft. x 40 ft. x 4 ft. deep) with the slotted concrete portion of the floor over the manure pit.

These facilities are used to collect, transport, and/or store livestock wastes 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 (2004), 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."
- 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

Ву: _

Vera Herst

Assistant Counsel

Division of Legal Counsel

Dated: March 22, 2007

Illinois Environmental Protection Agency 1021 North Grand Ave. E. P.O. Box 19276 Springfield, Illinois 62794-9276 217/782-5544

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 – (217) 782-3397 JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 – (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR DOUGLAS P. SCOTT, DIRECTOR

Memorandum

To: Connie Tonsor, Division of Legal Counsel

From Bruce J. Yurdin, Manager, Watershed Management Section

RECEIVED

Division of Legal Counsel

Date:

MAR 1 2 2007

MAR 1 2 2007

Re:

Roy and Nathan Wiegand – Roanoke Recommendation of Tax Certification

Log # TC-08-06

Property Identification # 11-33-100-004

Environmental Protection Agency

The Bureau of Water received a request on July 31, 2006 from Roy and Nathan Wiegand for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to 35 Il. Adm. Code 125.204. We offer the following recommendation.

The water pollution control facilities in this request include the following:

Roy and Nathan Wiegand 2157 County Highway 5 Roanoke, IL 61561

NW 1/4 of Section 33, T27N, R1E of the 3rd P.M. in Woodford County

Livestock waste management facilities consisting of one concrete manure pit (100 ft. x 40 ft. x 4 ft. deep) with the slotted concrete portion of the floor over the manure pit and one concrete manure pit (300 ft. x 40 ft. x 4 ft. deep) with the slotted concrete portion of the floor over the manure pit.

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

These 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 IAC 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.

If you have any questions regarding the above, please contact Thaddeus Faught at 217/782-3362.

BJY:TJF:TC-08-06.doc

cc: Tax Cert File

ROCKFORD - 4302 North Main Street, Rockford, IL 61103 - (815) 987-7760

ELGIN - 595 South State, Elgin, IL 60123 - (847) 608-3131

BUREAU OF LAND - PEORIA - 7620 N. University St., Peoria, IL 61614 - (309) 693-5462

SPRINGFIELD - 4500 S. Sixth Street Rd., Springfield, IL 62706 - (217) 786-6892

MARION - 2309 W. Main St., Suite 116, Marion, IL 62959 - (618) 993-7200

DES PLAINES - 9511 W. Harrison St., Des Plaines, IL 60016 - (847) 294-4000

PEORIA - 5415 N. University St., Peoria, IL 61614 - (309) 693-5463

CHAMPAIGN - 2125 South First Street, Champaign, IL 61820 - (217) 278-5800

COLLINSVILLE - 2009 Mall Street, Collinsville, IL 62234 - (618) 346-5120

Watershed Unit Tax Certification Review Sheet

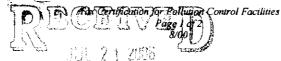
Project Name:	Transfer interest	Location:	Roscake- 2/28/07
Reviewer: Log No.:	TC-03-06	_ Date: _ Type:	□ Agchem ✓ Livestock
Applicant:	Roy Wage do 2284 country know 1,00 N. Secon II Govern	Contact: Phone:	Roy Wiccond 301-744-2333
Facility:	257 Country HW 5	Property ID:	11-17-100-004
Legal Description:	Series 23 - 2711 100 / 350 PM	County:	Woodford
Date Control Devices Installed:	1/10/05	Provided Fair Cash Value:	F197,500
Signature:	Styred by Rose Wiegerd	_ Title:	owner
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Other:			

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

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY P. O. Box 19276, Springfield, IL 62794-9276 This Agency is authorized to request this information under Illinois Revised Statues, 1979, Chapter, 120, Section 502a-5. Disclosure of this information is voluntary. However, faiture to comply could prevent your application from being processed or could result in denial of your application for certification.

	FOR AGENCY US	Ę					
File No.	Date Received	Certification No.		D.	ate		
Sec. A	Company Name			Roy W.	NEEDAL)		
ļ	Person Authorized to Receive Certification		Daman to Con	Kay Wi	innal Ontolla		
	Person Authorized to Receive Certification		Person to Contact for Additional Details ROY WIEGAND				
	Roy WIEGAND Street Address	Street Address		/			
 	2254 COUNTY RUAD 1100 N.		225	4 COUNT	Y ROAG 1100 N.		
CANT	Municipality, State & Zip Code SECOR, ILL. 6/77/		Municipality, 8	R. til.	61771		
APPLICANT	Telephone Number 309-744-2333		i elephone Nu	imber 9-744. T			
	Location of Facility		Municipality	T	ownship		
	Quarter Section Township 5-33 NW4 T27N	Range		(GREENE		
	Street Address		County	В	Book Number		
	2157 COUNTY NUTS ROLINE, Property Identification Number	· · · · · · · · · · · · · · · · · · ·	Parcel Number	er			
	11-33-100-004		11-33-100	0-004			
Sec. B	Nature of Operations Conducted at the Abov	e Location					
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	JWINE 1.	Duesties			•		
l o							
NS Z	Manager Control Construction Popular	No.	Date Issued				
MANUFACTURING OPERATIONS	Water Pollution Control Construction Permit	NO.	Date Issued				
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AAN							
_	Air Pollution Control Construction Permit No	-	Date Issued				
	Air Pollution Control Operating Permit No.		Date Issued	13 1 13	16:50		
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Sec. C	Describe Unit Process		And the state of t	Carl Lan			
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g				ALINCE	ENGACAMENTAL		
NUFACTURING PROCESS							
ACT	Materials Used in Process			OCWWP	OFERMA SEC. 183		
PRC							
MAN N							
Sec. D	Describe Pollution Abstement Control Escilia	v					
	Describe Pollution Abatement Control Facility LIVESTOCK WASTE MANAGEMEN	H FACILITIES	CONSISTING	of two 1	MANURE PITS. ONE		
<u> </u>	(40 ft x 100 ft. x 4 ft. DEEP) AND	HER (40 ft. X	300 ft. x 4	ft. DEEP	AND THE SLOTTED		
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65 E	WASTE MANAGEMENT FACILITIES WASTES PRIOR TO CROPLAND A	AKE USED	TO COLLE	CT AND S	STORE LIVESTOCK		
POLLUTION CONTROL FACILITY DESCRIPTION							
₹₹	(BRAD BEAVER) BURRAU OF ENVIRONS	MENTAL PROGR	AMS DATE	ISSUED 10	0-18-04		

IL 532-0222 APC 151 (Rev. 8/00)



Sec. E	(1) N	ature of Contaminants or Pollu	tants		- 1							
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NTS	Conta	iminant or Pollutant		Material Retained, Captured or Recovered DESCRIPTION DISPOSAL OR USE								
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ENO			Plans and Sp		Attached	Yes □	No □					
ō ₹	(3)	Are contaminants (or residues				Yes □	No 🗆					
0110	(4)	Date installation completed	<u>/-/0-'05</u> status of in:		date of ap	oplication <u>Co</u>	rfiere					
OLLI	(5)	a. FAIR CASH VALUE IF CON	SIDERED REAL PROPERTY:			\$ 182,500	. <u>مث</u>					
- G		b. NET SALVAGE VALUE IF C	ONSIDERED REAL PROPER	TY:		\$ O						
I N		c. PRODUCTIVE GROSS ANN	IUAL INCOME OF CONTROL	FACILITY:		\$ 50,000						
POLLUTION CONTROL FACILITY ACCOUNTING DATA C		d. PRODUCTIVE NET ANNUA	INCOME OF CONTROL FA	CILITY:		\$ 50,000						
AC		e. PERCENTAGE CONTROL	ACILITY BEARS TO WHOLE	FACILITY V	ALUE:	% 55 %						
Sec. F	The fo	llowing information is submitted in				J J 100	e best of my					
111	knowle	edge, is true and correct. The faci	lities claimed herein are "pollu	tion control f	acilities" as	defined in Section	on 11-10 of the					
IUR	Illinois Property Tax Code.											
SIGNATURE	Key Wiesen LAND OWNER											
SIC	Signa				•							
Sec. G	Signa		Title UCTIONS FOR COMPILING AND	A CILLING A DO	ICATION							
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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 boutside of municipal boundaries.	v street address or legal descripti	on. A nlat mar	location is r	equired for facilitie	s located					
	Sec. B											
	Sec. C	Sen-explanatory. Submit copies of all permits issued by local pollution control agencies. (e.g. MSD Construction Permit)										
		Refers to manufacturing processe	<u> </u>									
	Sec. D	Narrative description of the polluti State the type of control facility.	on control facility, indicating that it	s primary purp	ose is to elim	ninate, prevent or r	educe pollution.					
		I flow diagram describing the pollut	ion control facility. Include a listin	g of each main	r piece of ea	uipment included is	the claimed					
	:	fair cash value for real property. I collection efficiency.	nclude an <u>average</u> analysis of the	influent and e	ffluent of the	control facility stat	ing the					
ε	Sec. E	List air contaminants, or water po	lution substances released as eff	luents to the m	anufacturing	processes. List at	so the final					
ğ		disposal of any contaminants rem Item (1) – Refers to pollutants and	oved from the manufacturing produced from the	cesses.	nallution co	ntrol facility						
Suc		Item (2) – Refers to water pollutio	n but can apply to water-carried w	astes from air	pollution con	trol facilities. Subr	nit drawings,					
NSTRUCTIONS		which clearly show (a) Point(s) of facility.			-	-						
-		Item (3) – If the collected contami	nants are disposed of other than a	as wastes, stat	e the disposi	tion of the material	s, and the value					
i		in dollars reclaimed by sale or reclaimed the litem (4) – State the date which the	e pollution control facility was first	placed in serv	ice and opera	ated. If not explain	n.					
		Item (5) – This information is esse activate project review prior to cer	ential to the certification and asses	ssment actions	. This accou	nting data must be	completed to					
	Sec. F	Self-explanatory. Signature must		ure.								
		Submit to:	Attention:		Attention:		· · · · · · · · · · · · · · · · · · ·					
		Illinois EPA				***						
		P.O. Box 19276	Al Keller Permit Section		Donald E. Su Permit Sectio							
		Springfield, IL 62794-9276	Division of Water Pollution (r Pollution Control	i					

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Write the name and telephone number of the person we should contact for additional information. (If different their label.) Rey: WIEGAND (309) 744-2333 Phone	. v*	Þ	If yes, write your IBT.	nois busineds tax (- number (IST)	и ве подажне	v -≟<-≅2.43
p 2: Identity the pollution control facility theck the box that identifies the type of pollution control facility				16	Air pollur Water pollur Low-sulf	ollution ur dlowk	
Write the number written on the facility's Illinois EPA certificat	tion.		,	E	ERANGO MINISTERIO DE	······································	processor and the second
Write the three-digit classification number of the pollution con	itrol	ter	cllity. (See instruc	tions) 3	06	2	
Write the complete description of the pollution control facility 567 I.E.RA: FACILITY DESCRI	write PT/	ton	on the Illinois E	PA certificat	ion.		
in the second of							
2157 COUNTY HIGHWAY 5		Te	GRE WO	EENE ODFORT)		
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ف	b Write the original cost of the retired or removed portion. c Write the date retired or removed from use.	%	Mengh Year
2	5 Axing the original cost of the legislo of istroked botton:		
٠		8b	s <i>N.A.</i>
٠	If you answered yes, complete the following:		400
	a Has any part of the cartifled portion of the facility been retired or removed from use within the previous assessment year?	3a	⊡ Yee DX No
	Describe the addition or improvement:		<u>.</u>
	ਤੇ Check the classification of the addition or improvement.	2:1	ment Your ☐ Rabi ☐ Parsons
	Write the date placed into use.	êc	
	b Write the original cost of the addition or improvement.	25	S N.A.
	of the facility within the previous assessment year? If you answered yes, complete the following.	40	T Yes 🙀 NO
į	a histor there been any additions or improvements made to the certified portion	- 7 ₀₀₋₀	my Marie Alex
	Have there been any changes in the use of the facility within the previous assessment ye if you answered yes, please explain:	ur/ 1 -	☐ Yes 💋 No
	en 4: Complete the following information	A 4	en van e lle ste
-	If you enswered yes please explain: REDUCE LABOR STORE MANAGE TO APPLY TO CROP LAND		
	Does the operation of the facility result in increased production or reduced production cos	H2 12	X Yes No
	Oces the operation of the facility produce a byproduct that can be commercially sold? If you answered yes, please explain:	11	☐ Yes 🏂 No
	Write the net earnings attributable to the certified portion of the facility	10	\$ 50,000
	Subtract Line 8 from Line 7		. 182,500.00
	Write the total original cost of all cartified portions of the facility that have been retired or removed from use through January 1 of this assessment year	8	* NONE
	Add Lines 5 and 6.	7	· 182,500.00
	Write the total original cost of all additions and improvements made to the certified portion of the facility from the date placed into use through January 1 of this assessment year	6	\$ N.A.
	Subtract Line 4 from Line 3		4 - 25
	write the original cost of the certified portion of the facility as of January 1, 1978		• N.A. • 182, 500.9
	Write the original cost of the cartified portion of the facility as of the date placed into use if any portion of the facility was assessed as personal property before January 1, 1979.		,
	Write the estimated remaining useful life of the facility. (See instructions)		. 182,500.00
		*	30 years
	Write the month and year that the facility was placed into use.	į,	01,2005

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Local Government Services Bursey, Illinois Department of Revenue, P.O. Box 1990, Springfield, IL 6279-9033

Places Beer (Reff)

PIAX-401	Polluti	ÜÜ	į	Control	Fac	ility	1 1 7	x Hei	yrn
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KOY + NATHAN WIEGAN 2254 COUNTY ROAL		5	<u>=</u>	le your ladill:				X Y ==	
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ite the three digit elections	umbar of the policion con	arol	440	illihr /Cas instr	udiana l	3	0	60	

7 3. Write the three-digit classification number of the pollution control facility. (See instructions) = 3. $\frac{U}{U}$ 6. $\frac{U}{U}$

4 Write the complete description of the pollution control facility written on the Illinois EPA certification.

5 E I. E. P. R. FACILITY DESCRIPTION ATTACHED

5. Write the location of the pollution control facility.

2157 COUNTY HIGHWAY 5

ROANOKE, ILL. 61561

GREENE WOODFORD

11-33-100-004

6. Write that location's property Index number (PIM).

2

	d Check the classification of the addition or improvement. Describe the addition or improvement: Has any part of the certified portion of the facility been retired or removed from use within the previous assessment year? If you answered yes, complete the following. Write the original cost of the retired or removed portion. Write the date retired or removed from use.	2.d 3c 3t	impli	Yes N	X	No
	Describe the addition or improvement: Has any part of the certified portion of the facility been retired or removed from use within the previous assessment year? If you answered yes, complete the following.	36	impli	, , Y ee	X	No
3	Describe the addition or improvement: Has any part of the certified portion of the facility been retired or removed from use within the previous assessment year?				1	No
٠	•	24	<u> </u>	ាខា	۱ اــا	
						Person
	c Write the date placed into use.	2e		milli	/ 700 7	
ļ	b Write the original cost of the addition or improvement.	2b	\$_	modr ^a cres, ware an	N.A.	tally to a second distant
ė i	a Have there been any additions or improvements made to the certified portion of the facility within the previous assessment year? If you answered yes, complete the following.	24		Yes	×	No
1	Have there been any changes in the use of the facility within the previous essessment year if you answered yes, please explain:	ily 1		Yas	X	No
Į.	Does the operation of the facility result in increased production or reduced production cost if you enswered yes, please explain: REDUCE LABOR STORE MANURE TO REPLY TO CRUP LABOR STORE MANURE TO REPLY TO CRUP LABOR.	?12 NB)	X	Yee		No
i	Does the operation of the facility produce a byproduct that can be commercially sold? If you answered yes, please explain:	11			X	
p y	Nrite the net earnings attributable to the certified portion of the facility.	10	\$	50	, 000.	and the second s
. 5	Subtract Line 8 from Line 7), 🖭
	Write the total original cost of all certified portions of the facility that have been retired or removed from use through January 1 of this assessment year.	8	\$	No	NE	ر رودند دروده المقارم خوبند بيد
, a	Add Lines 5 and 6.	7	\$	182	50	0.50
• •	Write the total original cost of all additions and improvements made to the certified portion of the facility from the date placed into use through January 1 of this assessment year	6	.	N.	A .	The second secon
Ş	Subtract Line 4 from Line 3.	5	\$	188	2,50	0.00
i ji	f any portion of the facility was assessed as personal property before January 1, 1979, write the original cost of the certified portion of the facility as of January 1, 1978.	: 4	\$	N	. A .	::
Ņ	Vrite the original cost of the certified portion of the facility as of the data placed into use	3	\$	182	,50	0,50
	Vinte the estimated remaining useful life of the facility. (See nativotors.)	2		3	0_	y 4 878
Ą	Vitte the month and year that the facility was placed into use.	,	W.C.			05

earn Mail this return to:

Local Constituted Confess Bursey, Illinois Department of Revenue, P.C. Box 1969, Springfield, IL 19794-1933

Process than (A. 34%).

)
STATE OF ILLINOIS)
)
COUNTY OF SANGAMON)
)

PROOF OF SERVICE

I, the undersigned, on oath state that I have served the attached <u>APPEARANCE AND THE</u>

<u>RECOMMENDATION</u>, 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 Roy Wiegand 2254 County Road 1100 N. Secor, Illinois 61771

Melinda Abjand

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

and mailing it from Springfield, Illinois, on March 22, 2007, with sufficient postage

affixed for first class mail.

SUBSCRIBED AND SWORN TO BEFORE ME

This 22nd day of March, 2007

Motory Dublic

OFFICIAL SEAL
BRENDA BOEHNER
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 11-3-2009

THIS FILING IS SUBMITTED ON RECYCLED PAPER