

ORIGINAL

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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CLERK'S OFFICE

APR 14 2008

Jeff Hank--Aledo
(Property Identification Number
03-03-27-100-004)

)
) PCB 08-14
) (Tax Certification)
)

STATE OF ILLINOIS
Pollution Control Board

NOTICE

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

Jeff Hank
1361 130th Street
Aledo, Illinois 61231

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: Vera Herst
Vera Herst
Assistant Counsel
Division of Legal Counsel

DATED: April 11, 2008

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

APR 14 2008

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Jeff Hank--Aledo)
(Property Identification Number) PCB 08-74
03-03-27-100-004) (Tax Certification)
ORIGINAL)

A P P E A R A N C E

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

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: Vera Herst
Vera Herst
Assistant Counsel
Division of Legal Counsel

DATED: April 11, 2008
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
(217)782-5544

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

APR 14 2008

Jeff Hank--Aledo
(Property Identification Number
03-03-27-100-004)

)
) PCB 08- 74
) (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.

1. On February 2, 2007, the Illinois EPA received a request from Jeff Hank (log number TC-05-07, 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: Jeff Hank
1361 130th Street
Aledo, Illinois 61231

3. The proposed water pollution control facilities in this request are located at NW 1/4 of Section 11, T22N, R11E of the 3rd PM in Ogle County, at the above street address and consist of the following:

Livestock waste management facilities consisting of three concrete pits (each 26 ft. x 160 ft. x 6 ft. deep) with one concrete pump out pit (6 ft. x 6 ft. x 6 ft. deep) with plywood covers and three concrete pits (each 25 ft. x 80 ft. x 6 ft. deep) with one concrete pump out pit (6 ft. x 6 ft. x 6 ft. deep) with plywood covers and the portion of the concrete slotted flooring over the manure pits in three swine buildings; one concrete pit (26 ft. x 80 ft. x 6 ft. deep) with one concrete pump out pit (6 ft. x 6 ft. x 6 ft. deep) with plywood covers and one concrete pit (25 ft. x 80 ft. x 6 ft. deep) with one concrete pump out pit (6 ft. x 6 ft. x 6 ft. deep) with plywood covers and the portion of the concrete slotted flooring over the manure pits in one swine building; one concrete pit (26 ft. x 160 ft. x 6 ft. deep) with one concrete pump out pit (6 ft. x 6 ft. x 6 ft. deep) with plywood covers and the portion of the concrete slotted flooring over the manure pit in one swine building; one concrete pit (26 ft. x 180 ft. x 6 ft. deep) with two concrete pump out pits

(each 6 ft. x 6 ft. x 6 ft. deep) with plywood covers and the portion of the concrete slotted flooring over the manure pit in one swine building; two concrete pits (each 26 ft. x 184 ft. x 6 ft. deep) with two concrete pump out pits (each 6 ft. x 6 ft. x 6 ft. deep) with plywood covers and the portion of the concrete slotted flooring over the manure pits in two swine buildings; one concrete pit (25 ft. x 50 ft. x 6 ft. deep) and the portion of the concrete slotted flooring over the manure pit in the ISO barn; and one earthen storage basin (150 ft. x 300 ft. x 15 ft. deep).

These livestock waste management 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 (2006), defines

“pollution control facilities” as:

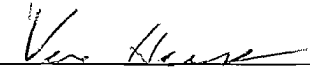
“any system, method, construction, device or appliance appurtenant thereto or any portion of any building or equipment, that is designed, constructed, installed or operated for the primary purpose of: (a) eliminating, preventing, or reducing air or water pollution ...or (b) treating, pretreating, modifying 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 issue the

requested tax certification.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 
Vera Herst
Assistant Counsel
Division of Legal Counsel

Dated: April 11, 2008
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: Al Keller, Manager, Permit Section *AK*

Date: MAR 31 2008

Re: Jeff Hank – Aledo
 Recommendation of Tax Certification
 Log # TC-05-07
 Property Identification # 03-03-27-100-004

RECEIVED
 Division of Legal Counsel

APR 01 2008

Environmental Protection
 Agency

The Bureau of Water received a request on February 2, 2007 from Jeff Hank 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:

Jeff Hank
 1361 130th Street
 Aledo, IL 61231

NW ¼ of Section 34, T15N, R4W of the 4th P.M. in Mercer County

Livestock waste management facilities consisting of two concrete manure pits (each 191 ft. x 51 ft. x 8 ft. deep) each with 5 concrete pump out pits (each 6 ft. x 5 ft. x 9 ft. deep) and the slotted concrete portion of the floor over the manure pits. Both manure pits are surrounded by a total of approximately 1500 feet of 4-inch diameter plastic perimeter foundation drainage tubing. The foundation tubing also includes 2 inspection ports (each 8 ft. deep 4-inch diameter PVC pipe).

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-05-07.doc

cc: Tax Cert File

ROCKFORD – 4302 North Main Street, Rockford, IL 61103 – (815) 987-7760 • DES PLAINES – 9511 W. Harrison St., Des Plaines, IL 60016 – (847) 294-4000
 ELGIN – 595 South State, Elgin, IL 60123 – (847) 608-3131 • PEORIA – 5415 N. University St., Peoria, IL 61614 – (309) 693-5463
 BUREAU OF LAND - PEORIA – 7620 N. University St., Peoria, IL 61614 – (309) 693-5462 • CHAMPAIGN – 2125 South First Street, Champaign, IL 61820 – (217) 278-5800
 SPRINGFIELD – 4500 S. Sixth Street Rd., Springfield, IL 62706 – (217) 786-6892 • COLLINSVILLE – 2009 Mall Street, Collinsville, IL 62234 – (618) 346-5120
 MARION – 2309 W. Main St., Suite 116, Marion, IL 62959 – (618) 993-7200

Watershed Unit Tax Certification Review Sheet

Project Name: Jeff Hank - Aledo
Reviewer: Thaddus Fought
Log No.: 71-05-07

Location: Aledo
Date: 4/24/07
Type: Agchem
 Livestock

Applicant: Jeff Hank
1361 130th St.
Aledo, IL 61231

Contact: Jeff Hank
Phone: 309-584-4855

Facility: Same as applicant

Property ID: 03-03-27-100-004

Legal Description: Section 34 T15N, R4W of the 4th PM

County: Mercer

Date Control Devices Installed: 9/1/2005

Provided Fair Cash Value: \$466,990

Signature: signed by Jeff Hank

Title: OWNER

- Wastes: Livestock waste is applied to cropland.
 Agrichemical rinsate and spillage is recycled through the facility and/or land applied.
 Other: _____

Physical Description of Pollution Control Devices:

2 concrete manure pits (each 51 ft x 19 ft x 9 ft deep) with concrete slats
and each pit with 5 concrete pump-outs (each 6 ft x 5 ft x 9 ft deep)
1500 feet of 4" diameter PVC drain tile for foundation drainage
2 inspection ports (each 8 ft of 4" diameter PVC pipe)

from 34 from maps

with Jeff Hank -- Jeff said there is a total of 1500 ft of
diameter PVC drain tile. The inspection ports are made of
1" diameter PVC pipe and are bottom 8 feet deep

Jeff and Trisha Hank
1361 130th St.
Aledo, IL 61231

January 30, 2007

RECEIVED
FEB 02 2007

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY
BOW/WPC/PERMIT SECTION

Illinois Environmental Protection Agency
PO Box 19276
Springfield, IL 62794-9276

Dear Illinois Environmental Protection Agency,

Enclosed is an application for "Tax Certification for Pollution Control Facilities". After we just received our tax assessment we were made aware by our local assessor that we were supposed to submit this application. We apologize for its lateness. Is there a way that we could have this affective for the 2006 taxes due in 2007?

We appreciate your consideration of this matter. Please contact us with any questions you may have, (309) 584-4855.

Sincerely,

Jeff and Trisha Hank

Jeff and Trisha Hank

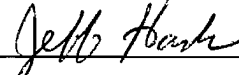
**APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT)
POLLUTION CONTROL FACILITY
AIR WATER**

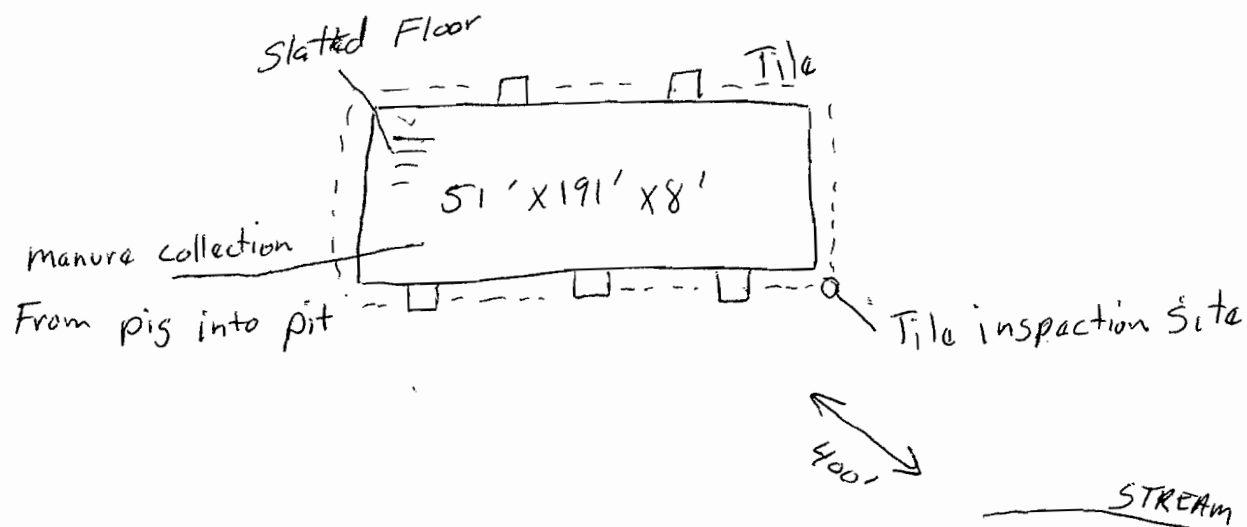
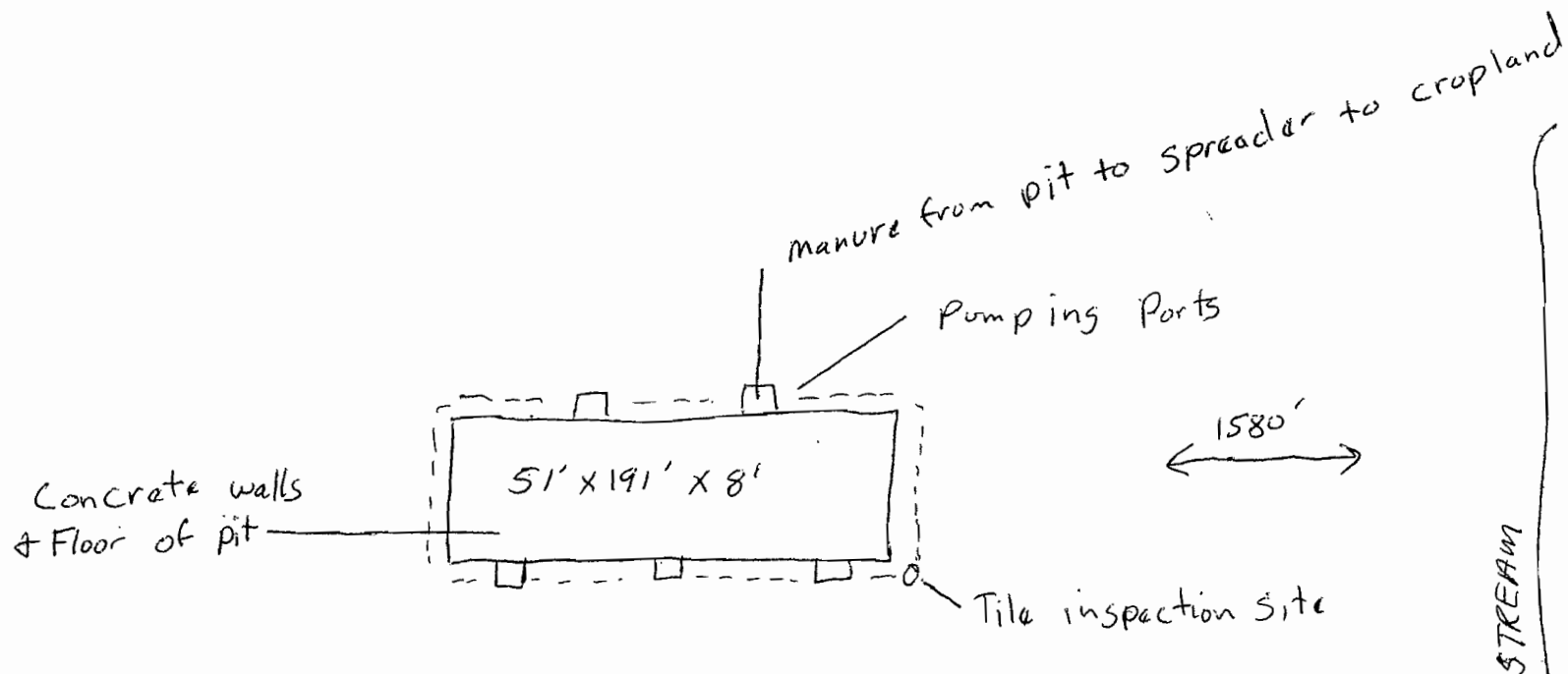
**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
P. O. Box 19276, Springfield, IL 62794-9276**

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 Jeff And Trisha Hank			
	Person Authorized to Receive Certification Jeff Hank		Person to Contact for Additional Details Jeff Hank	
	Street Address 1361-130th St		Street Address 1361-130th St	
	Municipality, State & Zip Code Aledo, Illinois 61231		Municipality, State & Zip Code Aledo, Illinois 61231	
	Telephone Number (309) 584-4855		Telephone Number (309) 584-4855	
	Location of Facility Quarter Section	Township 15N	Range R4W	Municipality Aledo
	Street Address 1361-130th St		County Mercer	Township 15N
	Property Identification Number 03-03-27-100-004		Parcel Number 03-03-27-100-004	
	Sec. B MANUFACTURING OPERATIONS	Nature of Operations Conducted at the Above Location Control waste is swine manure		
Water Pollution Control Construction Permit No.		Date Issued		
NPDES PERMIT No.		Date Issued	Expiration Date	
Air Pollution Control Construction Permit No.		Date Issued		
Air Pollution Control Operating Permit No.		Date Issued		
Sec. C MANUFACTURING PROCESS	Describe Unit Process			
	Materials Used in Process			
Sec. D POLLUTION CONTROL FACILITY DESCRIPTION	Describe Pollution Abatement Control Facility			
	Two wean to finish hog barns with full deep pits. Size of pit 51'x 191'x8' deep. The manure from the pig falls directly thru concrete slated floor into the pit which is concrete walls and floor as approved by the Illinois dept. of Ag. The manure in the pit is covered by the building so the waste is contained with no runoff into water areas. The hauling of manure is done with a manure wagon to the field where it is spread by injecton to prevent runoff from surface			

Sec. E	(1) Nature of Contaminants or Pollutants			
			Material Retained, Captured or Recovered	
	Contaminant or Pollutant	DESCRIPTION	DISPOSAL OR USE	
	Swine Manure	manure	Disposal on cropland	
	(2) Point(s) of Waste Water Discharge			
	none			
			Plans and Specifications Attached	Yes <input checked="" 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>09/01/05</u> status of installation on date of application _____			
(5)	a. FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:		\$ 466,990.00	
	b. NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY:		\$ 0.00	
	c. PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY:		\$ 85,721.00	
	d. PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY:		\$ 23,527.03	
	e. PERCENTAGE CONTROL FACILITY BEARS TO WHOLE FACILITY VALUE:		% 80.2	
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			<u>Owner</u>	
	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 <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.			
INSTRUCTIONS	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		Al Keller Permit Section Division of Water Pollution Control	Donald E. Sutton Permit Section Division of Air Pollution Control	





Bureau of Environmental Programs

State Fairgrounds • P.O. Box 19281 • Springfield, IL 62794-9281 • 217/785-2427 (voice/TDD) • Fax 217/524-4882
Pesticide Misuse Hotline 1-800-641-3934 (voice/TDD)

LIVESTOCK WASTE PROGRAM
FINAL NOTICE OF CONSTRUCTION PLAN COMPLETION
Non-Lagoon Livestock Waste Handling Facility

Registrant:

Jeff & Trisha Hank
1361 130th St.
Aledo, IL 61231

Facility Location:

Millersburg, IL
Facility ID#:
LF1310180000

Date Issued: September 1, 2005

The Department has received a certification notice from the owner or operator relative to the completion of construction of a non-lagoon livestock waste handling structure at the aforementioned facility. The certification indicates that the waste handling structure has been constructed or modified in accordance with the requirements of the Livestock Management Facilities Act (Act) (510 ILCS 77/1 et seq.) and rules and that the information provided during the registration process is correct.

On August 9, 2005, Department representatives conducted a final inspection at the facility pursuant to the Livestock Management Facilities Act (510 ILCS 77/13 (g)). No deviations from the construction plan were noted during the inspection. Inspections of the facility were also conducted prior to and during the construction phase of the project.

Pursuant to the Section 13 of the Livestock Management Facilities Act, the construction plan and certification requirements of the Act have been met. The owner or operator of the livestock waste handling facility may proceed to place the structure into service.

If you have any questions or if the Department may be of service to you, please feel free to contact us at 217/785-2427.

Sincerely,

ILLINOIS DEPARTMENT OF AGRICULTURE

Warren D. Goetsch, P.E.
Bureau Chief, Environmental Programs

Brad A. Beaver
Manager, Livestock Waste Program

cc: file
Tim Kluge, IEPA

LF131018cpfinal

PLEASE NOTIFY the Department
prior to any construction activities.
(800-641-3934)



Rod R. Blagojevich, Governor • Chuck Hartke, Director

Bureau of Environmental Programs

State Fairgrounds • P.O. Box 19281 • Springfield, IL 62794-9281 • 217/785-2427 (voice/TDD) • Fax 217/524-4882
Pesticide Misuse Hotline 1-800-641-3934 (voice/TDD)

**LIVESTOCK WASTE PROGRAM
INITIAL NOTICE OF CONSTRUCTION PLAN COMPLETENESS
Non-Lagoon Livestock Waste Handling Facility**

Registrant:
Jeff & Trisha Hank
1361 130th Street
Aledo, IL 61231

Facility Location:
Millersburg, IL
Facility ID#
LF1310180000

Date Issued: June 23, 2005

A Notice of Non-Lagoon Construction Plan Completeness is hereby granted to the above-designated registrant to construct two livestock waste handling facilities *as stated in the construction plan application submitted to the Department as follows:*

Construction of two livestock waste handling facilities that shall have the following dimensions:

Maximum Length =	191.33 feet
Maximum Width =	51.17 feet
Maximum Depth =	8 feet
Total Design Capacity =	75,435 ft ³
Maximum Length =	191.33 feet
Maximum Width =	51.17 feet
Maximum Depth =	8 feet
Total Design Capacity =	75,435 ft ³

The construction plan for the aforementioned structures has been reviewed and deemed complete by the Illinois Department of Agriculture pursuant to the Livestock Management Facilities Act (Act), 510 Illinois Compiled Statutes 77/13.

Pursuant to 510 ILCS 77/13(g), an initial site inspection was conducted by a representative of the Department on June 23, 2005.

Please be advised that, pursuant to the Act and rule, the Department shall make additional site inspections during the construction and post-construction phase and shall require modifications when necessary to ensure the project shall be in compliance with the requirements of the regulation. **Please notify the Department at least 5 days prior to the commencement of construction.**

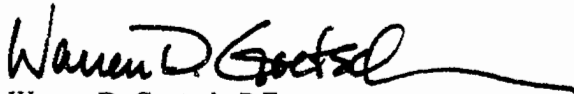
Further, pursuant to 510 ILCS 77/13(f), upon completion of construction but prior to the placing of the structures in service, the owner or operator shall certify to the Department that the structures have

been constructed or modified in accordance with the requirements of the Act and rule and that the information provided during the submittal process is correct. The Department, upon receipt of the completion of construction certification shall inspect the construction site to determine compliance with the construction standards of the Act and rule. Upon completion of this inspection, the Department shall send an official written notice to the owner or operator of the facility, indicating that the structures have met the standards of the Act and rule and that they may be placed into service or identifying the remedial measures necessary to enable the structures to be in compliance.

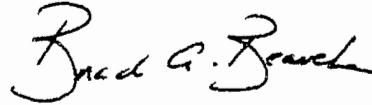
Please be advised that this letter is not to be construed as a release from any other federal, state or local laws or regulations. If you have any questions or comments relative to this notification or if the Department may be of service to you, please feel free to contact the Department at **Livestock Waste Program, Illinois Department of Agriculture, Bureau of Environmental Programs, P.O. Box 19281, Springfield, IL 62794-9281, (217/785-2427).**

Sincerely,

ILLINOIS DEPARTMENT OF AGRICULTURE



Warren D. Goetsch, P.E.
Bureau Chief, Environmental Programs



Brad A. Beaver
Manager, Livestock Waste Program

cc: File
Tim Kluge, IEPA

LF131018cpack

STATE OF ILLINOIS)
)
)
COUNTY OF SANGAMON)
)
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ORIGINAL

RECEIVED
CLERK'S OFFICE
APR 14 2008
STATE OF ILLINOIS
Pollution Control Board

PROOF OF SERVICE

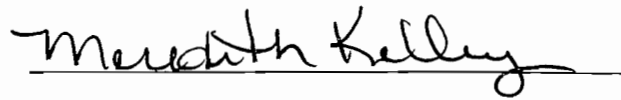
I, the undersigned, on oath state that I have served the attached **APPEARANCE AND THE RECOMMENDATION**, upon the person to whom it is directed, by placing a copy in an envelope addressed to:

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

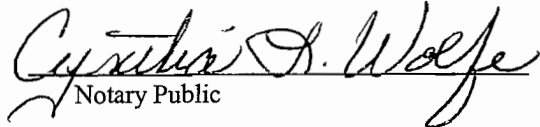
Jeff Hank
1361 130th Street
Aledo, Illinois 61231

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

and mailing it from Springfield, Illinois, on April 11, 2008, with sufficient postage affixed for first class mail.



SUBSCRIBED AND SWORN TO BEFORE ME
This 11th day of April, 2008



Notary Public

