BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

New Horizon Pork, LLC - Roanoke)
(Property Indentification Number) PCB 09-
10-02-300-008)) (Tax Certification)
)
)
	NOTICE

Clerk

Illinois Pollution Control Board James R. Thompson Center 100 West Randolph Street, Suite. 1J-500 Chicago IL 60601

Randall Leman 1389 County Road 1600N Roanoke IL 61561

Steve Santarelli Illinois Department of Revenue 101 West Jefferson Post Office Box 19033 Springfield IL 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.

ENVIRONMENTAL PROTECTION AGENCY OF THE STATE OF ILLINOIS

Chad M. Kruse

Assistant Counsel

Division of Legal Counsel

DATED: December 11, 2009

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

THIS FILING IS SUBMITTED ON RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

New Horizon Pork, LLC - Roanoke)
(Property Indentification Number) PCB 09-
10-02-300-008)) (Tax Certification)
)

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

Chad M. Kruse Assistant Counsel

Division of Legal Counsel

DATED: December 11, 2009 Illinois Environmental Protection Agency 1021 North Grand Avenue East Post Office Box 19276 Springfield IL 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 THE

RECOMMENDATION, upon the person to whom it is directed, by placing a copy in an envelope

addressed to:

Steve Santarelli Illinois Department of Revenue 101 West Jefferson Post Office Box 19033 Springfield IL 62794 Randall Leman 1389 County Road 1600N Roanoke IL 61561

and mailing it from Springfield, Illinois, on December 11, 2009, with sufficient postage

affixed for first class mail.

And electronically, on December 11, 2009 to:

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

- Alicha Studahe

SUBSCRIBED AND SWORN TO BEFORE ME

This 11th day of Decmeber, 2009

Elis

OFFICIAL SEAL
DAWN A. HOLLIS
MOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 8-19-2012

THIS FILING IS SUBMITTED ON RECYCLED PAPER

Electronic Filing - Received, Clerk's Office, December	11,	2009
* * * * PCB 2010-042 * * * * *		

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

New Horizon Pork, LLC - Roanoke)
(Property Indentification Number) PCB 09-
10-02-300-008)) (Tax Certification)
)
)

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 January 6, 2009, the Illinois EPA received a request from New Horizon Pork, LLC (log number TC-02-09, Exhibit A) for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to 35 Ill. Adm. Code 125.204.

 The applicant's address is: New Horizon Pork, LLC 1830 County Road 1600 N Roanoke IL 61561

The proposed water pollution control facilities in this request are located at SW 1/4 of Section 2, T27N, R1W of the West 3rd PM in Woodford County, at the above street address and consist of the following:

Livestock waste management facilities consisting of one concrete manure pit approximately (101.8 ft. x 193 ft. x 8 ft. deep) with 6 concrete pump out pits approximately (6 ft. x 6 ft. x 9 ft. deep) and the portion of slotted concrete flooring over the manure pit in building #1.

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.

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.

- 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 III. Adm. Code 125.200(a), with the primary purpose of eliminating, preventing, or reducing water pollution, or as otherwise provided in 35 III. 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

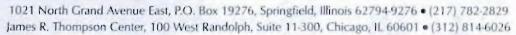
Chad M. Kruse Assistant Counsel

Division of Legal Counsel

Dated: December 11, 2009 Illinois Environmental Protection Agency 1021 North Grand Ave. E. P.O. Box 19276 Springfield, Illinois 62794-9276 217/782-5544 Electronic Filing - Received, Clerk's Office, December 11, 2009

* * * * * PCB 2010-042 * * * * *

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR



Memorandum

To: Connie Tonsor, Division of Legal Counsel

From: Al Keller, Manager, Permit Section

Date: DEC 1 1 2009

Re:

New Horizon Pork, LLC - Roanoke Recommendation of Tax Certification

Log # TC-02-09

Property Identification # 10-02-300-008

RECEIVED

Division of Legal Counsel

DEC 1 1 2009

Environmental Protection Agency

The Bureau of Water received a request on January 6, 2009 from New Horizon Pork, LLC for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to 35 II. Adm. Code 125.204. We offer the following recommendation.

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

New Horizon Pork, LLC 1830 County Road 1600 N Roanoke, IL 61561

SW 1/4 of Section 2, T27N, R1W of the West 3rd PM in Woodford County.

Livestock waste management facilities consisting of one concrete manure pit approximately (101.8 ft. x 193 ft. x 8 ft. deep) with 6 concrete pump out pits approximately (6 ft. x 6 ft. x 9 ft. deep) and the portion of slotted concrete flooring over the manure pit in building #1.

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 Darren Gove at 217/782-0610.

SAK:DRG:TC-02-09 Tax Certification 06Jan09.docx

cc: Tax Cert File

Des Plaines • 9511 W. Harrison St., Des Plaines, II. 60016 • (847) 294-4000 Peoria • 5415 N., University St., Peoria, II. 61614 • (309) 693-5463 Champaign • 2125 S. First St., Champaign, II. 61820 • (217) 278-5800 Marion • 2309 W. Main St., Suite 116, Marion, II. 62959 • (618) 993-7200

Electronic Filing - Received, Clerk's Office, December 11, 2009 * * * * * PCB 2010-042 * * * * * Watershed Unit Tax Certification Review Sheet

Project Name: New Horizon Pork, LLC	Location: Roanoke		
Reviewer: <u>DRG</u>	Date: November 12, 2009 Type: Agchem		
Log number: TC-02-09	Livestock		
Applicant: New Horizon Pork, LLC 1389 County Road 1600N	Contact:_Randall Leman		
Roanoke, IL 61561	Phone: _309 923-7134		
Facility: New Horizon Pork, LLC 1830 County Road 1600 N	Property ID: 10-02-300-008		
Poznaka II 61561	County: Woodford		
Legal Description:	Signature: Kundall Leman		
S: SW 1/4 of Section 2 Twp: 27N R: 1W PM: West 3rd	Title: Mussage a of New Horizon Park		
Date Control Devices installed: March 2008	Signature: Rundall Leman Title: Munage a of New Horizon Pak Provided Fair cash Value: \$\frac{4}{704.611}\$ Pit and concrete floor		
Wastes:	recycled through the facility and/or land applied.		
Livestock waste management facilities consisting of or x 193 ft. x 8 ft. deep) with 6 concrete pump out pits apportion of slotted concrete flooring over the manure p	proximately (6 ft. x 6 ft. x 9 ft. deep) and the		
These livestock waste management facilities are used wastes prior to cropland application.	to collect, transport and/or store livestock		
8 ft deep pits ×1	·		
8 ft deep promports × 6	•		
•			
	•		

Electronic Filing - Received, Clerk's Office, December 11 2009 09 APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT) POLLUTION CONTROL FACELITY This Agency is authorized to request to information under Illinois Revised Statues. 19

LUTION-CONTROL FATEITY
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 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 12/31/2008
Sec. A	Company Name	
	New Horizon Pork LLC	· · · · · · · · · · · · · · · · · · ·
	Person Authorized to Receive Certification	
}		Randall Leman
	Street Address 1389 County Road 1600N	Street Address
	Municipality, State & Zip Code	Municipality, State & Zip Code
APPLICANT	Roanoke IL 61561	
) }	Telephone Number	Telephone Number
APP	309-923-7134	<u></u>
·	Location of Facility	Municipality Township Township
	Quarter Section Township Range Parcel RH2 SW 1/4 Sec 2 T27N-R1W-S02	10 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
		County Book Number agreement
	1830 County Road 1600 N Roanoke IL 61561	
	Property Identification Number	Parcel Number
,	10-02-300-008	10-02-300-008
Sec. B	Nature of Operations Conducted at the Above Location	and the second s
İ	Swine Production Wean to Finish Building	ı #1
		Market and the state of the second of the se
	* * . }	·
9,0		Sec. 3.
l Ex	Water Pollution Control Construction Permit No.	Date Issued
ATE	N/A	
MANUFACTURING OPERATIONS	NPDES PERMIT No. IL R101497	Date Issued Expiration Date
₹	Air Pollution Control Construction Permit No.	Date Issued
	N/A	
	Air Pollution Control Operating Permit No.	Date Issued
		7 est
Sec. C	N/A Describe Unit Process	
060.0	Describe Office Toologs	
		DIRCIRCIPIA
<u>ල</u> .	N/A	
<u>ξ</u> α.		77/7
MANUFACTURING PROCESS	Materials Used in Process	JAN 0.6 2009
₹Š		
₹ ¥		ILLINOIS ENVIRONMENTAL
≥		PROTECTION AGENCY
		SOWWPC/PERMIT SECTION
	N/A	الانتياء المراجع المرا
Sec. D	Describe Pollution Abatement Control Facility	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
	Livestock waste management facility cons	isting of a concrete manure
ROL	pit (101.8' x 193') overlain by a concre	te slotted floor. Thjs 🗥 🗀 🗀
<u>F</u>	facility collects, transports and stores	livestock waste
N C.	prior to application to cropland.	निकारण विकास के विकास
E C		Paragraph (1976)
POLLUTION CONTROL FACILITY DESCRIPTION		TALL TOOM
P.C.		JAN - / 2013 T

Watershed Management Section
BUREAU OF WATER

4

Sec. E	(1) Na	(1) Nature of Contaminants or Pollutants				
			Material Reta	ined, Capt	ured or Recove	red
NTS	Contar	minant or Pollutant	DESCRIPTION		DISPOSAL OR	
W W	Swi	ne Manure	Liquid hog manure	Pumped	& hauled to	
. <u>*</u>	:		-	croplan	ds.	
18 18			<u> </u>			
[=					<u>'</u>	
FAC	(2) Poi	nt(s) of Waste Water Discharge				
00.1	(2) 1 01	·				
N N N			Plans and Specifications	Attached	Yes X	No
<u> </u>	(3)	Are contaminants (or residues) co			Yes X	No
· Ē	(4)	Date installation completed Marc	h 2008 status of installation o	n date of a	pplicationvery	good
LLU.	(5) a	. FAIR CASH VALUE IF CONSID	ERED REAL PROPERTY:pit & fl	oor	\$ ₂₀₄₆₁₁	
0 80 8	t	. NET SALVAGE VALUE IF CON			\$ (5000)	
Ž		: PRODUCTIVE GROSS ANNUA	L INCOME OF CONTROL FACILITY:		\$636000	
POLLUTION CONTROL FACILITY – ACCOUNTING DATA CONTAMINANTS	-		COME OF CONTROL FACILITY:		\$30000	,
A CC			ILITY BEARS TO WHOLE FACILITY	VΔLUE:	% 39.3	
Sec. F			cordance with the Illinois Property Tax			so boot of my
Sec. F			s claimed herein are "pollution control"			
꿆		Property Tax Code.				
ATU	1 12	1 00 4				
SIGNATURE		Intell Jame	<u>Manager of New Horizon</u>	Pork		
Signature Title						
Sec. G		INSTRUCT	TONS FOR COMPILING AND FILING APP	LICATION		
	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 street address or legal description. A plat map location is required for facilities located				
	Sec. B	coutside 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				,	
		Telefa to manufacturing processes of materials of which political control rading is used.			مرابيه ميالياني	
INSTRUCTIONS	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.			
	-, 144	Submit to:	Attention:	Attention:	-	
		Illinois EPA P.O. Box 19276 Springfield, IL 62794-9276		Donald E. Su Permit Section Division of Ai		

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* * * * * PCB 2010-042 * * * * *

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

217/782-0610

August 28, 2007

NEW HORIZON PORK LLC-R LEMAN 1389 COUNTY RD 1600 NORTH ROANOKE, IL 61561

Re: FACILITY:

RH2

ROANOKE

NPDES Permit No: ILR101497

COUNTY:

WOODFORD

Notice of Coverage Under Construction Site Activity Storm Water General Permit

Dear NPDES Permittee:

We have reviewed your application and determined that storm water discharges associated with industrial activity from construction sites are appropriately covered by the attached General NPDES Permit issued by the Agency.

Your discharge is covered by this permit effective as of the date of this letter or as identified by the conditions of the permit. The Permit as issued covers application requirements, a storm water pollution prevention plan and reporting requirements.

Pursuant to the permit language, you must terminate your permit coverage once your construction project has been completed and the site is properly stabilized. Enclosed for your convenience is a copy of the Notice of Termination form. Failing to provide a timely Notice of Termination may cause you to owe additional fees.

This letter shows your facility permit number below the construction site name. Please save this number and reference it in all future correspondance. Should you have any questions concerning the Permit, please contact the Permit Section at the above telephone number and address.

Very truly yours,

Alan Keller, P.E.

Manager, Permit Section

Division of Water Pollution Control

AK:med:concoverage 3

CC: Records Unit, Region 3 CAS-Marilyn Davenport,

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 Mail Street, Collinsville, IL 62234 - (618) 346-5120 MARION - 2309 W. Main St., Suite 116, Marion, IL 62959 - (618) 993-7200

