

ILLINOIS POLLUTION CONTROL BOARD
March 15, 2012

CONSERV FS, INC. - WOODSTOCK)
(Property ID No. 13-09-306-003),)
)
Petitioner,)
)
v.) PCB 12-96
) (Tax Certification - Water)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by T.A. Holbrook):

On December 30, 2011, the Illinois Environmental Protection Agency (Agency) filed a recommendation (Rec.) that the Board certify certain facilities of Conserv FS, Inc. - Woodstock (petitioner) as “pollution control facilities” for preferential tax treatment under the Property Tax Code (35 ILCS 200/11-5 *et seq.* (2010)). These facilities are described as a concrete containment facility for bulk liquid storage tanks and a building with concrete containment for truck loading and unloading at petitioner’s operation located at 1110 McConnell Road, Woodstock, McHenry County. Rec. at 1. In an order dated January 5, 2012, the Board certified that these specified facilities are pollution control facilities, as recommended by the Agency. Conserv FS, Inc. - Woodstock (Property ID No. 13-09-306-003) v. IEPA, PCB 12-96 (Jan. 5, 2012).

In the same filing, however, the Agency recommended denial of tax certification of eight bulk liquid storage tanks because their primary purpose “is to hold bulk liquids” and not primarily to eliminate, reduce, or prevent water pollution. Rec. at 1-2.

Petitioner had 35 days from when it was served with a copy of the Agency’s recommendation to contest the recommendation to deny certification to the Board. 35 Ill. Adm. Code 125.206. Any petition for review was due to be filed on or before February 3, 2012. The Board has not received a petition for review and therefore declines to certify the eight bulk liquid storage tanks as pollution control facilities as defined in Section 11-10 of the Property Tax Code (35 ILCS 200/11-10 (2010)). Having certified the appropriate portions of the facility as a “pollution control facility” and having received no appeal of the Agency’s recommendation to deny certification of specified facilities, the Board closes the docket.

IT IS SO ORDERED.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on March 15, 2012, by a vote of 5-0.

A handwritten signature in black ink that reads "John T. Therriault". The signature is written in a cursive style with a long horizontal flourish extending to the right.

John T. Therriault, Assistant Clerk
Illinois Pollution Control Board