BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Keith Naftzger – Albany
(Property Identification Number
12-014-000-01)
) PCB 15) (Tax Certification)

NOTICE

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

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

Keith Naftzger 1155 Albany Road Albany, Illinois 61230

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.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Joey Logan Pugh

Assistant Counsel

Division of Legal Counsel

DATED: October 14, 2015

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

Keith Naftzger - Albany
(Property Identification Number
12-014-000-01)
) PCB 15) (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

Assistant Counsel

Division of Legal Counsel

DATED: October 14, 2015

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

Electronic Filing - Received	Clerk's Office: 10/1	4/2015 - * * * PCB 2016-057 * * *
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Keith Naftzger – Albany)
(Property Identification Number) PCB 15-
12-014-000-01)) (Tax Certification)
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	1

RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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 ("Board"), 35 Ill. Adm. Code 125.204.

- On January 15, 2015, the Illinois EPA received a request from Keith Naftzger
 (log number TC-02-15, 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 facility's address is:

 Keith Naftzger
 11196 Fuller Road
 Albany, Illinois 61230

The following proposed water pollution control facilities in this request are located at Section 1, T20N, R2E of the 4th P.M. in Whiteside County, at the above street address and consist of the following:

Livestock waste management facilities consisting of two concrete manure pits (approximately 49.83 ft. x 390 ft. x 8 ft. each) with slotted floors over the pits.

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 (2014), and Section 125.200(a) of the Board's regulations,35 III. Adm. Code 125.200(a), define "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. In order to receive preferential treatment in accordance with 35 ILCS 200/11-5, pollution control facilities must be certified as such by the Board 35 ILCS 200/11-20 (2014) and 35 Ill. Adm. Code 125.200(a).
- Upon receipt of a tax certification application, the Illinois EPA must file a
 recommendation regarding the application with the Board, in accordance with 35
 Ill. Adm. Code 125.205(a).
- 7. 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

Joey Logan-Pugh

Assistant Counsel Division of Legal Counsel

Dated: October 14, 2015 Illinois Environmental Protection Agency 1021 North Grand Ave. East 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) 782-2829

BRUCE RAUNER, GOVERNOR

LISA BONNETT, DIRECTOR

Memorandum

To:

Charles Gunnarson, Division of Legal Counsel

From:

Al Keller, Manager, Permit Section

Date:

September 28, 2015

Re:

Keith Naftzger 1155 Albany Road Albany, IL 61230

Recommendation of Tax Certification

Log # TC-02-15

Property ID # 12-014-000-01

The Bureau of Water received a request on January 15, 2015 from Keith Naftzger for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to 35 Ill. Adm. Code 125.204. We offer the following recommendation.

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

Keith Naftzger 11196 Fuller Road Albany, IL 61230

Section 1, T20N, R2E of the 4th PM in Whiteside County

Livestock waste management facilities consist of two concrete manure pits (each is approximately 49.83 ft. x 390 ft. x 8 ft.) and slotted floors over the pit that collect swine waste. These livestock waste management facilities are used to collect, transport, and/or store livestock waste 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.

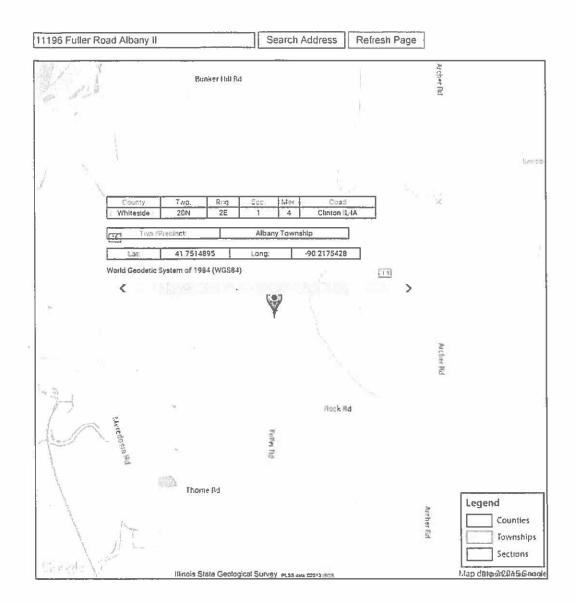
If you have any questions regarding the above, please contact Jenny Larsen at 217/782-0610.

. SAK:JML:Tax Certs\Livestock\LogTC-02-15.docx

cc: Tax Cert File

Watershed Unit Tax Certification Review Sheet

Project Name: Keith Naftzger	Location: Albany, IL				
Reviewer: Jenny Larsen	Date: 01/21/2015				
Log number: TC-02-15	Type: Agchem X Livestock				
Applicant: Keith Naftzger 1155 Albany Road Albany, IL 61230	Contact: Matthew Wagner Phone: (815)275-7642				
Facility: 11196 Fuller Road Albany, IL 61230	Property ID: 12-014-000-01 County: Whiteside				
Legal Description:	Signature: Keith Naftzger				
S: 1 T: 20N R: 2E PM: 4 th	Title: Owner				
Date Control Devices installed: 8/09 and 10/11	Provided Fair cash Value: 1,185,000				
Wastes: X 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: This facility consists of two concrete manure pits (each over the pit to collect swine waste. The manure is put crop fertilizer. I spoke with Matt Wagner on 2/18/15 and he confirm slotted floors to be certified as a pollution control facility Matt confirmed that each pit has the same dimension. The primary purpose for these structures is to contain	mped out of the pits and applied to the fields as sed that they are applying for just the pits and ility.				
The primary purpose for these structures is to contain livestock waste thereby preventing contaminated water runoff.					
Recommended Action: Permit the above mentioned s	structures.				



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 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		аррисацоп ю	r certification.
File No.		Certification No.		Date
Sec. A	Company Name			
-	Person Authorized to Receive Certification		Person to Contact for Add	itional Details
	The Company Committee and the Company of the Compan		Matthew Wagner	
	Street Address			
	1155 Albany Road		709 West Oak Street	
-	Municipality, State & Zip Code		Municipality, State & Zip (Code
APPLICANT	Albany, IL 61230		Lena, Illinois 61048	
12	Telephone Number		Telephone Number	
Ą	(309) 738-6313		(815) 275-7642	
	Location of Facility Quarter Section Township	Range	Municipality	Township
	Quarter Section Township	Mange		
	Street Address		County	Book Number
	11196 Fuller Road		Whiteside	
	Property Identification Number		Parcel Number	
4	+		12-014-000-01	*
Sec. B	Nature of Operations Conducted at the Above	Location		
	Raising of Hogs, with slatted floor confine	ment manure	storage nit underneath	
	Traising of Flogs, with statted floor comme.	ment mandre	storage pit diluerneatii.	
(D				
S S			T =	
T S	Water Pollution Control Construction Permit N	lo.	Date Issued	
FAC	N/A		Datatanad	I 5ii Bat-
MANUFACTURING OPERATIONS	NPDES PERMIT No.		Date Issued	Expiration Date
ž	Air Pollution Control Construction Permit No.		Date Issued	
	N/A		Date 1550ed	1
	Air Pollution Control Operating Permit No.		Date Issued	
	N/A		Date Issued	
Sec. C	Describe Unit Process			
000.0	CONTRACTOR OF THE CONTRACTOR AND CON			=
	N/A			
9				
MANUFACTURING PROCESS				
ACT	Materials Used in Process			
PRC	N/A			1
A A	100			
_				1
Sec. D	Describe Pollution Abatement Control Facility	1	7	
72	Two facilties are included in this application	on. The faciliti	es are identical confinen	nent buidings with the first
being built in 2009, the second in 2011. These buildings measure 51' 10" x 391' 4" and each h				
O S	manure storage measuring 49'10' x 390'.	moo bananig	, modeling of the Albert	
OES	Thatlare storage measuring 40 to x 500.			
E	×			RECEIVE
POLLUTION CONTROL FACILITY DESCRIPTION				
FP				JAN 5 2015

Manure and Wastewater from existing hog facilities							
	Contor	inant or Pollutant	DESCRIPTION	Material Retained, Captured or Recovered DESCRIPTION DISPOSAL OR USE			
	Swine m		Liquid		or manure stor		
1		wn water	Liquid	andre Comment of the	or manure stor		
			EIGUIU	Crattoo no	or manage ston	3,90	
	(2) Pois	nt(s) of Waste Water Discharge					
	N/A	it(s) or waste water discharge					
	(0) 4		Plans and Specification	ns Attached	Yes 🗵	No 🗆	
			collected by the control facility?		Yes 🗵	No 🗆	
			Attach status of installation	on date of a	pplication See	Attache	
	(5) a	. FAIR CASH VALUE IF CONSI	DERED REAL PROPERTY:		\$ See Atta	ached Sh	
	b	 NET SALVAGE VALUE IF COI 	NSIDERED REAL PROPERTY:		2	ached Sh	
	C.	PRODUCTIVE GROSS ANNU	AL INCOME OF CONTROL FACILITY	1:	¢	ched_Sh	
	d	. PRODUCTIVE NET ANNUAL	NCOME OF CONTROL FACILITY:		C C	sched Sh	
	е	. PERCENTAGE CONTROL FA	CILITY BEARS TO WHOLE FACILIT	Y VALUE:	% SEE ALE		
F	The follo		ccordance with the Illinois Property Ta	-	%See Atta	ached Sh	
	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. Owner						
	Signature Title						
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	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						
	Sec. C	C Refers to manufacturing processes or materials on which pollution control facility is used.					
	Sec. D	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	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					
-	Sec. F	activate project review prior to certification by this Agency.					
1		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 So Permit Section			

		Slatted Floo Confinemen		Slatted Floo Confinement	
(4)	Date Installation Completed		8/10/2009		10/5/2011
	Status of Installation on date of apalication	Complete	100	Complete	
(5)	a.) Fair cash value if considered real property	\$	585,000	\$	600,000
	* b.) Net salvage value if consider i real property	\$	409,000	\$	420,000
	c.) Productive gross annual income of control facility	\$	98,400	\$	98,400
	d.) Productive net annual income \mathcal{Q}_{i}^{t} control facility	\$	12,000	\$	12,000
	e.) Percentage control facility bears/ to whole facility value		65.00%		65.00%

^{*} Net salvage value is calculated as the remaining concrete for the facilities being the salvage value.

WA

Wagner Consulting & Agriculture 709 West Oak Street Lena, Illinois 61048 wagnerconsultag@mediacombb.net PH: 815-275-7642

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STATE OF ILLINOIS)
)
COUNTY OF SANGAMON)
)

PROOF OF SERVICE

I, the undersigned attorney at law, hereby certify that on October 14, 2015, I served true and correct copies of an <u>APPEARANCE AND THE RECOMMENDATION</u>, upon the persons and by the methods as follows:

[1st Class U.S. Mail]

Steve Santarelli Illinois Department of Revenue 101 West Jefferson P.O. Box 19033 Springfield, Illinois 62794 [1st Class U.S. Mail]

Keith Naftzger 1155 Albany Road Albany, Illinois 61230

[Electronic Filing]

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

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

/s/ Joey Logan-Pugh Assistant Counsel Division of Legal Counsel 1021 North Grand Avenue East P.O. Box 19276-Springfield, Illinois 62794-9276 217.782.5544 217.782.9143 (TDD)

THIS FILING IS SUBMITTED ON RECYCLED PAPER