Electronic Filing - Received, Clerk's Office: 02/04/2016 - * * * PCB 2016-081 * * *

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Monte and Sandra Drake
(Property Identification Number
16-19-100-007)

PCB 16(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

Monte and Sandra Drake 3378 Camp Creek Road Lynn Center, Illinois 61262

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

Roberto M. Durango

Assistant Counsel
Division of Legal Counsel

DATED: February 4, 2016

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

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Monte and Sandra Drake)	
(Property Identification Number)	PCB 16-
16-19-100-007))	(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

Roberto M. Durango Assistant Counsel

Division of Legal Counsel

DATED: February 4, 2016

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: 02/04/2016 - * * * PCB 2016-081 * * *

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Monte and Sandra Drake)	
(Property Identification Number)	PCB 16-
16-19-100-007))	(Tax Certification)
)	
)	

RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

The Illinois Environmental Protection Agency (Illinois EPA) hereby files its

Recommendation pursuant to Section 125.204(a) of the regulations of the Illinois

Pollution Control Board (the Board), 35 Ill. Adm. Code 125.204(a).

- On June 29, 2015, the Illinois EPA received a request from Monte Drake (log number TC-15-15, Exhibit A) for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to Section 125.204(a) of the Board's regulations, 35 Ill. Adm. Code 125.204(a).
- 2. The facility's address is:

 Monte and Sandra Drake
 256 Cemetery Road
 Henry County, Illinois
- 3. The proposed water pollution control facilities in this request are located at Section 19, T15N, R1E of the 4th P.M. in Henry County, at the above street address and consist of the following:

Livestock waste handling facilities consisting of one concrete-manure-pit (approximately 51 ft. x 391 ft. x 8 ft. deep) with slotted floors over the pit to collect livestock waste. The pit has ten pump out slots (approximately 5 ft x 6 ft x 8ft) to remove manure from the pits. The manure pit is surrounded by an 884 ft x 4 inch diameter plastic perimeter foundation drainage tile with sock. The foundation tubing also includes an inspection port, which is an 8 ft x .12 inch diameter plastic tile.

- 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.
- 5. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2014), and Section 125.200(a)(1) of the Board's regulations, 35 III. Adm. Code 125.200(a)(1), define pollution control facilities as:

[A]ny 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: eliminating, preventing, or reducing air or water pollution, as the terms "air pollution" and "water pollution" are defined in the Act; or 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.

- 6. If it is found that the claimed facility or relevant portion thereof is a pollution control facility as defined in Section 125.200(a)(1) of the Board's regulations, 35 III. Adm. Code 125.200(a)(1), the Board has the authority to enter a finding and issue a certificate to that effect, pursuant to Section 11-20 of the Property Tax Code, 35 ILCS 200/11-20 (2014) and Section 125.216 of the Board's regulations, 35 III. Adm. Code 125.216.
- Pursuant to Section 125.204(a) of the Board's regulations, 35 Ill. Adm. Code
 125.204(a), if the Illinois EPA receives a tax certification application it must file a recommendation on the application with the Board.
- 8. 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, with the primary purpose of eliminating, preventing, or reducing water pollution, or as otherwise provided in Section 125.200(a)(1) of the Board's regulations, 35 III. Adm. Code 125.200(a)(1), 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:

Roberto M. Durango

Assistant Counsel

Division of Legal Counsel

Dated: February 4, 2016 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: 02/04/2016 - * * * PCB 2016-081



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 • (217) 782-2829 LISA BONNETT, DIRECTOR BRUCE RAUNER, GOVERNOR

Memorandum

EXHIBIT

To:

Al Keller, Manager, Permit Section all-lell 4 DS/feed

From:

Date:

December 31, 2015

Re:

Drake Farm - Lynn Center

Recommendation of Tax Certification

Log # TC-15-15

Property Identification # 16-19-100-007

The Bureau of Water received a request on June 29, 2015 from Monte Drake 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:

Drake Farm 256 Cemetery Road Henry County, IL

Section 19, T15N, R1E of the 4th PM in Henry County.

The livestock waste handling facilities consists of one (1) 51 ft. x 391 ft. x 8 ft. concrete manure pit, and the slotted concrete portion of the floor over the manure pit that capture and contain livestock waste. The pit has ten (10) 5 ft. x 6 ft. x 8 ft. pumpout pits built into the structure to allow manure removal from the manure pits. The manure pit is surrounded by 884 feet of 4 inch diameter plastic perimeter foundation drainage tile with sock. The foundation tubing also includes an inspection port, which is an 8 foot deep and 12 inch diameter plastics tile. The facility collects, transports and stores 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 Wei Han at 217/782-0610.

SAK:WH:Tax Cert Recommendation.docx

cc:

Tax Cert File

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Watershed Unit Tax Certification Review Sheet

Project Name: Drake, Monte and Sandra				
Reviewer: WH	Date: December 31, 2015 Type: Agchem			
Log number: TC-15-15	Livestock Contact: Monte Drake			
Applicant: Monte Drake 3378 Camp Creek Rd. Lynn Center, IL 61262	3378 Camp Creek Rd. Lynn Center, IL 61262 Phone: 309-521-8217			
Facility: Drake Farm 256 Cemetery Road Henry County, IL	Property ID: 16-19-100-007 County: Henry			
Legal Description:	Signature: Monte Drake			
Section: 19 Twp: 15N R: 1E PM: 4th	Title: Owner			
Date Control Devices Installed: 6/30/2015	Provided Fair cash Value: \$318,750			
Location: Lynn Center, IL				
Wastes: Livestock waste is applied to cropland. Agrichemical rinsate and spillage is recy Other:	cled through the facility and/or land applied.			
Physical Description of Pollution Control Devices:				
The livestock waste handling facilities consists of one (1) 51 ft. x 391 ft. x 8 ft. concrete manure pit, and the slotted concrete portion of the floor over the manure pit that capture and contain livestock waste. The pit has ten (10) 5 ft. x 6 ft. x 8 ft. pumpout pits built into the structure to allow manure removal from the manure pits. The manure pit is surrounded by 884 feet of 4 inch diameter plastic perimeter foundation drainage tile with sock. The foundation tubing also includes an inspection port, which is an 8 foot deep and 12 inch diameter plastics tile. The facility collects, transports and stores livestock waste prior to cropland application.				
Recommended Action: Issue tax certification.				

taxcert review sheet

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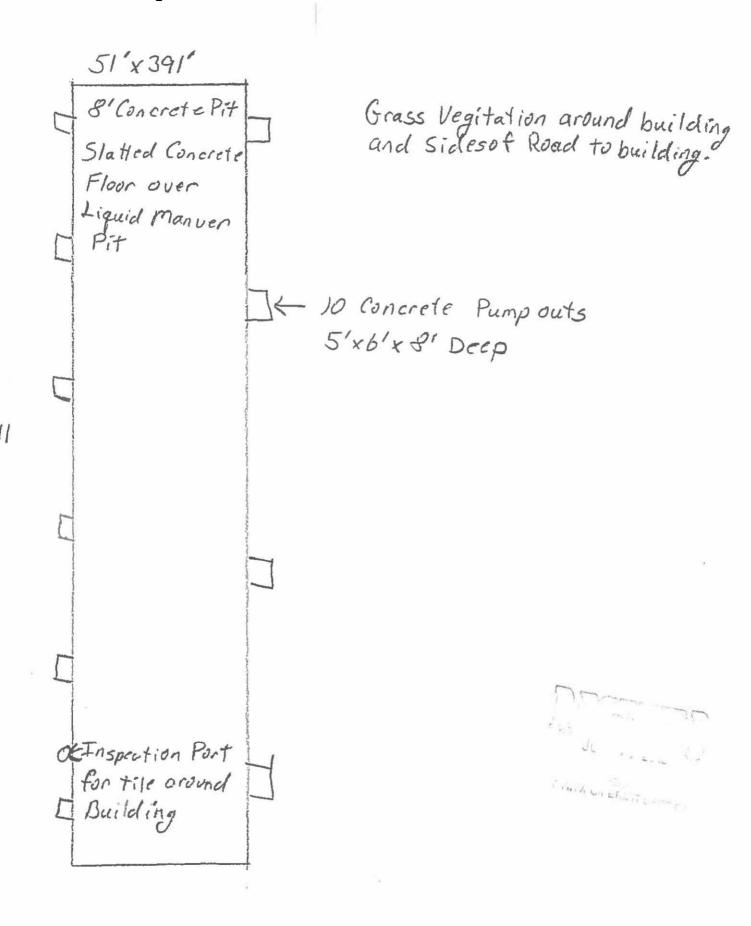
APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT)
POLLUTION CONTROL FACILITY
AIR □ WATER ☒

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			
53- N-		2		
File No.	Date Received Certification No.	D	ate	
Sec. A	Company Name DRAKE, MONTE AND SANDRA			
	Person Authorized to Receive Certification	Person to Contact for Addit	ional Details	
	DRAKE, MONTE	MONTE DRAKE	ional Details	
	Street Address	Street Address		
	3378 CAMP CREEK ROAD	3378 CAMP CREEK RO	AD	
-	Municipality, State & Zip Code	Municipality, State & Zip Co	ode	
\ YAN	LYNN CENTER, IL 61262 LYNN CENTER, IL 61262		2	
FE	Telephone Number	Telephone Number		
AP	(309) 521-8217	(309) 521-8217		
	Location of Facility Quarter Section Township Range	Municipality 1	ownship	
	19 15N 1E		15N	
	Street Address		Book Number	
	256 CEMETERY ROAD	HENRY		
	Property Identification Number	Parcel Number		
	16-19-100-007			
Sec. B	Nature of Operations Conducted at the Above Location			
	SWINE PRODUCTION			
1	011112111000011011			
(2)				
NS NS	M-4-2-11-2-0-11-11-11-11-11-11-11-11-11-11-11-11-1	Data lasued		
I SE	Water Pollution Control Construction Permit No.	Date Issued		
MANUFACTURING	NPDES PERMIT No.	Date Issued	Expiration Date	
P P P	717 920 1 2111111 110.			
2	Air Pollution Control Construction Permit No.	Date Issued		
	Air Pollution Control Operating Permit No.	Date Issued		
Sec. C	Describe Unit Process			
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<u>o</u>			1 1 1 1 1 1 1 1 1	
S				
CTL	Materials Used in Process		First Tail	
MANUFACTURING	Tracerior Social III.		1- 4-10	
A T			- Lang	
2			WWW. CHEERT.	
			" C" ET.I. T.	
Sec. D	Describe Pollution Abatement Control Facility			
48	One concrete manure pit (51'x391'x8'deep) with 10 concrete pump out pits (each 5'x6'x8'deep) and the			
PTR	slotted concrete portion of the floor over the manure pit. Manure pit is surrounded by 884 feet of 4"			
One concrete manure pit (51'x391'x8'deep) with 10 concrete pump out pits (each 5'x6'x8'deep) slotted concrete portion of the floor over the manure pit. Manure pit is surrounded by 884 feet diameter plastic perimeter foundation drainage tile with sock. The foundation tubing also including inspection port (8' deep 12" diameter plastic tile). See attached drawing.				
ON	inspection port (8' deep 12" diameter plastic tile). See attached drawing.			
5 <u>E</u>				
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Sec. E	(1) Na	ature of Contaminants or Pollutants							
	Material Retained, Captured or Recovered								
NTS		minant or Pollutant	DESCRIPTION		DISPOSAL OR USE				
AINA	SWIN	MANURE	SWINE MANURE	FERTILIZ	ER FOR CROP				
ITAR									
100 00N									
Ē.				-					
.ACI	/2\ D	int(a) of Manta Mater Discharge		<u> </u>					
9		(2) Point(s) of Waste Water Discharge NONE							
ATR	NONE Plans and Specifications Attached Yes								
Ö	(3)	Are contaminants (or residues) collect		7 (ILGOTICG	Yes 🗆	No 🗵			
NO.	(4)	Date installation completed 06/30/15		n date of a					
5.	(5)	a. FAIR CASH VALUE IF CONSIDERE	· · · · · · · · · · · · · · · · · · ·	11 0010 01 0	<u> </u>				
POLLUTION CONTROL FACILITY – CONTAMINANTS CONTAMINANTS	(5)					: 			
SN.		b. NET SALVAGE VALUE IF CONSIDE			\$ 0.00				
5		c. PRODUCTIVE GROSS ANNUAL IN	180 M 140 M 24 - VI COMMO - MONEY MARCHES MARCH 100 M		\$ 0.00	\$ ¥			
8		d. PRODUCTIVE NET ANNUAL INCOM	ME OF CONTROL FACILITY:		\$ 0.00				
ĕ		e. PERCENTAGE CONTROL FACILIT	Y BEARS TO WHOLE FACILITY	VALUE:	[%] 100				
Sec. F		lowing information is submitted in accorda			nended, and to th				
ш		edge, is true and correct. The facilities cla Property Tax Code.	imed herein are "pollution control	facilities" as	defined in Section	on 11-10 of the			
Ę.	IIIIIIIIII	Property rax code.							
SIGNATURE		mittel Charles	OWNER						
Sign	Siana			_					
	Signature Title								
Sec G I		INCTRICTION	S FOR COMPILING AND FILING AR	DUCATION					
Sec. G			S FOR COMPILING AND FILING AP						
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Sec. G	water o	al: Separate applications must be completed fi perations are related, file two applications. If a	for each control facility claimed. Do natical national facility claimed for them	ot mix types (consecutively	on an index sheet.				
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STATE OF ILLINOIS)
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COUNTY OF SANGAMON)
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PROOF OF SERVICE

I, the undersigned attorney at law, hereby certify that on February 4, 2016, I served true and correct copies of an **APPEARANCE AND THE RECOMMENDATION**, 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]

Monte and Sandra Drake 3378 Camp Creek Road Lynn Center, Illinois 61262

[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/ Roberto M. Durango 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)

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