

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Hadley Farms, Inc.)
(Property Identification Number) PCB 16-
13-19-100-001) (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, Suite 11-500
Chicago, Illinois 60601

Alan Lyman
11987 N. 1500th Ave.
Cambridge, Illinois 61238

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board an **APPEARANCE** and **RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**, a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

DATED: March 7, 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

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Hadley Farms, Inc.)
(Property Identification Number) **PCB 16-**
13-19-100-001)) **(Tax Certification)**
)

APPEARANCE

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: March 7, 2016

Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
(217)782-5544
217.782.9143 (TDD)

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Hadley Farms, Inc.)
(Property Identification Number) PCB 16-
13-19-100-001) (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 of the regulations of the Illinois Pollution Control Board ("Board"), 35 Ill. Adm. Code 125.204.

1. On December 15, 2015, the Illinois EPA received a request from Hadley farms, Inc. (log number TC-37-15, 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: Hadley Farms, Inc.
11987 N. 1500th Ave.
Cambridge, IL 61238

The proposed water pollution control facilities in this request are located in the Section 19, T16N, R3E 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 458 ft. x 37 ft. x 10 ft. deep), a PVC perimeter foundation drain around the building (4 inch diameter and approximately 1715 ft in length), and concrete slotted floors over the pit.

These livestock waste management facilities are used to collect, transport and/or store livestock waste prior to cropland application, and are further described in Exhibit A.

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3. 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 Ill. Adm. Code 125.200(a), define "pollution control facilities" as:

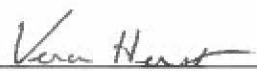
any system, method, construction, device or appliance appurtenant thereto or any portion of any building or equipment, that is designed, constructed, installed or operated for the primary purpose of: eliminating, preventing, or reducing air or water pollution ...or treating, pretreating, modifying or 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.
4. In order to receive preferential tax treatment as pursuant to 35 ILCS 200/11-5 (2014), 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).
5. Upon receipt of a tax certification application, the Illinois EPA must file a recommendation on the application with the Board, 35 Ill Adm. Code 125.204(a).
6. Based on the information in the application and the purpose of the facility, 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

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tax certification.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: 
Vera Herst
Assistant Counsel
Division of Legal Counsel

Dated: March 7, 2016

Illinois Environmental Protection Agency
1021 North Grand Ave. E.
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544
217.782.9143 (TDD)

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Memorandum

To: Charles Gunnarson, Division of Legal Counsel

From: Al Keller, Manager, Permit Section *AKC*

Date: February 25, 2016

Re: Hadley Farms Inc
11987 N. 1500th Avenue
Cambridge, IL 61238
Recommendation of Tax Certification
Log # TC-37-15
Property ID # 13-19-100-001

The Bureau of Water received a request on December 21, 2015 from Hadley Farms Inc 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:

Hadley Farms Inc
11987 N. 1500th Avenue
Cambridge, IL 61238

Section 19, T16N, R3E of the 4th PM in Henry County

Livestock waste management facilities consisting of one concrete manure pit (approximately 458 ft. x 37 ft. x 10 ft. deep), a PVC perimeter foundation drain around the building (4 in. diameter and approximately 1715 ft. in length), and concrete slotted floors over the pit. 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-37-15.docx

Watershed Unit Tax Certification Review Sheet

Project Name: Hadley Farms, Inc.

Location: Cambridge, IL

Reviewer: Jenny Larsen

Date: 1/13/2015

Log number: TC-37-15

Type: Agchem
 Livestock

Applicant:

Alan Lyman
11987 N 1500th Avenue
Cambridge, IL 61238

Contact: Karen Lyman

Phone: (309)944-0705

Facility:

11987 N 1500th Avenue
Cambridge, IL 61238

Property ID: 13-19-100-001

County: Henry

Legal Description:

S: 19 T: 16N R: 3E PM: 4th

Signature: Karen H. Lyman

Title: Vice President

Date Control Devices installed: 06/2014

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

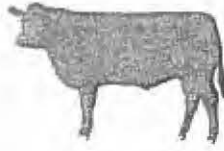
Physical Description of Pollution Control Devices:

This facility consists of one concrete manure pit (approximately 458 ft. x 37 ft. x 10 ft. deep), a PVC perimeter tile drain (approximately 4" diameter and 1715 ft. long) and concrete slotted floors over the pit to collect livestock waste. The manure is pumped out of the pits and applied to the fields as crop fertilizer.

1/13/2016 - Spoke with Karen Lyman. She confirmed the construction materials and dimensions of the perimeter tile drain. She said that there are not pump out ports for this pit. She also confirmed that they are asking for the pit to be endorsed and not the entire barn.

The primary purpose for these structures is to contain livestock waste thereby preventing contaminated water runoff.

Recommended Action: Permit the above mentioned structures.



Hadley Farms, Inc.

11987 N 1500th Ave
Cambridge, IL 61238
309 944 0705
Fax 309 944 4100

Jenny Larsen

Environmental Protection Engineer
Illinois Environmental Protection Agency
Bureau of Water
Permit Section
(217)785-3438

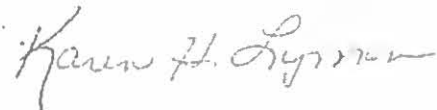
February 22, 2016

Ms Larsen,

In regards to the application for the property tax exemption, we are only applying for the exemption of the portion of the building below the floor (slatted floor, concrete pit and the perimeter tile).

We are not asking for the building above the floor to be included in the exemption as a pollution control facility.

Sincerely,



Karen H. Lyman, V.P.
Hadley Farms, Inc



Illinois Environmental Protection Agency

1021 North Grand Avenue East • P.O. Box 19276 • Springfield • Illinois • 62794-9276

Application for Certification (Property Tax Treatment) Pollution Control Facility

FOR AGENCY USE ONLY	
File Number: _____	Date Rec'd _____
Certification Number: _____	Date _____

Facility Type (check one): Air Water

This form is to be used for any application for certification of property tax treatment for a pollution control facility for air or water from the Illinois EPA. Separate applications must be completed for each control facility claimed. Do not mix types (air and water). Where both air and water operations are related, file two applications.

If attachments are needed, record them consecutively on an index sheet.

You may complete this form online, save a copy locally, print, sign and submit it to

Illinois EPA
Attention: Al Keller, Permit Section
Division of Water Pollution Control
1021 North Grand Avenue East, P.O. Box 19276
Springfield, IL 62794-9276

I. Applicant Information:

Company Name: <u>Hadley Farms Inc</u>	Person to Contact: _____
Person Authorized to Receive Certification: <u>Alan Lyman</u>	for Additional Details: <u>Karen Lyman</u>
Street Address: <u>11987 N 1500th Ave</u>	Street Address: <u>11987 N 1500th Ave</u>
City: <u>Cambridge</u> State: <u>IL</u>	City: <u>Cambridge</u> State: <u>IL</u>
Zip: <u>61238</u> Phone: <u>309-944-0705</u>	Zip: <u>61238</u> Phone: <u>309-944-0705</u>
Email Address: <u>hadleyfarms@hotmail.com</u>	Email Address: <u>hadleyfarms@hotmail.com</u>

II. Facility Information:

Facility Location: Quarter Section: NWsec 19 Township: 16N Range: 3E
Municipality: _____ Township: Munson

Note: A plat map location is requested for facilities located outside of municipal boundaries.

Address: 11987 N 1500th Ave City: Cambridge
State: IL Zip Code: 61238 County: Henry Book Number: _____

Property Index Number: 13-19-100-001

Note: The Property Index Number is the numerical reference used to identify a parcel of real property for assessment and taxation purposes.

Manufacturing Operations Information:

Nature of Operations Conducted at the Above Location:

<u>Agricultural Beef Production</u>

Permit Information:

WPC Construction Permit Number: _____ Date Issued: _____
NPDES Permit Number: ILR10Q413 Date Issued: Aug 13, 2012 Exp. Date: July 31, 2018
APC Construction Permit Number: _____ Date Issued: _____
APC Operating Permit Number: _____ Date Issued: _____ Exp. Date: _____

Note: Submit copies of all relevant permits issued by local pollution control agencies. (e.g. MSD Construction Permit)

IL 532.0222
APC 151 9/2014

This Agency is authorized to request this information under 415 ILCS 5/4(b)(2012). Disclosure of this information is voluntary and no penalties will result from the failure to provide the information. However, the absence of the information could prevent your application from being processed or could result in denial of your application.

Manufacturing Process Information:

Please provide information on the manufacturing process and materials on which pollution control facility is used, including each major piece of equipment associated with the pollution control facility (or low sulfur dioxide emission coal fueled device).

Description of the Process:

See attached page.

Materials Used in the Process:

Materials used include cattle feed (corn, corn by-products and supplement) and water.

Pollution Control Facility Information:

Please provide a narrative description of the pollution control facility (or low sulfur dioxide emission coal fueled device), and an explanation of why its primary purpose is to eliminate, prevent or reduce pollution. State the type of control facility, as well as a narrative description and a process flow diagram describing the pollution control facility. Include an average analysis of the influent and effluent of the control facility stating the collection efficiency, if applicable.

Describe the Pollution Control Facility (or Low Sulfur Dioxide Emission Coal Fueled Device):

See attached page

Describe the Primary Purpose of the Pollution Control Facility (or Low Sulfur Dioxide Emission Coal Fueled Device):

See attached page.

Identify the statute or regulation (federal or state), or local ordinance, if any, requiring the installation of the subject pollution control facility (or low sulfur dioxide emission coal fueled device).

Nature of Contaminants or Pollutants:

List air contaminants or water pollution substances released as effluents to the manufacturing processes. Also list the final disposal of any contaminants removed from the manufacturing processes.

Contaminant or Pollutant	Material Retained, Captured or Recovered	
	Description	Disposal or Use
Manure	Liquid manure	Injected into crop ground as per CNMP as fertilizer.

Note: Contaminant or pollutant means that which is removed from the process by the pollution control facility.

APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT) POLLUTION CONTROL FACILITY

Hadley Farms, Inc

Supplemental information for Page 2

Manufacturing Process Information: Livestock waste management facility consisting of a concrete slatted floor (458'x37') and a waterproof concrete storage pit 458' by 37' by 10' deep. The pit is divided in to 7 pit sections by concrete walls.

Cattle are housed and fed in the barn. Manure is collected beneath the concrete slats in storage area. The waste facility is designed to contain the manure for more than 6 months until the waste can be hauled to nearby crop land and used as fertilizer for the crop.

See attached photos of the building and process.

Pollution Control Facility Information:

The livestock waste management facility is used to control and store the waste produced in the cattle feeding process. The building is covered which protects the cattle and the manure. The water and land are protected from manure pollution by containing it in the storage facility. The facility collects all of the manure and urine produced by the animals. No effluent is discharged.

The cattle are housed in the building above the pit. The manure falls through the concrete slats and is stored until it can be properly handled and applied to crop land. The manure is also protected from sun, wind, rain and snow. This preserves the nutrient value of the manure and makes it a more valuable resource.

A perimeter tile was placed around the base of the concrete pit. It can be monitored and tested to determine if there is any ground water contamination. Water sample information is sent on a quarterly schedule to the Illinois Department of Agriculture.

Primary Purpose of the Pollution Control Facility:

The primary purpose of the structure is to contain livestock waste and prevent contamination of surface and ground water sources by runoff.

Status

The pollution control facility was certified completed in 2013 by Chris West, Frank & West, Engr and met the requirements for EQIP cost share. It was not put into service until 2014 as we needed to finish installing the pen dividers, water tanks, slat mats, feed bunks, fences and gates.

APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT) POLLUTION CONTROL FACILITY

Hadley Farms, Inc

Pollution Control Facility



One 700 head cattle barn over a slatted floor and concrete pollution control facility.
(Barn in the background was built in 1973.)



Watertight concrete pit with concrete slatted floor.

APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT) POLLUTION CONTROL FACILITY

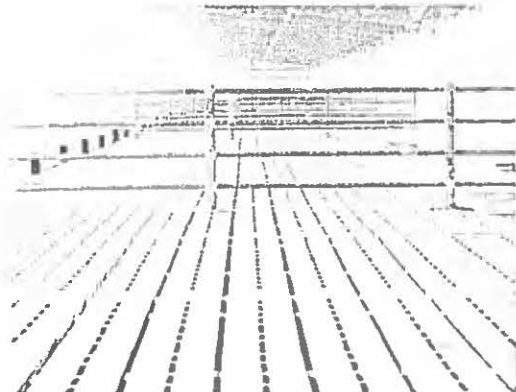
Hadley Farms, Inc

Concrete storage 458.5' by 37' by 10' with 6 wall dividers and 7 pits.



Perimeter tile to monitor the integrity of the pollution control facility regularly and quarterly reports are submitte to the IL Department of Agriculture.

Rubber mats cover the slats.

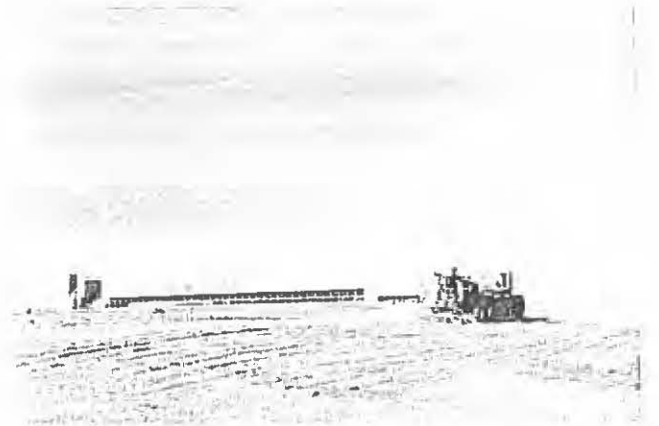


Hadley Farms, Inc
Cambridge, IL 61238

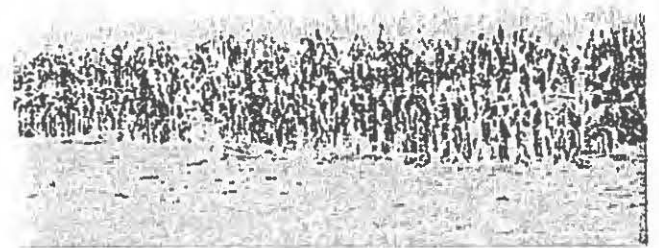
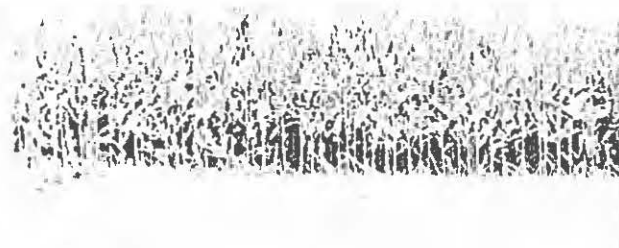
Liquid manure applied to cropland fields at recommended agronomic rates. The storage capacity is greater than 6 months. Manure is pumped out of the pits in the spring prior to planting and in the fall following harvest. It is incorporated with injector knives on the manure tank. The liquid manure is analyzed for the fertilizer value each spring and fall.



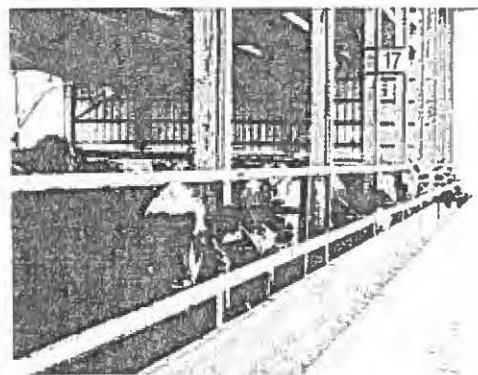
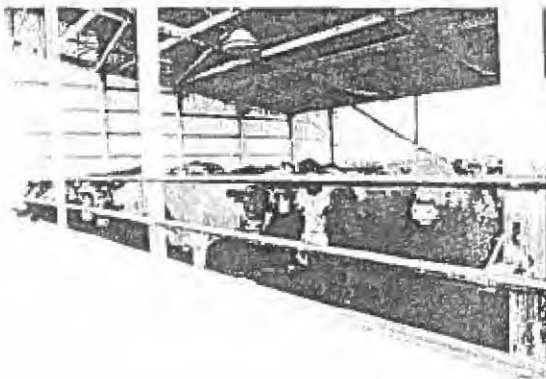
Above is a spring application following corn.



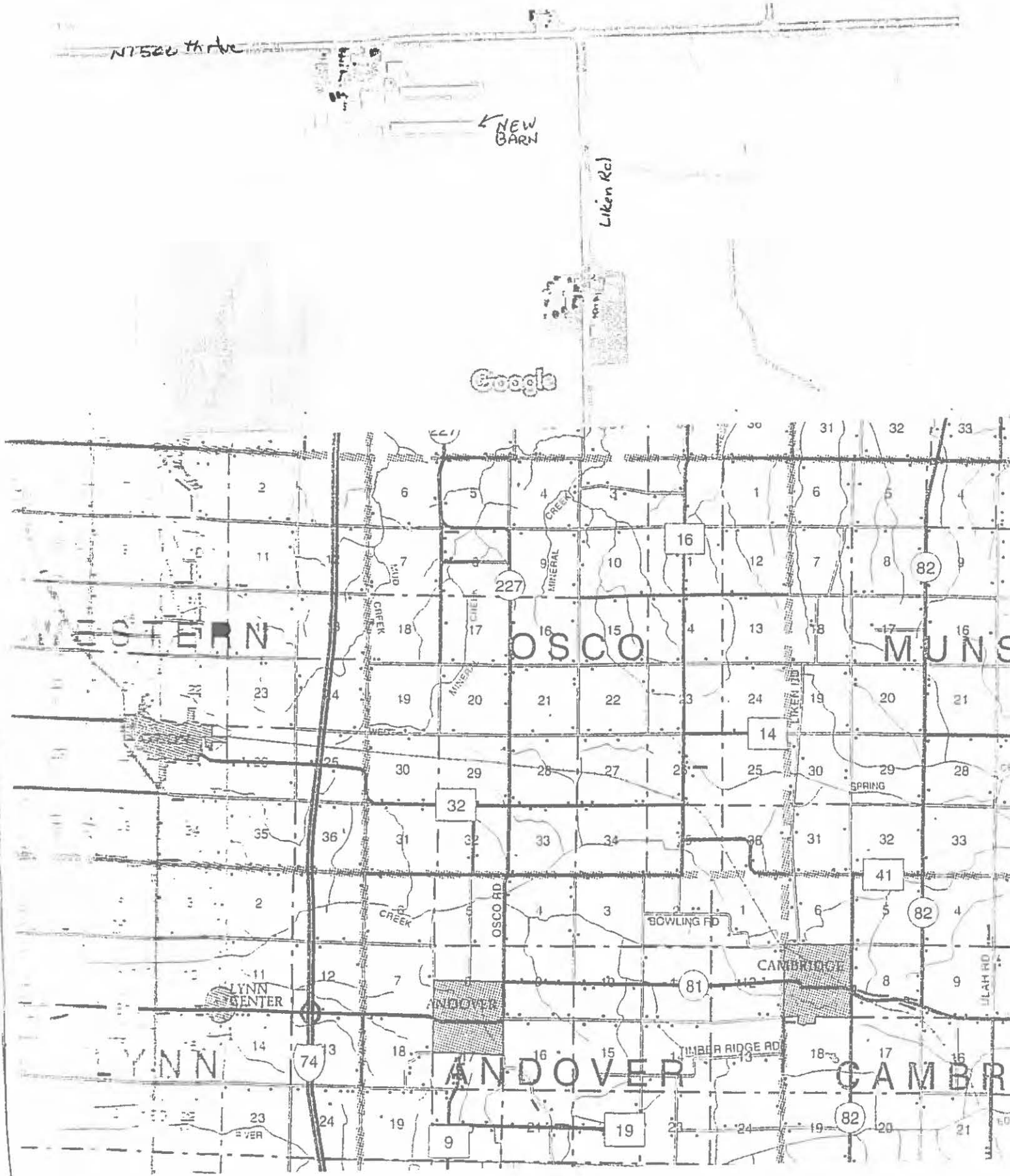
This is an example of fall applied on soybean residue.

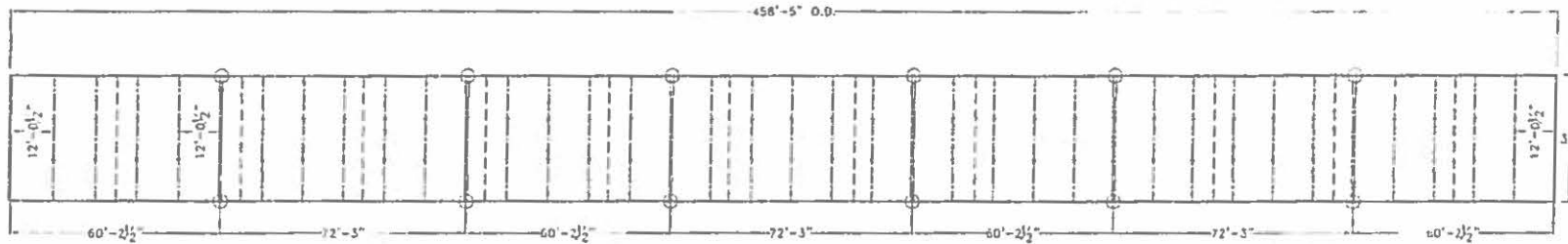


Corn Fields



Cattle in the barn.





 **Frank & West**
Environmental Engineers, Inc.

HADLEY FARMS, INC.
CAMBRIDGE, ILLINOIS

FLOOR AND WALL JOINT LOCATIONS - AS BUILT

2013 © FRANK & WEST ENVIRONMENTAL ENGINEERS, INC.
THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF
FRANK AND WEST ENVIRONMENTAL ENGINEERS, INC. ARE
ONLY FOR THIS PROJECT AND MAY NOT BE USED, COPIED
OR DUPLICATED WITHOUT PRIOR WRITTEN CONSENT.

7200 N. State Route 29
Springfield, IL 62707

Phone: 217/107-7686
Fax: 217/487-7687

DRAWN BY: CEO

SCALE: AS SHOWN DATE: 11/20/12 REVISED 04: 09/05/13 DRAWING NO. 12-11805

APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT) POLLUTION CONTROL FACILITY

Hadley Farms, Inc

INDEX PAGE:

Pages 2-4 IL 532-0222 form

Page 5 Supplemental information for form IL 532-0222

Pages 6-8 Photos of the Cattle Barn and design of the pollution control facility.

Page 9: Maps

10- Design.

STATE OF ILLINOIS

COUNTY OF SANGAMON

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CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that I have served on the date of March 7, 2016, the attached **APPEARANCE** and **RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**, upon the following persons by First Class U.S. Mail, with proper postage or delivery charges prepaid:

Steve Santarelli
Illinois Department of Revenue
101 West Jefferson
P.O. Box 19033
Springfield, Illinois 62794

Alan Lyman
11987 N. 1500th Ave.
Cambridge, Illinois 61238

[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/ Vera Herst
Assistant Counsel
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
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