#### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Duewer Farms	)	
(Property Identification Number	)	PCB 16-
15-10-400-006)	)	(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

Gavin M. Duewer Duewer Farms 3249 Loami Rd. Alexander, IL 62601

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution
Control Board the <u>APPEARANCE</u> and <u>RECOMMENDATION OF THE ILLINOIS</u>

<u>ENVIRONMENTAL PROTECTION AGENCY</u>, a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Roberto M. Durango Assistant Counsel

Division of Legal Counsel

DATED: December 27, 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

Duewer Farms	)	
(Property Identification Number	)	PCB 16-
15-10-400-006)	)	(Tax Certification)
	No.	

#### **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: December 27, 2016

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#### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Duewer Farms	)	
(Property Identification Number	)	PCB 16-
15-10-400-006)	)	(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 January 5, 2016, the Illinois EPA received a request from Duewer Farms (log number TC-03-16, 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:

  Duewer Farms
  977 Duewer Rd.
  Franklin, IL 62638
- 3. The proposed water pollution control facilities in this request are located at SE ¼ of Section 10, T14N, R8W of the 3rd P.M. in Morgan County, at the above street address and consist of the following:

Livestock waste management facilities consisting of a concrete manure pit (approximately 101 ft. x 305 ft. x 10 ft.); the concrete slotted portion of the floor over the manure pit that capture and contain waste generated in the barn above; and twelve manure pump out pits (approximately 6 ft. x 6 ft. x 8ft.) each, to allow manure removal from the manure pit.

- 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 III. 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.
- 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: December 27, 2016 Illinois Environmental Protection Agency 1021 North Grand Ave. E. 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) 782-3397 BRUCE RAUNER, GOVERNOR

ALEC MESSINA, ACTING DIRECTOR

# **EXHIBIT**

# Memorandum

To:

Charles Gunnarson, Division of Legal Counsel

Al Keller, Manager, Permit Section

Date:

DEC. 1 6 2016

Re:

Duewer Farms - Franklin

Recommendation of Tax Certification

Log # TC-03-16

Property Identification #1370070001

The Bureau of Water received a request on January 5, 2016 from Gavin Duewer for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to 35 III. Adm. Code 125.204. We offer the following recommendation.

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

**Duewer Farms** 977 Duewer Rd. Franklin, IL

SE 1/4 of Section 10, T14N, R8W of the 3<sup>rd</sup> PM in Morgan County

The livestock waste handling facilities consisting of one (1) concrete manure pit (approximately 101 ft. x 305 ft. x 10 ft.) and the concrete slotted portion of the floor over the manure pit that capture and contain waste generated in the barn above. Twelve (12) pumpout pits (approximately 6 ft. x 6 ft.) to allow manure removal from the manure pit. The facility collects, transports and stores livestock waste prior to cropland application.

The facility is 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

# \* Electronic Filing: Received, Clerk's Office 12/27/2016 - \* \* \* PCB 2017-029 \* \* \* Watershed Unit Tax Certification Review Sheet

Project Name: Duewer Farms	Date: December 14, 2016 Type: Agchem			
Reviewer: WH	Type: Agchem  Livestock			
Log number: TC-03-16	Contact: Gavin M. Duewer 3249 Loami Rd.			
Applicant: Gavin M. Duewer 3249 Loami Rd. Alexander, IL 62601	Alexander, IL 62601 Phone: 217-370-7275 Property ID: 1370070001			
Facility: Duewer Farms 977 Duewer Rd. Franklin, IL	Parcel#: 15-10-400-006  County: Morgan			
Legal Description: Section:10 Twp: 14N R: 8W PM: 3 <sup>rd</sup>	Signature: Gavin M. Duewer			
Date Control Devices installed: 09/2014	Title: Owner			
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:  The livestock waste handling facilities consist of one (1) concrete manure pit (101 ft. x 305 ft. x 10 ft.) and the concrete slat portion of the floor over the manure pit that capture and contain waste generated in the barn above. The concrete manure pit has twelve (12) 6 ft. x 6 ft. pumpout pits to allow manure removal from the manure pit. The facility collects, transports and stores livestock waste prior to cropland application.				
12/12/2016: Called Mr. Gavin M. Duewer about description of pollution control facilities. He will clarify pollution control facilities to be certificied.				
12/14/2016: Per email from Gavin Duewer, manure pit, slotted floor and pumpouts will be certified.				
Recommended Action: Issue tax certification.				

taxcert review sheet

#### Han, Wei

From: Sent: Gavin Duewer <duewer1@gmail.com> Tuesday, December 13, 2016 5:41 PM

To:

Han, Wei

Subject:

[External] Tax Certification

Mr. Han,

Sorry it took me so long to take care of this. Weve been busy making preparations for the cold weather coming in.

I just wanted to make some clarifications for the tax certification. This pertains to section D of the application form. The certification for pollution control is to include the concrete pit underneath of the hog confinement building, the concrete floor above the pit, and the 12 concrete pump-outs that are evenly spaced around the pit. The building itself is to be excluded from all of this.

If you need anything else or if this needs to be more formal, please let me know.

Thanks,

Gavin Duewer

\*\*\* PCB 2017-629 3\* 16 W

Electronic Filing: Received, Clerk's Office 12/27/2016

APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT)

POLLUTION CONTROL FACILITY

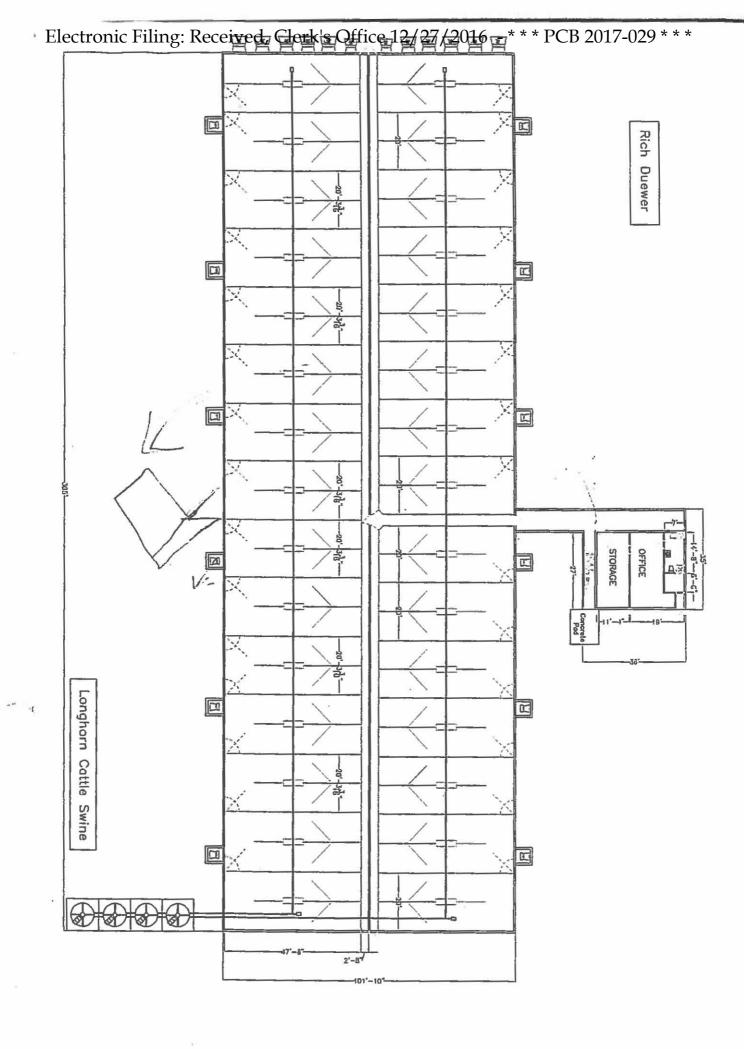
AIR WATER 

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.		ification No.		Date
Sec. A	Company Name Duewer Farms			
	Person Authorized to Receive Certification	Do	erson to Contact for Add	itional Dataila
R	Gavin M. Duewer		Gavin M. Due	itional Details
	Street Address		reet Address	
	3249 Loami Rd	2	3249 Loami Rd	<u> </u>
<u> </u>	Municipality, State & Zip Code	Mi	unicipality, State & Zip C	Code
APPLICANT	Alexander IL 62601	Α	llexander, IL (	62601
PL.G	Telephone Number	Te	elephone Number	
AP	217-370-7275		17-370-7275	
0	Location of Facility Quarter Section Township Ran		unicipality	Township
	Quarter Section Township Ran	rge (A)		Franklin
	Street Address		ounty	Book Number
	977 Duewer Rd		igan	
	Property Identification Number	Pa	arcel Number	
	1370070001		5-10-400-006	
Sec. B	Nature of Operations Conducted at the Above Loc	ation		
	Grower to Finish swine	waste co	017701	
(1)				
S S				
55	Water Pollution Control Construction Permit No.	Da	ate Issued	1
MANUFACTURING	NPDES PERMIT No.	D:	ate Issued	Expiration Date
A G	ILRIO		7-30-13	7-31-19
≥	Air Pollution Control Construction Permit No.	Da	ate Issued	
	Air Pollution Control Operating Permit No.	Da	ate Issued	
			(8)	
Sec. C	Describe Unit Process			
හ				
SZ				DECEMBN
ESS	Materials Used in Process			Different and the control of the con
MANUFACTURING PROCESS	Materials Osed III Process			JAN 0 5 2016
ANL	(b. A. A. A. A.	<b>3</b>		JAN V & ZOO
2	- see attached document	15		ia.
				BOWWPC/FERMIT SECTION
Sec. D	Describe Pollution Abatement Control Facility			, 45 Att
JZ	- see attached diagram			<b>*</b>
POLLUTION CONTROL FACILITY DESCRIPTION	_ structure is 101' × 305' × 10	O'doese ()	has 10" dividina	wall in centers)
N N N		0		)
DES	- all concrete construction			
ŠÈ.	-12 6'x6'x10' gumy out	tes		
F C C	, ,			
4.5				

Sec. E	(1) Nature of Contaminants or Pollutants					
	ained, Captured or Recovered					
NTS	Contaminant or Pollutant		DESCRIPTION	DISPOSAL OR USE		
AN A						
TA A	SW	ine manure		Feltilizer for row crops		
20						
ة						
FA	(2) Po	oint(s) of Waste Water Discharge				
TRO			DI	s Attached Yes □ No □		
Contaminant or Pollutant  DESCRIPTION  DISPOSAL OR  Swine Manage  (2) Point(s) of Waste Water Discharge  Plans and Specifications Attached Yes   (3) Are contaminants (or residues) collected by the control facility? Yes   (4) Date installation completed Sept 2014 status of installation on date of application   (5) a. FAIR CASH VALUE IF CONSIDERED REAL PROPERTY: \$ 658,0  b. NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY: \$ 70 -  c. PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY: \$ 138,000  d. PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY: \$ 16,000						
NO	(3)	Date installation completed 5cpt 2014		Yes ☑ No ☐ on date of application		
E A						
POL	(5)	And the state of the second	- Annual St.			
ING		b. NET SALVAGE VALUE IF CONSIDERED				
N N		c. PRODUCTIVE GROSS ANNUAL INCOM				
000		d. PRODUCTIVE NET ANNUAL INCOME O		\$ 16,000		
		e. PERCENTAGE CONTROL FACILITY BE		0 11 1		
Sec. F The following information is submitted in accordance with the Illinois Property Tax Code, as amended, and to the best knowledge, is true and correct. The facilities claimed herein are "pollution control facilities" as defined in Section 11-1 Illinois Property Tax Code.						
					ATU	
Illinois Property Tax Code.  Source Ownes?						
NATIONAL II	Signa	ature Title				
Sec. G	INSTRUCTIONS FOR COMPILING AND FILING APPLICATION					
ē.	General: Separate applications must be completed for each control facility claimed. Do not mix types (water and air). Where both air water operations are related, file two applications. If attachments are needed, record them consecutively on an index sheet.					
	Sec. /	Information refers to applicant as listed in the ta	x 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 outside of municipal boundaries. The property identification number is required.				map location is required for facilities located d.		
	Sec. I	Self-explanatory. Submit copies of all permits is	ssued by local pollution control	agencies. (e.g. MSD Construction Permit)		
	Sec. (	Trailers to manufacturing processes of materials		10 - 40 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0		
	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 <u>average</u> 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. L  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. which clearly show (a) Point(s) of discharge to receiving stream, and (b) Sewers and process piping to and facility.  Item (3) – If the collected contaminants are disposed of other than as wastes, state the disposition of the ma			y the pollution control facility.  a air pollution control facilities. Submit drawings,  ars and process piping to and from the control			



# Longhorn Cattle & Swine Confinements, Inc.

42480 270th Ave Griggsville, Il 62340 217-285-6379

Rich Duewer March 31, 2014

#### (1) 101'10" x 305' Double Wide Tunnel Ventilated Finisher Building Agreement

Longhorn Cattle & Swine Confinements, Inc, Contractor, agrees to furnish the following material and labor for (1) Maschhoff Design 10'x101'10" x 305' Double Wide Tunnel Ventilated Finishers with (1) 15'x22' Office,(1) 6'x 19' Hallways,(1) 8''x10'x20'x24' Cistern Rich Duewer Site, Owners

#### **Building Specifications**

- 2 x 6 ACQ Studs 2' o.c. with double stud trusses
- 2. 2 x 4 Roof purlins 2' o.c.
- 3. Trusses 4' o.c. with 3/12 roof pitch and top cord extended overhang
- 4. PVC coated bird netting over soffit for minimum ventilation
- 5. All exposed lumber is treated
- 6. 7'6" Ceiling with R-30 insulation, 4 ml vapor barrier & White Aluminum liner
- 7. R-19 rolled fiberglass insulation in end walls
- 8. 29 ga Galvanized metal roofing and White trim and White end walls
   5' PVC Ried harrise alarm and White trim and White end walls
  - 9. 5' PVC Bird barrier along curtain opening
  - 10. 5' Poly curtain above concrete wall on hand winch with auto drop (Insulated Curtain add:\$5,450.00) North side only (2000). TR4

    11. 7' Poly tunnel curtain on tunnel end 2725.

  - 12. (10) 10' low profile Klauer ridge vents
  - 13. 3/8" Fluted glassboard on inside end walls
  - 14. 305' Partition wall dividing rooms with airtight curtain on auto drops
  - 15. (4) Walk-in Plyco doors with windows
- 4) 16. (2) Fluted panel doors
  - 17. Panels & or fan guards to protect fans & shutters
  - 18. 17" White aluminum above curtain
  - 19. PVC pipe attached to curtain board for sealing curtains
  - 20. 2" Curtain battens

Concrete Work according to Il Dept of Ag Specs by Midwest Planning

- 1. All concrete is 4000 PSI
- 2. 4" Concrete floor reinforced with 10ga wire mesh

690White

### Longhorn Cattle & Swine Confinements, Inc

42480 270th Ave Griggsville, Il 62340 217-285-6379

- 3. 20" Tall exterior concrete walls above slats reinforced with rebar vertically & horizontally
- 4. (2) 50' x 304' x 10' deep pit covered with concrete slats
- 5. (1) 10"x 10' x 304' dividing wall
- 6. (12) 6' x 6' Pump outs with tops and sumps
- 7. (1) 12" x 11' x 44' Concrete bulk bin pads
- 8. 14" Solid concrete pillars
- 9. 6" x 4' x 304' Center divider wall

#### Equipment & Pens

- 1. Room-1 (15) Pens 20'3/16" x 47'6" with (2) 10' x 20'3/16 Sort pens
- 2. Room -2 (15) Pens 20' x 47'6" with (2) 10' x 20' Sort pens
- 3. 36" horizontal wean-finish gating
- 4. Alley gating with quick latches
- 5. (12) 24" APP-24F Performer Pit Fans
- 6. (12) CS24-FTU 24"CS Pit FTU W/Quick Lock
- 7. (10) 1 ½ hp 54" Fans with PVC shutters and fiberglass slant wall housing
- 8. (4) ½ hp 36" Fans with PVC shutters, fiberglass slant wall housing, prop, direct drive & discharge cones
- 9. (2) Series II Expert controllers
- 10. (2) Expert safety relay boxes
- 11. (10) Temperature sensing probes with 30' cord
- 12. (48) 2-way ACI-4000P 2 inlets, activated 4000 CFM
- 13. (2) 60 rpm 48" AVS Curtain controls
- 14. (4) 30 rpm 24" AVS Curtain controls
- 15. (1) Agri-Alert 800 Alarm
- 16. (1) Agri-Alert Power Pack
- 17. (1) Low Water Alarm
- 18. (8) Backup thermostats
- 19. (3) Firewalls with metal on both sides of truss

#### Feed System

- 1. (4) 10 x 12 Schuld galv. Bins, ladders and spring away ground lids
- 2. (4) AP adaptors and clear plastic boots
- 3. (1) M350 twin out unloaders with A & B
- 4. (3) M350 twin thru unloaders
- 5. (4) M350 Flex-flo 45 deg elbow

Electronic Filing: Received	Clerk's Office 12/27	//2016 - * * * PCB 2017-029 * * *
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	)
STATE OF ILLINOIS	)
	)
COUNTY OF SANGAMON	)
	)

#### **CERTIFICATE OF SERVICE**

I, the undersigned attorney at law, hereby certify that on December 27, 2016, I served true and correct copies of the <u>APPEARANCE</u> and <u>RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL</u>
<u>PROTECTION AGENCY</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]

Gavin M. Duewer Duewer Farms 3249 Loami Rd. Alexander, IL 62601

#### [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)

THIS FILING IS SUBMITTED ON RECYCLED PAPER