

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Grigsby Protein Realty I, LLC
(Property Identification Number
10-23-100-003)

)
) **PCB No.**
) **(Tax Certification)**
)

NOTICE

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

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

Randy Leka
10736 Markert Avenue
Tallula, Iowa 62688

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

By: *Christine M. Zeivel*
Christine M. Zeivel
Assistant Counsel
Division of Legal Counsel

DATED: February 1, 2017

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

Grigsby Protein Realty I, LLC
(Property Identification Number
10-23-100-003)

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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: 
Christine M. Zeivel
Assistant Counsel
Division of Legal Counsel

DATED: February 1, 2017

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

Grigsby Protein Realty I, LLC)
(Property Identification Number) PCB No.
10-23-100-003)) (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 May 9, 2016, the Illinois EPA received a request from Randy Leka (log number TC-135098, 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:

Grigsby Protein Realty I, LLC
16880 Rogge St.
Tallula, IL 62688

The proposed water pollution control facilities in this request are located at the NW ¼ of Section 23, T18N, R8W of the 3rd P.M. in Menard County, at the above street address and consist of the following:

Livestock waste management facilities consisting of two concrete manure pits (approximately 102 ft. x 305 ft. x 10 ft. deep), concrete slotted floors over the manure pits that collect livestock waste, and twenty-four livestock waste pump out pits to allow for waste removal (approximately 5 ft. x. 6 ft. x. 10 ft.).

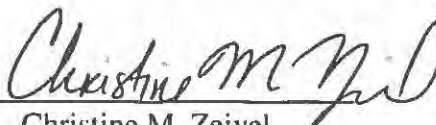
These livestock waste management facilities are used to collect, transport and store livestock waste prior to cropland application, and is further described in Exhibit A.

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 tax certification.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: 
Christine M. Zeivel
Assistant Counsel
Division of Legal Counsel

Dated: February 1, 2017
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

Memorandum

To: Charles Gunnarson, Division of Legal Counsel

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

Date: January 3, 2017

Re: Grigsby Protein *Reality* Tallula
Recommendation of Tax Certification
Log # TC-135098
Property Index# 10-23-100-003

The Bureau of Water received a request on May 9, 2016 from Randy Leka 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:

Grigsby Protein Reality I, LLC
16880 Rogge St.
Tallula, IL 62688

NE ¼ of Section 23, T18N, R8W of the 3rd PM in Menard County

The livestock waste handling facilities consisting of two (2) concrete manure pits (approximately 102 ft. x 305 ft. x 10 ft.) and the concrete slotted portion of the floor over the manure pits that capture and contain waste generated in the barns above. Twenty-four (24) (approximately 5 ft. x 6 ft. x 10 ft. each) pumpout pits to allow manure removal from the manure pits. 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

Watershed Unit Tax Certification Review Sheet

Project Name: Grigsby Protein Reality I, LLC

Date: December 29, 2016

Reviewer: WH

Type: Agchem
 Livestock

Log number: TC-135098

Contact: Randy Leka
10736 Markert Avenue
Tallula, IL 62688
Phone: 217-634-4123

Applicant: Randy Leka
10736 Markert Avenue
Tallula, IL 62688

Property Index#: 10-23-100-003

Facility: Grigsby Protein Reality I, LLC
16880 Rogge St.
Tallula, IL 62688

Parcel#:

County: Menard

Legal Description:
NW ¼ of Section: 23 Twp: 18N R: 8W PM: 3rd

Signature: Randa & Roudoll Leka

Date Control Devices installed: December 2015

Title: Manager

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 two (2) concrete manure pits (approximately 102 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 barns above. Each concrete manure pit has twelve (12) (approximately 5 ft. x 6 ft. x 10 ft. each) pumpout pits to allow manure removal from the manure pit. The facility collects, transports and stores livestock waste prior to cropland application.

12/15/2016: Called Mr. Leka about the clarification of pollution control facility. He also provided section number 23.

12/16/2016: Received email from Mr. Leka.

Recommended Action: Issue tax certification.

Han, Wei

From: Randy Leka <randy@agplus1.com>
Sent: Friday, December 16, 2016 3:04 PM
To: Han, Wei
Cc: 'Donna Mcneal'
Subject: [External] RE: Tax Certification for Grigsby Protein Realty I
Attachments: Scan0105.pdf

Mr. Han,

In regard to your questions regarding the newly installed pollution control facilities to be certified, please know that two facilities were installed at this site. Both facilities have the dimensions of 102 feet by 305 feet. These facilities have concrete floors and walls with the tops being slotted concrete. In addition, each facility has 12 pump outs with dimensions of 5 feet by 6 feet by 10 feet with concrete floors and walls. The entire outer perimeter of each facility has drain tile comprised of approximately 812 linear feet.

Attached is the application for the second site located in Cass County that I had made reference to during our phone conversation. This site is identical in physical dimensions, material and design as the application you are currently reviewing. Would it be possible to review the attached application at the same time.

If additional information is needed please let me know.

Thank you.

Randall A. Leka, AFM

Ag Plus Developments, Inc.
10736 Markert Avenue
Tallula, Illinois 62688
1-217-634-4123
Randy@Agplus1.com

From: Han, Wei [<mailto:Wei.Han@Illinois.gov>]
Sent: Thursday, December 15, 2016 5:00 PM
To: randy@agplus1.com
Subject: Tax Certification for Grigsby Protein Realty I

Mr. Leka,

Below is my contact information. Please make clarification on the pollution control facilities to be certified. Please provide number (2?), dimensions and material (concrete?) of the manure pit. Also provide the number, material and dimensions of the pumpouts. Please verify that the concrete floor over the pit is slotted for manure collection.

Your application for the other facility is not with me. But if you can make same statement and provide similar information for the other facility, I will forward it to the reviewer.

Please let me know if you have any questions.

Thank you.



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: Ray E. Pilapil, Permit Section
 Division of Air Pollution Control
 1021 North Grand Avenue East, P.O. Box 19276
 Springfield, IL 62794-9276

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>Griqsbey Protein Realty I. LLC</u>	Person to Contact
Person Authorized to Receive Certification: <u>Randy Leka</u>	for Additional Details: <u>Randy Leka</u>
Street Address: <u>10736 Markert Avenue</u>	Street Address: <u>10736 Markert Avenue</u>
City: <u>Tallula</u> State: <u>il</u>	City: <u>Tallula</u> State: <u>il</u>
Zip: <u>62688</u> Phone: <u>217-634-4123</u>	Zip: <u>62688</u> Phone: <u>217-634-4123</u>
Email Address: <u>randy@agplus1.com</u>	Email Address: _____

II. Facility Information:

Facility Location: Quarter Section: NW 1/4 Township: 18N Range: 8W
 Municipality: _____ Township: _____
 Note: A plat map location is requested for facilities located outside of municipal boundaries.
 Address: 16880 Rogge Street City: Tallula
 State: IL Zip Code: 62688 County: Menard Book Number: _____
 Property Index Number: 10-23-100-003

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:

Permit Information:

WPC Construction Permit Number: <u>N/A</u>	Date Issued: <u>n/a</u>
NPDES Permit Number: <u>N/A</u>	Date Issued: _____ Exp. Date: _____
APC Construction Permit Number: <u>N/A</u>	Date Issued: <u>n/a</u>
APC Operating Permit Number: <u>N/A</u>	Date Issued: <u>n/a</u> Exp. Date: _____

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

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:

This is a 9,306 head, wean to finish facility. There are two barns on this site. Each barn has a 102' by 305' x 10' concrete basement (seeps pit) under it for collecting contaminants. Please see attached Exhibit A for more detail.

Materials Used in the Process:

N/A

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):

Please see attached exhibit "A"

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

Please see attached exhibit "A"

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
Swine manure	swine manure from 9,306 head of wean to finish hogs	the animal waste is injected into the ground at agronomic rates in accordance with the nutrient management plan

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

Point(s) of Waste Water Discharge:

Identify the location of the discharge to the receiving stream. This will typically refer to a source of water pollution but can include water-carried wastes from air pollution control facilities.

Plans and Specifications Attached Yes No

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.

Are contaminants (or residues) collected by the control facility? Yes No

Note: If the collected contaminants are disposed of other than as wastes, state the disposition of the materials, and the value dollars reclaimed by the sale or reuse of the collected substances. State the cost of reclamation and related expense.

Project Status:

Date Installation Completed: _____

Provide the date the pollution control facility was first placed into service and operated. If not, explain.

December 17, 2015

Status of installation on date of application:

Complete

III. Verification and Signature:

The following information is submitted in accordance with the Illinois Property Tax Code, as amended, and to the best of my knowledge is true and correct.

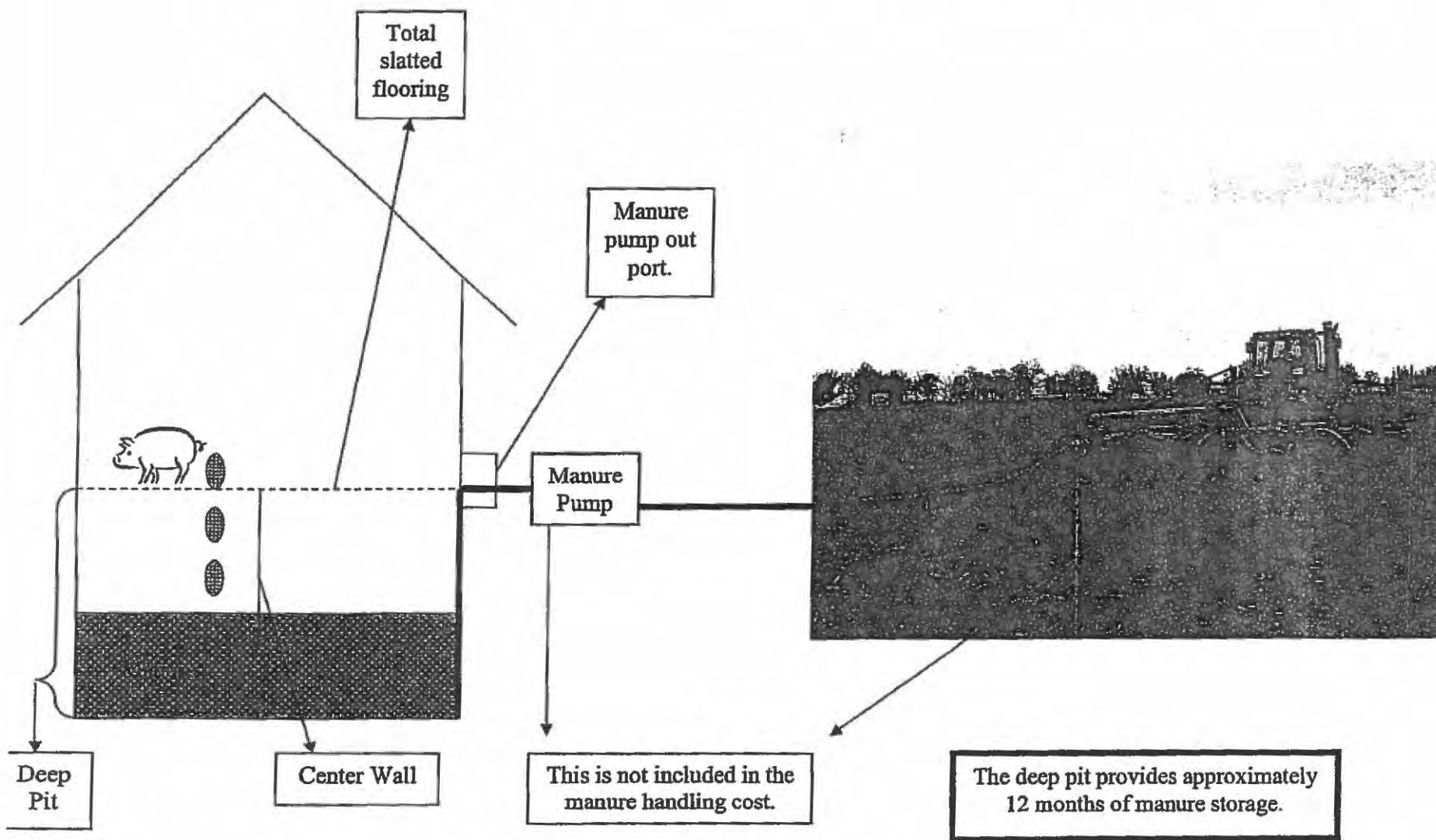
Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony. (415 ILCS 5/44(h))

Leiland Services, LLC, Agent for
Grigsby Protein Realty I, its Manager
 by: Rachda A. Leika, Manager Title: Firm Manager

For incorporated entities, signature should be from an authorized corporate representative.
Leiland Services, LLC, Agent for Date: 5-5-2016
 Grigsby Protein Realty I, its Manager
 by: Rowdell A. Leika, Manager

Exhibit "A"

Sketched Diagram showing the flow of livestock waste from the animal through the pollution control facility.



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 February 1, 2017, the attached NOTICE, APPEARANCE and RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, upon the following persons by causing to be mailed a true copy thereof in an envelope duly addressed, bearing proper first class postage, and deposited in the United States mail at Springfield, Illinois:

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

Randy Leka
10736 Markert Avenue
Tallula, Iowa 62688

[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/ Christine M. Zeivel
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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