

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

D & A Hog Partnership - Martinsville)
(Property Identification Number) **PCB 19-**
12-06-36-00-400-005)) **(Tax Certification)**
)

NOTICE

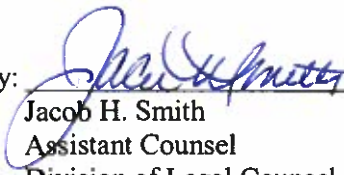
Steve Santarelli
Illinois Department of Revenue
101 West Jefferson
Post Office Box 19033
Springfield, Illinois 62794

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

D & A Hog Partnership
c/o Aaron Warner
14420 N. 470th Street
Martinsville, Illinois 62442

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: 
Jacob H. Smith
Assistant Counsel
Division of Legal Counsel

DATED: January 8, 2019

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

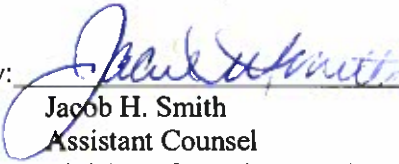
D & A Hog Partnership - Martinsville)
(Property Identification Number) **PCB 19-**
12-06-36-00-400-005) **(Tax Certification)**
)

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:



Jacob H. Smith
Assistant Counsel
Division of Legal Counsel

DATED: January 8, 2019

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

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

D & A Hog Partnership - Martinsville)
(Property Identification Number) **PCB 19-**
12-06-36-00-400-005)) **(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 March 5, 2018, the Illinois EPA received a request from D & A Hog Partnership (log number TC-139313, 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:

D & A Hog Partnership
5505 East 1400 Road
Martinsville, IL 62442

The proposed water pollution control facility in this request is located in the SE ¼ of Section 36, T11N, R14W of the 2nd P.M. in Clark County, at the above street address and consist of the following four buildings:

One (1) concrete swine finishing barn manure pit (approximately 193 ft. x 101.5 ft. x 9 ft. deep) with four concrete manure pump out pits (approximately 6 ft. x 6 ft. x 9 ft. deep each), approximately 637 linear feet of 6-inch Form-a-Drain perimeter tile, and approximately 19,200 sq. ft. of concrete slotted flooring over the manure pit;

One (1) concrete swine finishing barn manure pit (approximately 193 ft. x 51 ft. x 8 ft. deep) with four concrete manure pump out pits (approximately 6 ft. x 6 ft. x 8 ft. deep each), approximately 536 linear feet of 6-inch Form-a-Drain perimeter tile, and

approximately 9,600 sq. ft. of concrete slotted flooring over the manure pit;

One (1) concrete swine finishing barn manure pit (approximately 133 ft. x 41 ft. x 9 ft. deep) with two concrete manure pump out pits (approximately 6 ft. x 6 ft. x 9 ft. deep each), approximately 372 linear feet of 6-inch Form-a-Drain perimeter tile, and approximately 5,280 sq. ft. of concrete slotted flooring over the manure pit;

One (1) concrete swine finishing barn manure pit (approximately 145 ft. x 29 ft. x 8 ft. deep) with approximately 348 linear feet of 6-inch Form-a-Drain perimeter tile, and approximately 4,032 sq. ft. of concrete slotted flooring over the manure pit;

This livestock waste management facility is used to collect, transport, and/or 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:

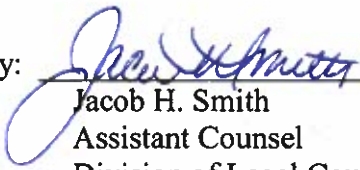
any system, method, construction, device or appliance appurtenant thereto or any portion of any building or equipment, that is designed, constructed, installed or operated for the primary purpose of: eliminating, preventing, or reducing air or water pollution ...or treating, pretreating, modifying or 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 is 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: 
Jacob H. Smith
Assistant Counsel
Division of Legal Counsel

Dated: January 8, 2019

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, DIRECTOR

Memorandum

To: Charles Gunnarson, Division of Legal Counsel

From: Darin E. LeCrone P.E., Manager, Industrial Unit, Permit Section **DEL**

Date: January 3, 2019

Re: D & A Hog Partnership - Martinsville
Recommendation of Tax Certification
Log # TC-139313
BOW ID # W0238150001
Property Identification # 12-06-36-00-400-005

The Bureau of Water received a request on March 5, 2018 from D & A Hog Partnership for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to 35 Il. Adm. Code 125.204. We offer the following recommendation.

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

D & A Hog Partnership
5505 East 1400 Road
Martinsville, IL 62442

SE 1/4 of Section 36, Township 11-North, Range 14-West of the West 2nd PM in Clark County.

Livestock waste management facilities consisting of:

One (1) concrete swine finishing barn manure pit approximately 193 ft. (length) x 101.5 ft. (width) x 9 ft. (depth) with 4 concrete pump out pits approximately (6 ft. x 6 ft. x 9 ft. deep), approximately 637 linear feet of 6 inch Form-a-Drain perimeter drain tile, and approximately 19,200 sq. ft. of concrete slatted flooring over the manure pit;

one (1) concrete swine finishing barn manure pit approximately 193 ft. (length) x 51 ft. (width) x 8 ft. (depth) with 4 concrete pump out pits approximately (6 ft. x 6 ft. x 8 ft. deep), approximately 536 linear feet of 6 inch Form-a-Drain perimeter drain tile, and approximately 9,600 sq. ft. of concrete slatted flooring over the manure pit;

one (1) concrete swine finishing barn manure pit approximately 133 ft. (length) x 41 ft. (width) x 9 ft. (depth) with 2 concrete pump out pits approximately (6 ft. x 6 ft. x 9 ft. deep), approximately 372 linear feet of 6 inch Form-a-Drain perimeter drain tile, and approximately 5,280 sq. ft. of concrete slatted flooring over the manure pit; and

one (1) concrete swine finishing barn manure pit approximately 145 ft. (length) x 29 ft. (width) x 8 ft. (depth) with approximately 348 linear feet of 6 inch Form-a-Drain perimeter drain tile and approximately 4,032 sq. ft. of concrete slatted flooring over the manure pit.

Illinois EPA - Bureau of Water - Division of Pollution Control
Title 35 Subtitle A Part 125 Tax Certifications
Illinois EPA Review Notes for:
Agency Recommendation of Pollution Control Facilities.

BOW ID #: W0238150001

Project Name: D & A Hog Partnership

Date application received: 3/5/2018

Reviewer: DRG

Log number: TC-139313

Legal Description:
SE 1/4 of Section 36 Twp: 11-North Range: 14-
West PM: West 2nd

County: Clark

Facility Contact: Aaron Warner

Phone: 217 276-1888

Pollution Control Facility Type:
Swine Livestock Waste Management Facility

Property ID: 12-06-36-00-400-005

Applicant: D & A Hog Partnership
14420 N. 470th Street
Martinsville, IL 62442

Facility: D & A Hog Partnership
5505 East 1400 Road
Martinsville, IL 62442

Date Control Devices installed: 4 separate
structures, see notes

Application Signature by: Aaron Warner

Title: Owner

Contents of Application: Standard 3 page form, Aerial image of plot, plat book excerpt, PCF Table

Is there a pollutant control flow diagram? **Yes**

Is there sufficient diagrams showing the pollution control facilities? **Yes**

This facility generates the following pollutants and prevents their discharge as indicated:

Livestock waste is collected and land applied to cropland.

Physical description of pollution control facilities that ARE recommended:

Livestock waste management facilities consisting of:

One (1) concrete swine finishing barn manure pit approximately 193 ft. (length) x 101.5 ft. (width) x 9 ft. (depth) with 4 concrete pump out pits approximately (6 ft. x 6 ft. x 9 ft. deep), approximately 637 linear feet of 6 inch Form-a-Drain perimeter drain tile, and approximately 19,200 sq. ft. of concrete slatted flooring over the manure pit;

one (1) concrete swine finishing barn manure pit approximately 193 ft. (length) x 51 ft. (width) x 8 ft. (depth) with 4 concrete pump out pits approximately (6 ft. x 6 ft. x 8 ft. deep), approximately 536 linear feet of 6 inch Form-a-Drain perimeter drain tile, and approximately 9,600 sq. ft. of concrete slatted flooring over the manure pit;

one (1) concrete swine finishing barn manure pit approximately 133 ft. (length) x 41 ft. (width) x 9 ft. (depth) with 2 concrete pump out pits approximately (6 ft. x 6 ft. x 9 ft. deep), approximately 372 linear

REVIEW NOTES

Project Name D & A Hog Partnership Project Location Martinsville Cty Clark
 Log No. TC-139313 Descr Date 11/27/2018 Reviewer

Request for tax Certification of four (4) waste pits
 Application missing

Facility address is not provided (Ask if it is the same)

Facility description refers to table with dimensions
 This table has been labeled "PLF Table"

This Exhibit does not show the dimensions of pumpouts (ASK)

Purpose block refers only to the manure pits or only pits
 pumpouts perimeter tile and slot floor
 is being requested certification "

Process flow diagram provided

Aerial image of facility showing all four bldgs provided
 and
 A plat map is given also

Dates of completion and In-service are incomplete ~~text~~

Ben numbers are not included in the PLF Table
 dates listed are install dates

Called and left message at ph# in app (11/27/2018)

He called back and said that Frank & West would be able
 to best respond regarding dimensions

Sent Jake Nims an email
 11/27/18

Recd Response 11/28/18

⇒ Proceed to Recommend for tax certification

Gove, Darren

From: Jake Nims <jnims@fwieng.com>
Sent: Wednesday, November 28, 2018 8:34 AM
To: Gove, Darren
Subject: [External] RE: Tax Certification for Aaron Warner w/D & A Hog Partnership IEPA Log # TC-139313
Attachments: Warner quantities.xlsx

Mr. Gove,

Attached is the updated quantities list for the Warner/D & A Hog Partnership site. Please let me know if you have any questions.

Jake Nims
Frank & West Environmental Engineers, Inc.
1032 S. 2nd St.
Springfield, IL 62704
(217) 679-7361 office
(217) 679-8362 fax
(309) 530-2894 cell

From: Gove, Darren [mailto:Darren.Gove@Illinois.gov]
Sent: Tuesday, November 27, 2018 11:06 AM
To: Jake Nims
Subject: Tax Certification for Aaron Warner w/D & A Hog Partnership IEPA Log # TC-139313

Jake,

Thanks for the reply on Ron Mueller facility.

I spoke with Aaron Warner regarding his tax certification request and he indicated you'd be the best contact regarding the dimensions of the pump-out pits on each of the four waste pits at his facility. Please let me know if you can furnish these.

Darren Gove
Division of Water Pollution Control, Permit Section
Illinois EPA
1021 N. Grand Ave. East
PO Box 19276
Springfield, IL 62794-9276
ph. 217/782-0610
fax 217/785-1225

State of Illinois - CONFIDENTIALITY NOTICE: The information contained in this communication is confidential, may be attorney-client privileged or attorney work product, may constitute inside information or internal deliberative staff communication, and is intended only for the use of the addressee. Unauthorized use, disclosure

Pollution Control Facility	Dimensions	Number of Pumpouts	Pumpout Size	Length of Perimeter Tile	Type of Tile	Area of Precast Concrete Slats
Finishing Building	193' x 101'6" x 9' deep	4	6' x 6' x 9' deep	637'	6" Form-a-Drain	19,200 ft ²
Finishing Building	193' x 51' x 8' deep	4	6' x 6' x 8' deep	536'	6" Form-a-Drain	9,600 ft ²
Finishing Building	133' x 41' x 9' deep	2	6' x 6' x 9' deep	372'	6" Form-a-Drain	5,280 ft ²
Finishing Building	145' x 29' x 8' deep	0	-	348'	6" Form-a-Drain	4,032 ft ²

Revised PPF Table



Illinois Environmental Protection Agency

1021 North Grand Avenue East • P.O. Box 19276 • Springfield • Illinois • 62794-9276 • (217) 782-3397

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.

You must have Adobe Acrobat Reader 10 or above installed to use the features on this form.

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

RECEIVED
 MAR 05 2018

IEPA
BOW/WPC/PERMIT SECTION

I. Applicant Information:

Company Name: <u>D & A Hoq Partnership</u>	Person to Contact for Additional Details: <u>Same</u>
Person Authorized to Receive Certification: <u>Aaron Warner</u>	Street Address: _____
Street Address: <u>14420 N. 470th St.</u>	City: _____ State: _____
City: <u>Martinsville</u> State: <u>IL</u>	City: _____ State: _____
Zip: <u>62442</u> Phone: <u>217-276-1888</u>	Zip: _____ Phone: _____
Email Address: _____	Email Address: _____

II. Facility Information:

Facility Location: Quarter Section: SE Township: 11-North Range: 14-West
 Municipality: Section 36 Township: _____

Address: _____ City: _____
 State: _____ Zip Code: _____ County: Clark Book Number: _____

Property Index Number: 12-06-36-00-400-005

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:

The farm is made up of four (4) swine finishing buildings where swine are housed on concrete slats with a below ground concrete pits used as waste storage.

Permit Information:

WPC Construction Permit Number: _____	N/A	Date Issued: _____	
NPDES Permit Number: _____	N/A	Date Issued: _____	Exp. Date: _____
APC Construction Permit Number: _____	N/A	Date Issued: _____	
APC Operating Permit Number: _____	N/A	Date Issued: _____	Exp. Date: _____

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

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:

Not applicable

Materials Used in the Process:

Not applicable

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.

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

See attached sheet

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

The primary purpose of the pits is to have a years worth of livestock manure storage to allow flexibility for application to agricultural fields when conditions are ideal.

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).

Not applicable

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
Livestock Manure	Stored in below ground concrete pit	Field applied at agronomic rates

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



Illinois Environmental Protection Agency

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.

Barn 1 - May - 2006
 Barn 2 - January - 2001
 Barn 3 - January - 2014

Status of installation on date of application:

In Service

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))

Aaron Warner Owner
 Printed Name: Title:

For incorporated entities, signature should be from an authorized corporate representative.

Aa 2-26-18
 Signature: Date:

Pollution Control Facility	Dimensions	Number of Pumpouts	Length of Perimeter Tile	Type of Tile	Area of Precast Concrete Slats
Finishing Building	193' x 101'6" x 9' deep	4	637'	6" Form-a-Drain	19,200 ft ²
Finishing Building	193' x 51' x 8' deep	4	536'	6" Form-a-Drain	9,600 ft ²
Finishing Building	133' x 41' x 9' deep	2	372'	6" Form-a-Drain	5,280 ft ²
Finishing Building	145' x 29' x 8' deep	0	348'	6" Form-a-Drain	4,032 ft ²

PCF Table

Legend

D & A Hog Partnership

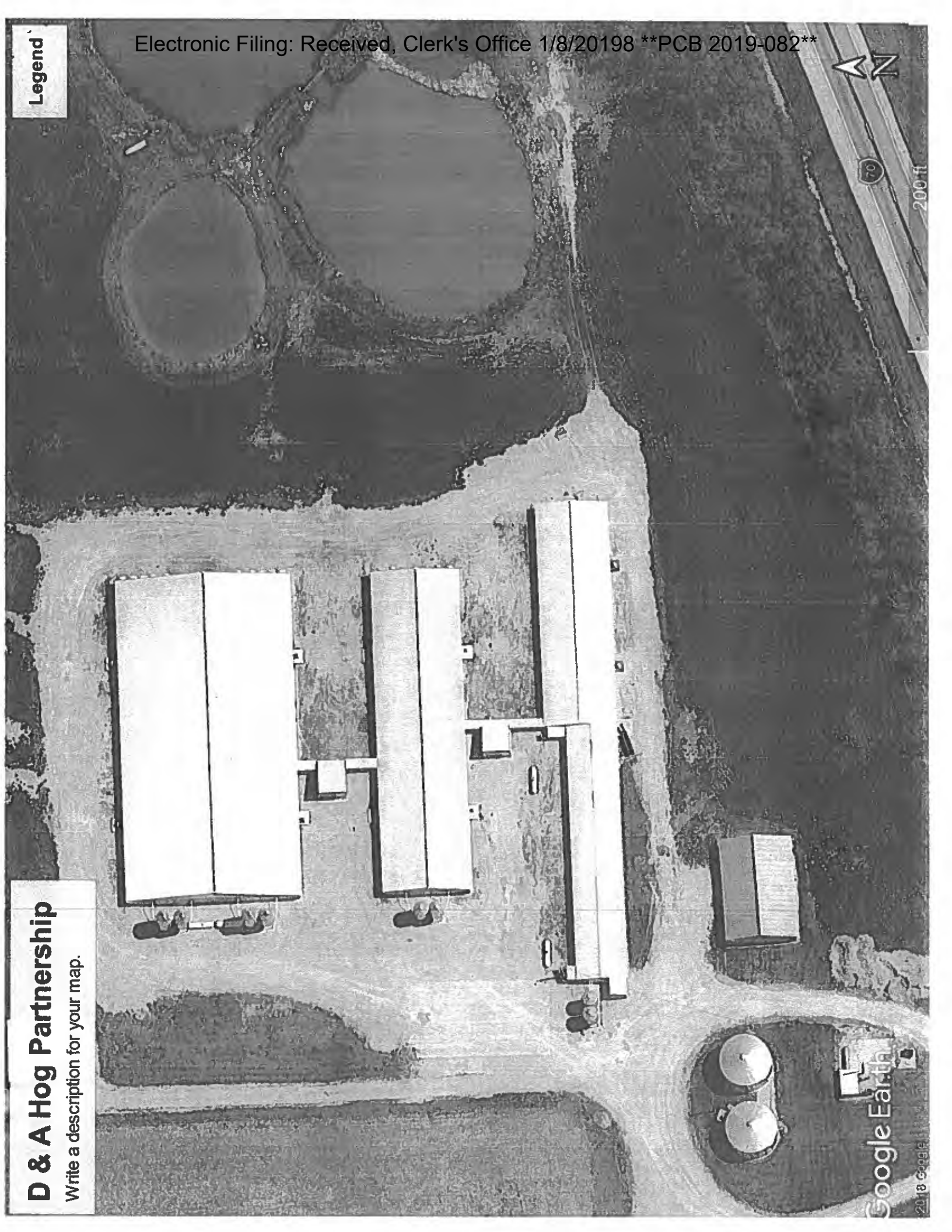
Write a description for your map.

Google Earth

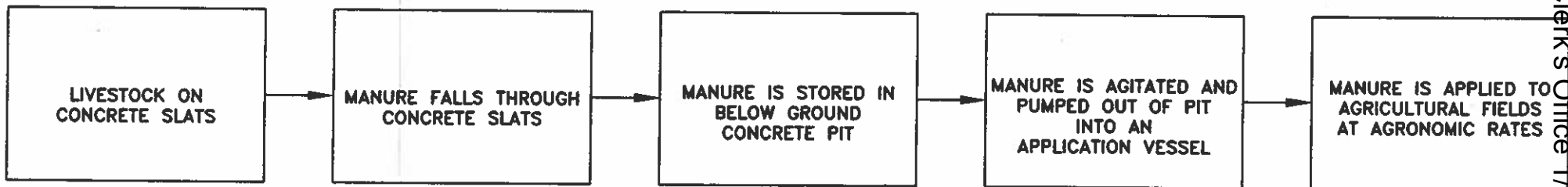
2018 Google

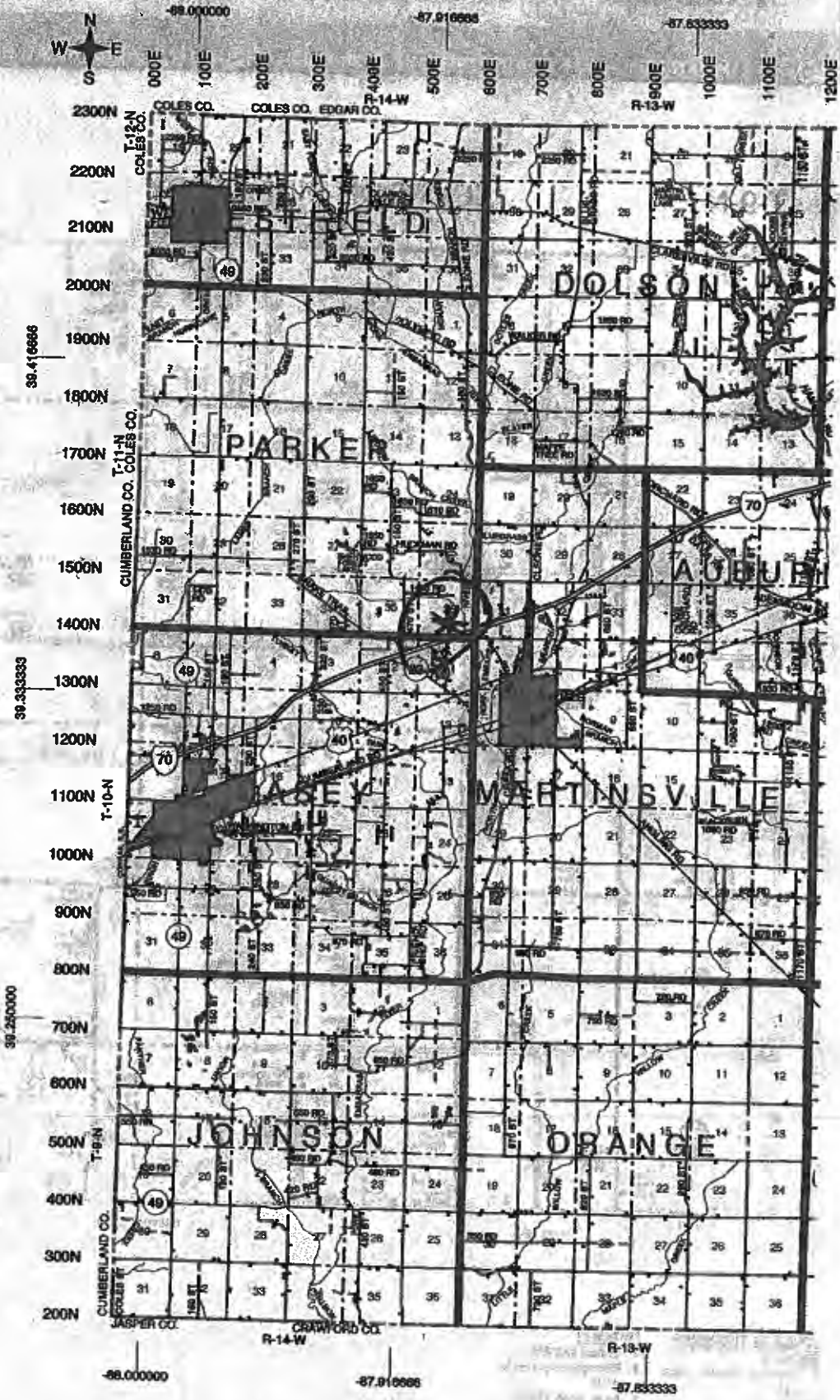
70

200 ft



POLLUTION CONTROL FACILITY
PROCESS FLOW DIAGRAM





STATE OF ILLINOIS

COUNTY OF SANGAMON

)
)
)
)
)

CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that I have served on the date of January 8, 2019, the attached **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

D & A Hog Partnership
c/o Aaron Warner
14420 N. 470th Street
Martinsville, Illinois 62442

[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/ Jacob H. Smith
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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