

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Blackland Pork, LLC-Blue Mound  
(Property Identification Number  
02-15-09-300-006)

)  
) PCB 07- 118  
) (Tax Certification)  
)

**RECEIVED**  
CLERK'S OFFICE

MAY 24 2007

STATE OF ILLINOIS  
Pollution Control Board

NOTICE

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

Larry Wernsing  
9212 N. 22<sup>nd</sup> Ave.  
Raymond, Illinois 62560

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

**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.

ENVIRONMENTAL PROTECTION AGENCY  
OF THE STATE OF ILLINOIS

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

DATED: May 21, 2007

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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**A P P E A R A N C E**

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: May 21, 2007  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276  
(217)782-5544

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STATE OF ILLINOIS  
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Blackland Pork, LLC-BlueMound  
(Property Identification Number)  
02-15-09-300-006

) PCB-07 118  
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)  
)

RECOMMENDATION

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, 35 Ill. Adm. Code 125.204.

1. On July 25, 2006, the Illinois EPA received a request from Blackland Pork, LLC (log number TC-10-06, 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 applicant's address is: Blackland Pork, LLC  
8699 Zion Chapel Rd  
Raymond, Illinois 61078

3. The proposed water pollution control facilities in this request are located at S 1/2 of Section 9, T15N, R1E of the 3rd P.M. in Macon County, at the above street address, and consist of the following:

Livestock waste management facilities consisting of three concrete manure pits (each 164 ft. x 100 ft. x 8 ft. deep) each with 4 concrete pump out pits (each 3 ft. x 4ft. x 8 ft. deep) and the slotted concrete portion of the floor over the manure pits.

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.

4. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2004), defines “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: (a) eliminating, preventing, or reducing air or water pollution ...or (b) 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.”
5. Pollution control facilities are entitled to preferential tax treatment, 35 ILCS 200/11-5.
6. 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,” 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: Vera Herst  
Vera Herst  
Assistant Counsel  
Division of Legal Counsel

Dated: May 21, 2006

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



1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-3397

JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

## Memorandum

To: Connie Tonsor, Division of Legal Counsel

From: Bruce J. Yurdin, Manager, Watershed Management Section

Date: MAY - 9 2007

Re: Blackland Pork, LLC -- Blue Mound  
Recommendation of Tax Certification  
Log # TC-10-06  
Property Identification # 02-15-09-300-006

The Bureau of Water received a request on July 25, 2006 from Blackland Pork, LLC 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:

Larry Wernsing (Blackland Pork, LLC)  
9212 N. 22<sup>nd</sup> Ave.  
Raymond, IL 62560

S ½ of Section 9, T15N, R1E of the 3<sup>rd</sup> P.M. in Macon County

Livestock waste management facilities consisting of three concrete manure pits (each 164 ft. x 100 ft. x 8 ft. deep) each with 4 concrete pump out pits (each 3 ft. x 4ft. x 8 ft. deep) and the slotted concrete portion of the floor over the manure pits.

These livestock waste management facilities are used to collect, transport and/or store livestock wastes 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 Thaddeus Faught at 217/782-3362.

BJY:TJF:TC-10-06.doc

cc: Tax Cert File

Watershed Unit Tax Certification Review Sheet

Project Name: Blackland Pork LLC  
Reviewer: Thaddeus Taylor  
Log No.: TC-10-06

Location: Blue Mountain  
Date: 3/1/07  
Type:  Agchem  
 Livestock

Applicant: Larry Williams  
9212 N. 22<sup>nd</sup> / Ave.  
Raymond, IL 62560  
217-229-3633

Contact: Michael Stichter  
Phone: 217-632-3904

Facility: Blackland Pork LLC  
534<sup>th</sup> 2<sup>nd</sup> Street W.  
Blue Mountain

Property ID: 02-15-00-300-000

Legal Description: Section 9 T15N, R1E, S the 3<sup>rd</sup> PM

County: Macon

Date Control Devices Installed: February 1999 + 12/1/06

Provided Fair Cash Value: \$500,000 + 250,000

Signature: Signed by Larry Williams

Title: Co-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:

2 concrete manure pits (each 164 ft x 100 ft x 3 ft deep) each w/ 4 concrete  
curb-pit pits (each 30 ft x 10 ft x 9 ft deep w/ concrete walls)  
another identical pit => 3 pits total

Other: message 3/2/07

4/29/07 - spoke with Larry Williams - Larry said the 3<sup>rd</sup>  
building is located on the side of the other two and  
costs the same as (250,000)

T C-10-02

Thaddeus Faught  
Facility Evaluation Unit  
Watershed Mgmt Section  
Bureau of Water

Thank you for your response to our application. In answer to your questions to our application this is my reply:

1. section #9 of Blue Mound Twsp
2. pump-out pits are 8' deep
3. see attached sheet for written verification

My question for you is since this application was sent in we have built a 3<sup>rd</sup> building on this site. It is identical to the existing two that were there. Do I need to apply separately for this new building? How do we get the same certification for it also? It was built September-November 2006. It was put into use on 12-1-2006. Please let me know how to proceed on this building.

Thanks,

*Larry Wernsing*  
Larry Wernsing  
217-229-3638

cc: Michael Stickler

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APR 14 2007  
Watershed Management Section  
BUREAU OF WATER

This is to verify that we are seeking property tax certification for the facility at Blackland Pork that includes the value of the concrete manure pit and associated pump-out off-sets and the slatted concrete floor that covers this pit. The sole purpose of these is to catch and hold the manure until it is pumped out and spread on the fields.

*Larry Wernsing*

Larry Wernsing-owner  
Blackland Pork

Michael Stickler-owner

**RECEIVED**  
APR 14 2007

Watershed Management Section  
BUREAU OF WATER



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-3397  
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

217/782-3362

APR 4 2007

Mr. Larry Wernsing  
9212 N. 22<sup>nd</sup> Ave.  
Raymond, IL 62560

Re: Illinois Property Tax: Blackland Pork -- Blue Mound  
Livestock Waste Pollution Control Facilities  
Log No. TC-10-06

Dear Mr. Wernsing:

The application for Illinois Property Tax Certification received July 25, 2006 for the above listed facilities has been reviewed and the following is offered for your consideration and appropriate action.

1. Please provide the Section number for the location of the facility. The application states that the facility is located in Township 15 North, Range 1 East, but does not indicate the Section.
2. Please indicate the depth (in feet) of the 3' x 4' pumpout pits.
3. Please provide written verification that you are only seeking certification for the concrete pits, pumpouts and concrete slatted floors. Please be advised that walls, building structures, etc. with the primary purpose of housing livestock above the manure pits are not eligible for tax certification.

Please review the subject applications accordingly for the items specified above and submit to the Illinois Environmental Protection Agency so that we may complete the review of the subject application. Please include the above log number on all correspondence.

If you have any questions or comments concerning the above items, please contact me at the above address and telephone number.

Very truly yours,

Thaddeus Faught  
Facility Evaluation Unit  
Watershed Management Section  
Bureau of Water

TJF:TC-10-06a.doc

cc: T.C. File ✓  
Mr. Michael Stickler, 16637 Rock Creek Ave.  
Tullula, IL 62688

TC-10-06

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

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
 P. O. Box 19276, Springfield, IL 62794-9276

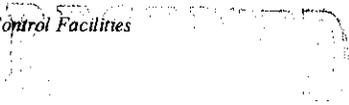
This Agency is authorized to request this information under Illinois Revised Statutes, 1979, Chapter 120, Section 502a-5. Disclosure of this information is voluntary. However, failure to comply could prevent your application from being processed or could result in denial of your application for certification.

FOR AGENCY USE

File No.	Date Received	Certification No.	Date
Sec. A  APPLICANT	Company Name Blackland Park LLC		Person to Contact for Additional Details Michael Stickler
	Person Authorized to Receive Certification Larry Wernsing		Street Address 16637 Rock Creek Av.
	Street Address 9212 N. 22nd Ave		Municipality, State & Zip Code Tallula, Ill. 62688
	Municipality, State & Zip Code Raymond, Ill. 62560		Telephone Number 217-632-3804
	Telephone Number 217-229-2638		Municipality Blue Mound
	Location of Facility Quarter Section Township Range SE 1/4 SW 1/4 15 N 1 E		County Book Number Macon
	Street Address 8699 Zion Chapel Rd.		Parcel Number
	Property Identification Number 02-15-09-300-006		
	Sec. B  MANUFACTURING OPERATIONS	Nature of Operations Conducted at the Above Location hog finish facility	
Water Pollution Control Construction Permit No.		Date Issued	
NPDES PERMIT No.		Date Issued	Expiration Date
Air Pollution Control Construction Permit No.		Date Issued	
Air Pollution Control Operating Permit No.		Date Issued	
Sec. C  MANUFACTURING PROCESS	Describe Unit Process		
	Materials Used in Process		
Sec. D  POLLUTION CONTROL FACILITY DESCRIPTION	Describe Pollution Abatement Control Facility the holding pits underneath the pigs hold the waste until it can be applied to surrounding fields. (see 2 attached sheets)		

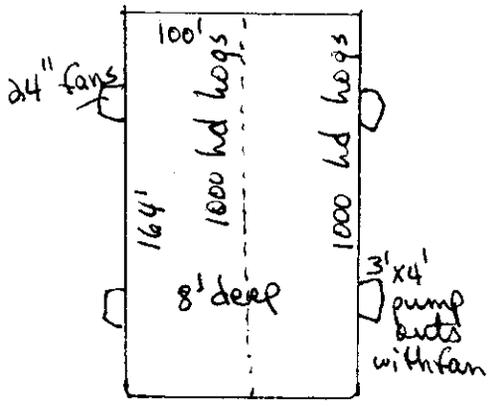
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 APR 25 1988

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
 BOWMAN/PC PERMIT SECTION

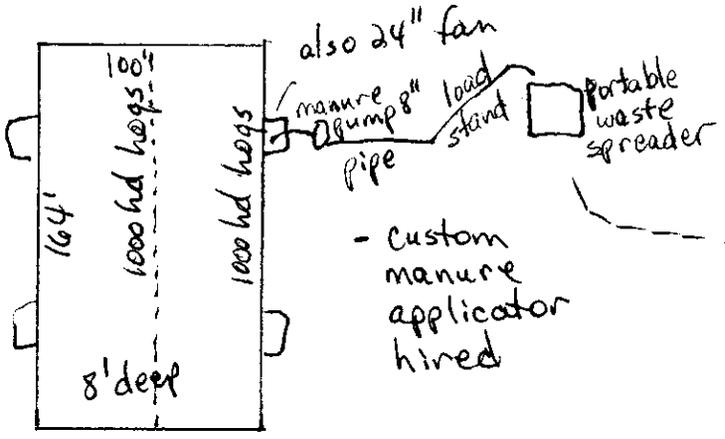




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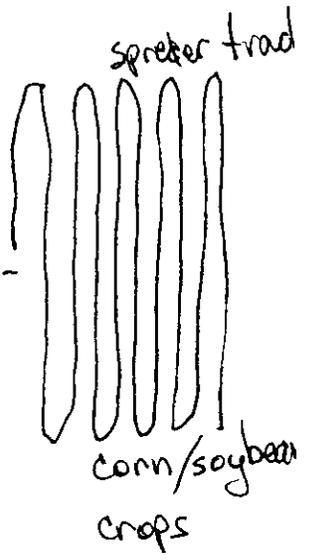


131,200 cuft.  
under bldg  
pit - covered  
with concrete  
slats. Concrete  
walls + floor of  
pit



131,200 cuft.  
under bldg  
pit - covered  
with concrete  
slats. Concrete  
walls + floor of  
pit.

- custom  
manure  
applicator  
hired



\* a drainage  
stream lies  $\frac{3}{8}$  mi  
east of this unit  
the pits under bldgs  
hold manure until  
proper spreading time  
in fall.

S

N

E

Blackland Park L.I.C. consists of a - 2000 sq ft bldgs. with 8 deep concrete holding pits under-neath covered by total slots. The pits will contain the manure from 12 mo. operation of the bldg. It was built in Feb. 1999 by Langhorn Confinement out of Pittsfield.

Each building is 100' wide x 164' long with a "doghouse" pump-outs on each side. These 3' x 4' pump-outs have a ventilation fan sitting on them to pull air from the pits to outside discharges. These fans are moved off the top of the pump-outs to access the liquid manure. A pump + hose is then used to pump liquid from the pit to an applicator that injects the effluent into the surrounding fields for crop use. Each fall a custom manure applicator is hired to do this job - as no individual pumping equipment is owned by the entity.

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF SANGAMON )  
 )

**CERTIFICATE OF SERVICE**

I, the undersigned, an attorney, state that I have served the attached Appearance upon the following person:

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

Larry Wernsing  
9212 N. 122<sup>nd</sup> Ave.  
Raymond, Illinois 62560

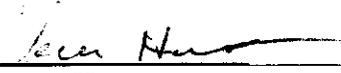
Steve Santarelli  
Illinois Department of Revenue  
101 West Jefferson  
Post Office Box 19033  
Springfield, Illinois 62794

**SEE ATTACHED SERVICE LIST**

and mailing it by First-Class Mail from Springfield, Illinois, with sufficient postage affixed to the following persons:

Dated: May 22, 2007

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By:   
Vera Herst  
Assistant Counsel  
Division of Legal Counsel

1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276  
217/782-5544

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