

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Grote Stock Farm-Sims
(Property Identification Number
01-04-003-013)

)
) PCB 08- 53
) (Tax Certification)
)
)

NOTICE

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

Terry Grote
204 South Street
Sims, Illinois 62886

RECEIVED
CLERK'S OFFICE
MAR 21 2008
STATE OF ILLINOIS
Pollution Control Board

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: March 19, 2008

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

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STATE OF ILLINOIS
Pollution Control Board**

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
Assistant Counsel
Division of Legal Counsel

DATED: March 19, 2008
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

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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 November 7, 2007, the Illinois EPA received a request from Terry Grote (log number TC-18-07, 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: RR1 RD 800 East
Sims, Illinois 62886

3. The proposed water pollution control facilities in this request are located at Section 4, T2S, R^E of the 3rd P.M. in Wayne County, at the above street address and consist of the following:

Livestock waste management facilities consisting of one concrete manure pit (240 ft. x 80 ft. x 2.5 ft. deep) with the slotted concrete portion of the floor over the manure pit. One concrete manure pit (300 ft. x 80 ft. x 8 ft. deep) with the slotted concrete portion of the floor over the manure pit and eight concrete pump out pits (each 6 ft. x 6 ft. x 8 ft. deep).

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 (2006), defines

“pollution control facilities” as:

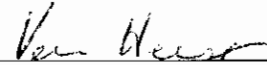
“any system, method, construction, device or appliance appurtenant thereto or any portion of any building or equipment, that is designed, constructed, installed or operated for the primary purpose of: (a) eliminating, preventing, or reducing air or water pollution ...or (b) treating, pretreating, modifying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

Dated: March 19, 2008
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
 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: Al Keller, Manager, Permit Section *AK*

Date: MAR 11 2008

Re: Grote Stock Farm – Sims
 Recommendation of Tax Certification
 Log # TC-18-07
 Property Identification # 01-04-003-013

RECEIVED
 Division of Legal Counsel
 Environmental Protection Agency

The Bureau of Water received a request on November 5, 2007 from Terry Grote 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:

Grote Stock Farm
 RR1 RD 800 East
 Sims, IL 62886

Section 4, T2S, R6E of the 3rd P.M. in Wayne County

Livestock waste management facilities consisting of one concrete manure pit (240 ft. x 80 ft. x 2.5 ft. deep) with the slotted concrete portion of the floor over the manure pit. One concrete manure pit (300 ft. x 80 ft. x 8 ft. deep) with the slotted concrete portion of the floor over the manure pit and eight concrete pump out pits (each 6 ft. x 6 ft. x 8 ft. deep).

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.

SAK:TJF:TC-18-07.doc

cc: Tax Cert File

RECEIVED
 NOV 15 2007

TC-18-07-Trad

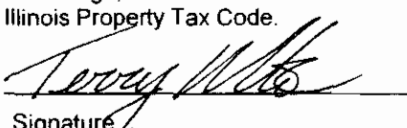
**APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT)
 POLLUTION CONTROL FACILITY**
 AIR WATER

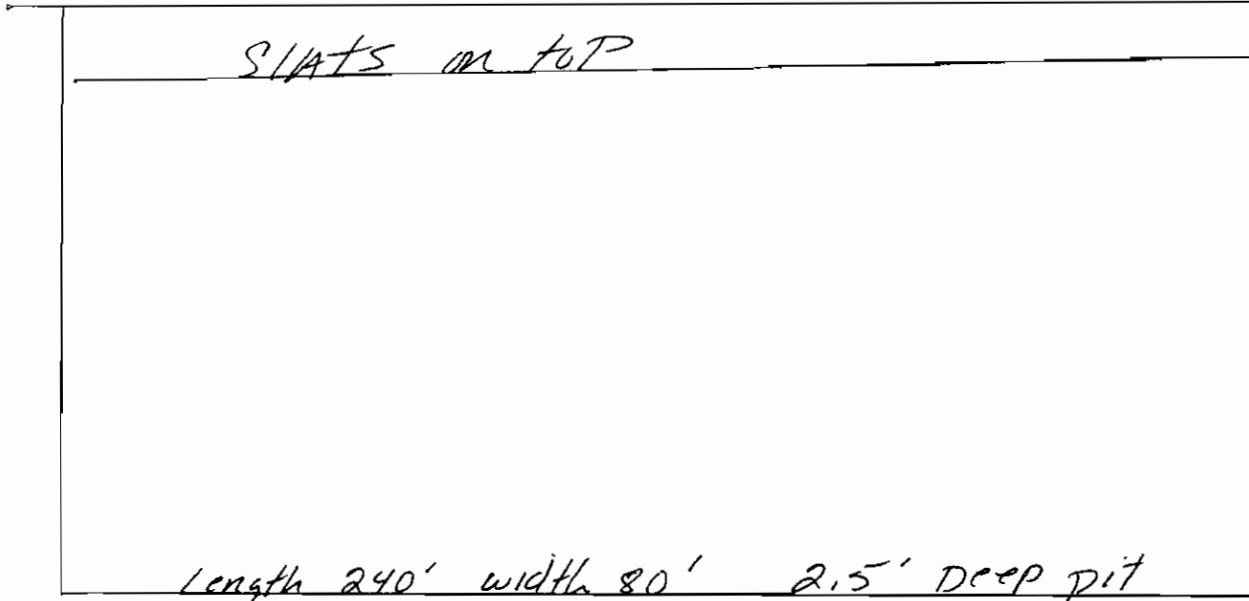
This Agency is authorized to request this information under Illinois Revised Statutes, 1979, Chapter, 120, Section 502a-5. Disclosure of this information is voluntary. However, failure to comply could prevent your application from being processed or could result in denial of your application for certification.

Watershed Management Section
 BUREAU OF WATER
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
 P. O. Box 19276, Springfield, IL 62794-9276

FOR AGENCY USE

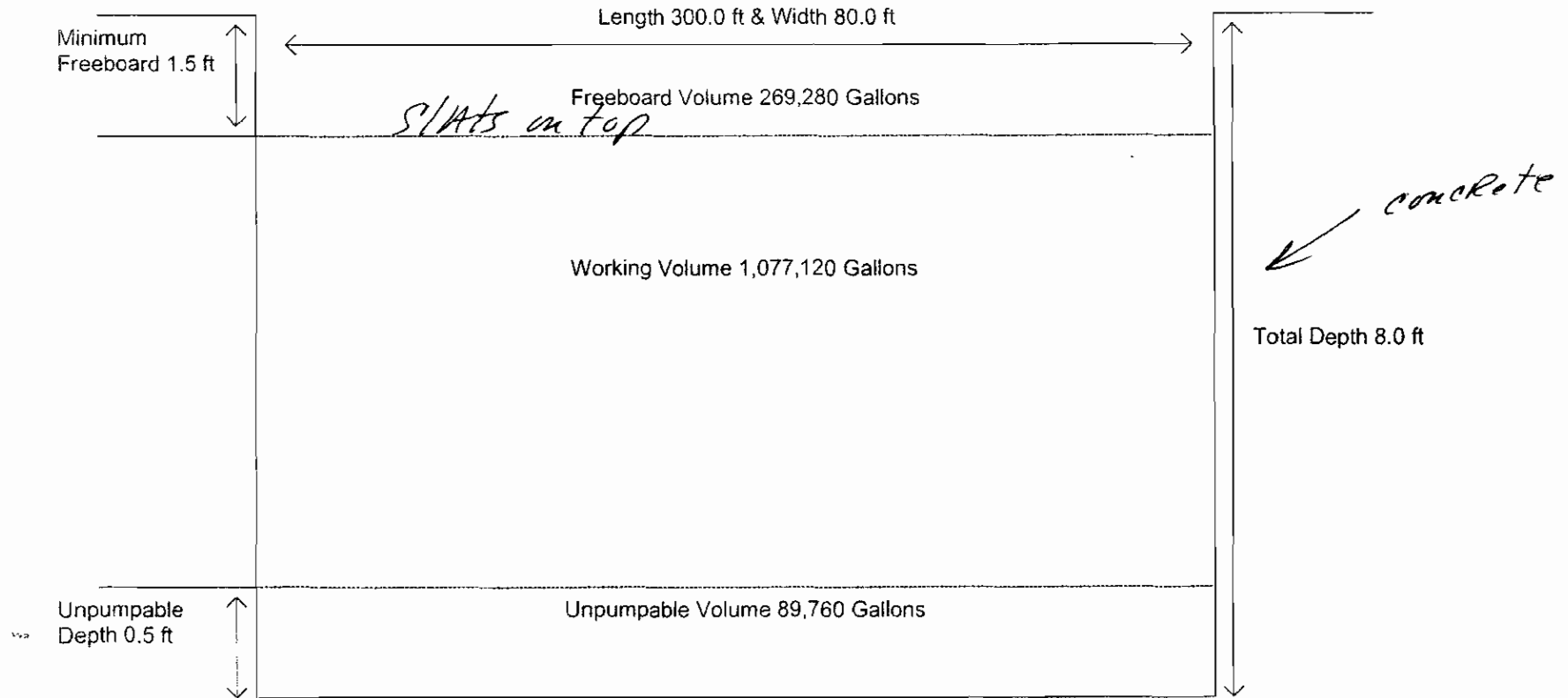
File No.	Date Received	Certification No.	Date	
Sec. A APPLICANT	Company Name Grote Stock Farm			
	Person Authorized to Receive Certification Terry & Gayla Grote		Person to Contact for Additional Details Terry A. Grote	
	Street Address 204 South st		Street Address 204 South 1st	
	Municipality, State & Zip Code Fairfield, Il 62837		Municipality, State & Zip Code Fairfield, il 62837	
	Telephone Number (618) 842-9779		Telephone Number (618) 516-2685	
	Location of Facility Quarter Section NW	Township T2S	Range R6E	Municipality RR1 Sims Township T2S
	Street Address RR1 RD 800 East		County Wayne	Book Number 53
	Property Identification Number 01-04-003-013		Parcel Number	
	Sec. B MANUFACTURING OPERATIONS	Nature of Operations Conducted at the Above Location SWINE FINISHING OPERATION		
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 5400-head swine confinement wean-finish operation consisting of two power ventilated barns. Barn 1/2 has a dimension of 80' wide x 240' long barn 3/4 has a demision of 80' wide x 300' long. 21 day old wean piglets 15 pounds are finished to market weight approximately 285 pounds over a 6 month period.			
	Materials Used in Process CONCRETE PIT WALLS, CONCRETE SOLID FLOORS AND CONCRETE SLATS			
Sec. D POLLUTION CONTROL FACILITY DESCRIPTION	Describe Pollution Abatement Control Facility Manure system consists of one 240' long x 80' wide x 2.5' deep pit covered by a total slats floor and one 300' long x 80' wide x 8' deep pit covered by a total slats floor and eight 6' x 6' x 8' deep pump out ports. I am not requesting certification for the buildings only the pits, slats and the pump out ports. All of these control devices are made of concrete.			

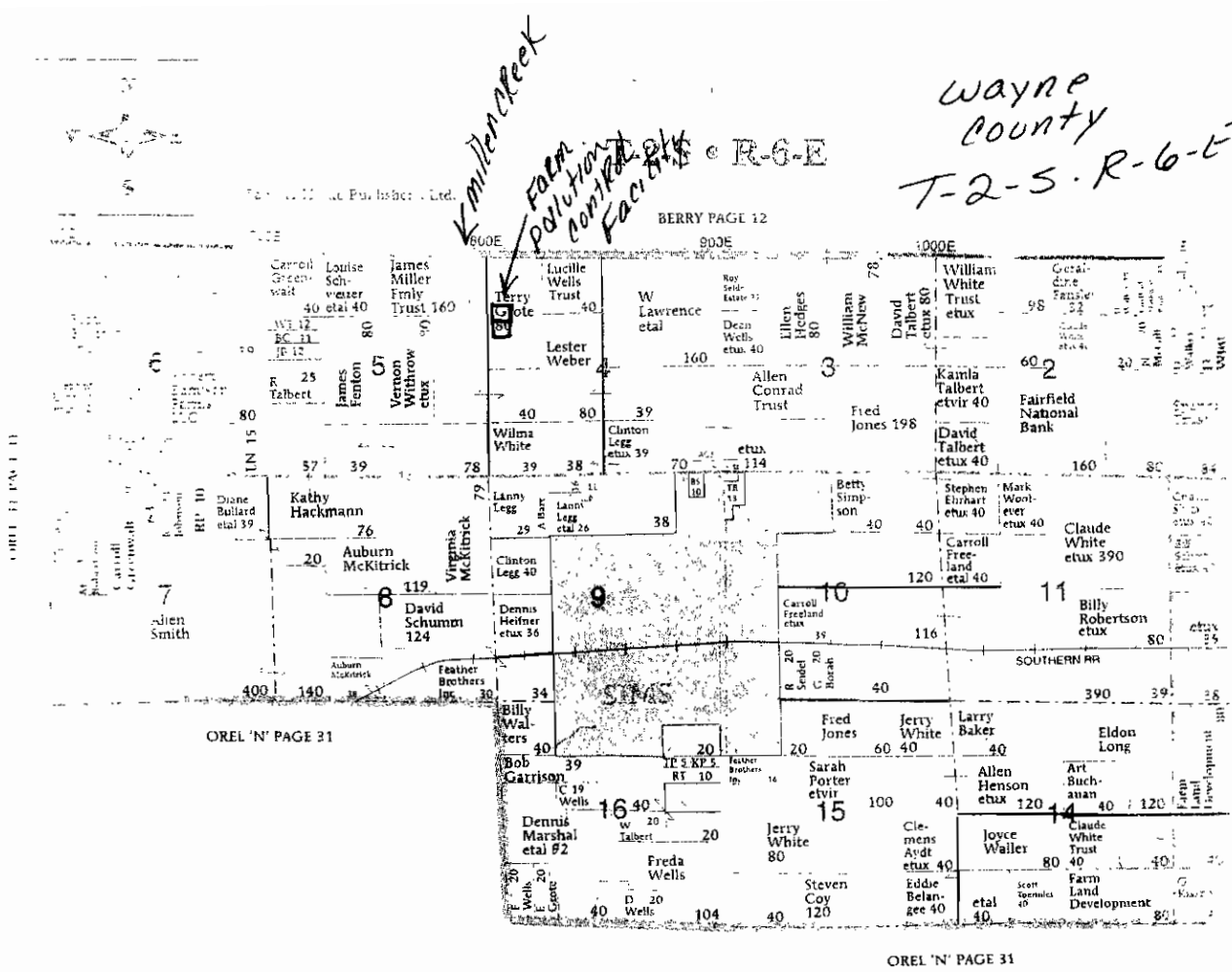
Sec E POLLUTION CONTROL FACILITY - CONTAMINANTS ACCOUNTING DATA	(1) Nature of Contaminants or Pollutants SWINE WASTE		
			Material Retained, Captured or Recovered
	Contaminant or Pollutant	DESCRIPTION	DISPOSAL OR USE
	SWINE MANURE	SOIL INJECTION	LAND APPLIED FOR CROP
			PRODUCTION VIA TANK INJECTION
			AT AGRONOMIC RATES PER MY
			COMPREHENSIVE NUTRIENT
			MANAGEMENT PLAN.
	(2) Point(s) of Waste Water Discharge NO DISCHARGE SOIL INJECTION ONLY		
	Plans and Specifications Attached		Yes <input type="checkbox"/>
(3)	Are contaminants (or residues) collected by the control facility?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
(4)	Date installation completed 05/20/03	status of installation on date of application <i>complete</i>	
(5)	a. FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:	\$ 0	
	b. NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY:	\$ 0	
	c. PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY:	\$ 0	
	d. PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY:	\$ 0	
	e. PERCENTAGE CONTROL FACILITY BEARS TO WHOLE FACILITY VALUE:	% 38.2	
Sec. F 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. The facilities claimed herein are "pollution control facilities" as defined in Section 11-10 of the Illinois Property Tax Code.		
	 <u>owner</u> Signature Title		
Sec. G INSTRUCTIONS	INSTRUCTIONS FOR COMPILING AND FILING APPLICATION		
	General: Separate applications must be completed for each control facility claimed. Do not mix types (water and air). Where both air and water operations are related, file two applications. If attachments are needed, record them consecutively on an index sheet.		
Sec. A	Information refers to applicant as listed in the tax 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 located outside of municipal boundaries. The property identification number is required.		
Sec. B	Self-explanatory. Submit copies of all permits issued by local pollution control agencies. (e.g. MSD Construction Permit)		
Sec. C	Refers to manufacturing processes or materials on which pollution control facility is used.		
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 <u>pollution control facility</u> . 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. List also the final 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. 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. Item (3) - If the collected contaminants are disposed of other than as wastes, state the disposition of the materials, and the value in dollars reclaimed by sale or reuse of the collected substances. State the cost of reclamation and related expense. Item (4) - State the date which the pollution control facility was first placed in service and operated. If not, explain. Item (5) - This information is essential to the certification and assessment actions. This accounting data must be completed to activate project review prior to certification by this Agency.		
Sec. F	Self-explanatory. Signature must be a corporate authorized signature.		
	Submit to:	Attention:	Attention:
	Illinois EPA P.O. Box 19276 Springfield, IL 62794-9276	Al Keller Permit Section Division of Water Pollution Control	Donaid E. Sutor. Permit Section Division of Air Pollution Control



↙ concrete

3-4S Overview (Deep Pit)




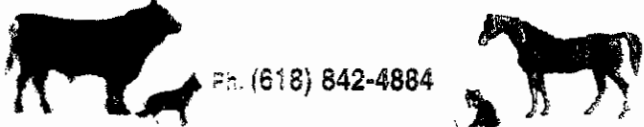


Walters Buildings
Commercial, Residential, Agricultural

Fred Gilbert - Plant Manager
P.O. Box 455, Fairfiled, IL 62837
Phone: 618-842-2442 cell: 618-599-3606 fax: 618-842-5235
Email: fgilbert@waltersbuildings.com

Phone (618)


BILLY E. ROBERTSON WELLS
&
REPAIR SHOP
Aluminum Welding
P.O. Box #6 - Hwy. 15



Ph. (618) 842-4884

Wayne County Veterinary
LOY HOSSELTON DVM

Paper (800) 602-3908
Home (618) 854-2887

South US Rt. 45
Fairfield, IL 62837

Ed Ba
Sam Ke
Larry Ke
Jason B
Marag


JAP
MIDWEST
RICHTER

P.O. Box 169
Old Rt. 15
Browns, IL 62818

Phone 618
Fax 618
Toll Free 800

STATE OF ILLINOIS
COUNTY OF SANGAMON

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PROOF OF SERVICE

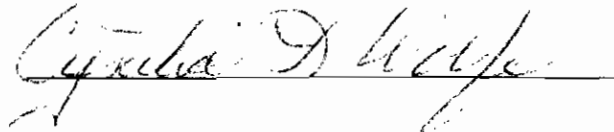
I, the undersigned, on oath state that I have served the attached **APPEARANCE AND THE RECOMMENDATION**, upon the person to whom it is directed, by placing a copy in an envelope addressed to:

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

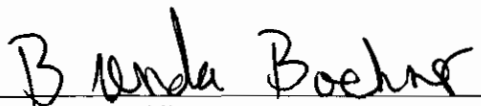
Terry Grote
204 South Street
Sims, Illinois 62886

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

and mailing it from Springfield, Illinois, on March 19, 2008, with sufficient postage affixed for first class mail.



SUBSCRIBED AND SWORN TO BEFORE ME
This 19th day of March, 2008


Notary Public



THIS FILING IS SUBMITTED ON RECYCLED PAPER