

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Lafever Farms – Joy  
(Property Identification Number  
01-02-12-200-004)

)  
) PCB 09- 15  
) (Tax Certification)  
)  
)

RECEIVED  
CLERK'S OFFICE

SEP 11 2008

STATE OF ILLINOIS  
Pollution Control Board

NOTICE

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

Brandon Lafever  
1788 80<sup>th</sup> Street  
Amboy, Illinois 61310

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:   
Chad M. Kruse  
Assistant Counsel  
Division of Legal Counsel

DATED: September 10, 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

Lafever Farms – Joy  
(Property Identification Number  
01-02-12-200-004)

)  
) PCB 09- 15  
) (Tax Certification)  
)  
)

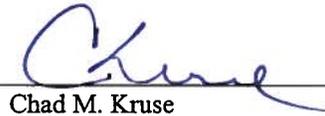
RECEIVED  
CLERK'S OFFICE  
SEP 11 2008  
STATE OF ILLINOIS  
Pollution Control Board

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: \_\_\_\_\_



Chad M. Kruse  
Assistant Counsel  
Division of Legal Counsel

DATED: September 10, 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

STATE OF ILLINOIS

COUNTY OF SANGAMON

)  
)  
)  
)  
)

**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

Brandon Lafever  
1788 80<sup>th</sup> Street  
Illinois City, Illinois 61259

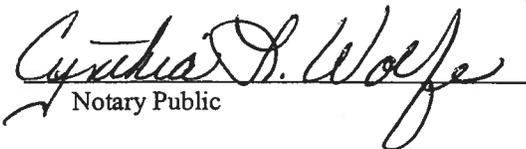
Steve Santarelli  
Illinois Department of Revenue  
101 West Jefferson  
Post Office Box 19033  
Springfield, Illinois 62794

and mailing it from Springfield, Illinois, on August 20, 2008, with sufficient postage affixed for first class mail.

  
\_\_\_\_\_

SUBSCRIBED AND SWORN TO BEFORE ME

This 10th day of September, 2008

  
Notary Public



**THIS FILING IS SUBMITTED ON RECYCLED PAPER**

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Lafever Farms – Joy  
(Property Identification Number  
01-02-12-200-004)

)  
) PCB 09- 15  
) (Tax Certification)  
)  
)

RECEIVED  
CLERK'S OFFICE  
SEP 11 2008  
STATE OF ILLINOIS  
Pollution Control Board

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 October 23, 2007, the Illinois EPA received a request from Lafever Farms (log number TC-17-07, 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: Lafever Farms  
1670 100<sup>th</sup> Street  
Joy, Illinois 62260

3. The proposed water pollution control facilities in this request are located at NE ¼ of Section 12, T15N, R5W of the 4<sup>th</sup> P.M. in Mercer County, at the above street address and consist of the following:

Livestock waste management facilities consisting of one concrete manure pit (391 ft. x 52 ft. x 8 ft. deep) with ten concrete pump out pits (each 6 ft. x 5 ft. x 9 ft. deep) and the slotted concrete portion of the floor over the manure pit. The manure pit is surrounded by approximately 886 feet of 4-inch diameter plastic perimeter foundation drainage tubing.

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:   
Chad M. Kruse  
Assistant Counsel  
Division of Legal Counsel

Dated: September 10, 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

Date: AUG - 8 2008

Re: Lafever Farms - Joy  
 Recommendation of Tax Certification  
 Log # TC-17-07  
 Property Identification # 01-02-12-200-004

**RECEIVED**  
 Division of Legal Counsel  
 AUG 13 2008  
 Environmental Protection Agency

The Bureau of Water received a request on October 23, 2007 from Brandon Lafever 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:

Lafever Farms  
 1670 100<sup>th</sup> St.  
 Joy, IL 62260

NE ¼ of Section 12, T15N, R5W of the 4<sup>th</sup> P.M. in Mercer County

Livestock waste management facilities consisting of one concrete manure pit (391 ft. x 52 ft. x 8 ft. deep) with ten concrete pump out pits (each 6 ft. x 5 ft. x 9 ft. deep) and the slotted concrete portion of the floor over the manure pit. The manure pit is surrounded by approximately 886 feet of 4-inch diameter plastic perimeter foundation drainage tubing.

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-17-07.doc

cc: Tax Cert File

Watershed Unit Tax Certification Review Sheet

Project Name: Lot 11  
Reviewer: [Signature]  
Log No.: 11-000

Location: Job  
Date: 2/21/08  
Type:  Agchem  
 Livestock

Applicant: Brandon Baker  
104 East St.  
Thames Co. IL 61588

Contact: Brandon Baker  
Phone: 309-570-1302

Facility: 1670 101st St.

Property ID: 01-02-12-000-004

Legal Description: Section 12 T15N R5W of 4th PM

County: Macoupin

Date Control Devices Installed: 2/21/2008

Provided Fair Cash Value: \$ 300.00

Signature: [Signature]

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:

w/ 4in diameter plastic pipe around foundation for drainage control

Other: 2/21/08 - spoke with Brandon Baker  
Brandon said the perimeter pipe is 4in diameter plastic pipe all around the building (896ft).  
The location is Section 12 T15N R5W of 4th PM.

July 7, 2008

I Brandon Lafever hereby state, that I'm only asking for certification for the following: slats, pit walls and floor, perimeter drain tile, and pumpouts.

Sincerely,

Brandon Lafever

log # TC-17-07

**RECEIVED**  
JUL - 7 2008

Watershed Management Section  
BUREAU OF WATER

please call him to: 309-537-9058

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 \_\_\_\_\_

APPLICANT	Sec. A	Company Name		LAFEVER FARMS		
		Person Authorized to Receive Certification		Person to Contact for Additional Details		
		BRANDON LAFEVER		BRANDON LAFEVER		
		Street Address		Street Address		
		1788 80th st		1788 80th st		
		Municipality, State & Zip Code		Municipality, State & Zip Code		
		Illinois City, IL 61259		Illinois City, IL 61259		
		Telephone Number		Telephone Number		
	(309) 537-3302		(309) 537-3302			
	Location of Facility		Municipality		Township	
	Quarter Section	Township	Range	Joy	Eliza	
	NE	Eliza	5-west			
	Street Address		County		Book Number	
	1670 100th st		Mercer		363	
	Property Identification Number		Parcel Number			
	01-02-12-200-004		01-02-12-200-004			

MANUFACTURING OPERATIONS	Sec. B	Nature of Operations Conducted at the Above Location		
		This facility is for swine, wean to finish.		
		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		

MANUFACTURING PROCESS	Sec. C	Describe Unit Process
		Materials Used in Process

POLLUTION CONTROL FACILITY DESCRIPTION	Sec. D	Describe Pollution Abatement Control Facility
	the building is 391' long, and 52' wide, the manure pits 8' deep the manure pit is located underneath the confined animal feed structure slatted floors over manure pits the manure will be removed by a <del>vacuum</del> vacuum tank and then injected into the cropground.	

RECEIVED  
 OCT 23 2007

Sec. E	(1) Nature of Contaminants or Pollutants		
		Material Retained, Captured or Recovered	
CONTAMINANTS	Contaminant or Pollutant	DESCRIPTION	DISPOSAL OR USE
	SWINE MANURE	liquid manure	to be applied on cropland for fertilizer

ACCOUNTING DATA	(2) Point(s) of Waste Water Discharge (10) pumps located around the outside of the building		
	Plans and Specifications Attached		Yes <input checked="" type="checkbox"/> No <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 Aug 24 2007 status of installation on date of application excellent	
	(5)	a. FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:	\$ 350,000
		b. NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY:	\$ 20,000
		c. PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY:	\$ 100,800
		d. PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY:	\$ 12,600
		e. PERCENTAGE CONTROL FACILITY BEARS TO WHOLE FACILITY VALUE:	% 45%

Sec. F 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.

J. Brandon Jafar Signature OWNER/operator Title

Sec. G 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.

INSTRUCTIONS	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 pollution control facility. Include a listing of each major piece of equipment included in the claimed fair cash value for real property. Include an average 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: Illinois EPA P.O. Box 19276 Springfield, IL 62794-9276	Attention: Al Keller Permit Section Division of Water Pollution Control

## CONCRETE – ILLINOIS ENGINEERED

Labor and materials to form and pour 51'2" X 8'0" deep *engineered* pit including:

- 4,000 P.S.I. (6 bag mix) concrete is used for all pours.
- Design assumes 3000 pound soil bearing and 75 psf/ft hydrostatic (soil) load.

### Footings

- 8" thick X 8'0" high reinforced exterior pit sidewalls and endwalls with reinforced footing.

### Floor

- 4" Thick pit floor reinforced with 6 X 6 W2.9 wire mesh or reinforcement rod.

Concrete pit is designed to meet Illinois engineered requirements.

### Walls

- Designed using 75 psf/ft as the hydrostatic (soil) load.
- Reinforced beam support columns with footings.
- Pit walls are reinforced with ½" grade 60 rebar spaced on 10" centers vertically and 12" centers horizontally.
- One pit divider wall to split rooms under loadout.
- 6" X 20" Sidewalls poured above 8" X 8'0" pit sidewalls.
- Slat support ledge is recessed into 8" X 8'0" high wall or a one pour 8" and 6" sidewall is used to increase sidewall integrity.
- Building endwalls and room partition walls are 5" thick and extend 44" above slats.
- Stainless steel anchor bolts are provided for sidewall curtain openings.

The assumption was made that the facility will not lie in a flood plain.

### Pump-outs

- (10) 5'0" X 6'0" wide outside dimension chopper boxes poured with 9" sumps and 12° sloped tops to accept removable cover, constructed of PVC T&G planking, with a rubber gasket against the concrete wall.
- Pump-out horizontal rebar is pre-bent to fit around the pump-out eliminating joints in the rebar.

### Bin Pads

- (2) 14'0" X 27'0" reinforced bulk bin pad(s) with post hole footings and rebar 12" on center.

### Feeder Pads

- Reinforced fibermesh concrete feeder pads are furnished to lengthen slat life and help prevent animals from dunging and urinating in feeders.

## PRECAST CONCRETE

- Precast reinforced slat support beams are 8" wide X 10" tall.
- 4'0" X 10'0" - 4" thick gang slat poured with eight 1/2" bottom bars and an additional eight 3/8" top U.S. graded reinforcement bars.
- 5" Wide slat surfaces provide more openings for cleaner and drier floors.
- Slat surfaces are edged after removing from forms to reduce swine leg abrasions.
- Daily compression testing guarantees minimum 7000# slat strength.
- 4'0" X 10'0" - 4" Thick solid gang slabs with U.S. graded reinforcement bars in office/storage room.

the building measures 391' long x 52' wide, the manure pit is 8' deep

the manure pit is located underneath the confined animal structure

slated floor over manure pit

the manure will be removed by a vacuum tank and then injected into the surrounding crop ground for fertilizer

there is a perimeter tile laid around the building at the bottom of the manure pit. A sample is taken 4 times a year to ensure no leakage of the structure

the nearest stream to the building is 700'  
no subsurface drainage tiles within 100'

the enclosed pit underneath the livestock structure prohibits any livestock waste from entering nearby waters

state permit # 062-57229 11/30/07  
Frank & West Environmental Engineers, Inc.