

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

**Milliman Livestock—West Liberty
(Property Identification Number
75-18-12-100-006)**

)
) **PCB 19-**
) **(Tax Certification)**
)

NOTICE

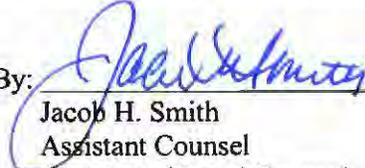
Steve Santarelli
Illinois Department of Revenue
101 West Jefferson
Post Office Box 19033
Springfield, Illinois 62794

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

John Milliman
16536 E. 300th Ave.
West Liberty, Illinois 62475

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: July 27, 2018

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

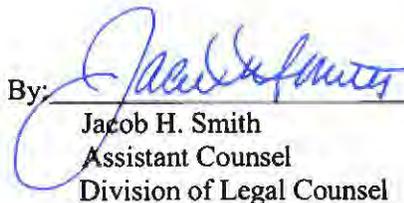
**Milliman Livestock—West Liberty
(Property Identification Number
75-18-12-100-006)**

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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: 

Jacob H. Smith
Assistant Counsel
Division of Legal Counsel

DATED: July 27, 2018

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

Milliman Livestock—West Liberty)
(Property Identification Number) **PCB 19-**
75-18-12-100-006)) **(Tax Certification)**
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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 August 28, 2017, the Illinois EPA received a request from Milliman Livestock (log number TC-138585, 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:

Milliman Livestock
2682 N. 1700 th Ave.
West Liberty, IL 62475

The proposed water pollution control facilities in this request are located in the NW ¼ of Section 15, T5N, R10E of the 3rd P.M. in Jasper County, at the above street address and consist of the following:

The livestock waste handling facilities consists of one concrete manure pit (approximately 101 ft. x 340 ft. x 8 ft. deep), the concrete slatted portion of the floor over the manure pit that capture and contain waste generated in the barn above, twelve pumpout pits (each approximately 6 ft. x 5 ft. x 8 ft.) to allow manure removal from the manure pit.

This livestock waste management facility is used to collect, transport, and/or store livestock waste prior to cropland application, and are further described in Exhibit A.

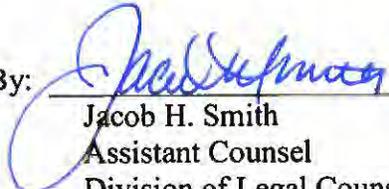
3. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2014), and Section 125.200(a) of the Board's regulations, 35 Ill. Adm. Code 125.200(a), define "pollution control facilities" as:

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: 
Jacob H. Smith
Assistant Counsel
Division of Legal Counsel

Dated: July 27, 2018

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, Manager, Industrial Unit, Permit Section
Date: July 23, 2018
Re: Milliman Livestock – West Liberty
Recommendation of Tax Certification
Log # TC-138585
Property Index# 75-18-12-100-006

DE

RECEIVED
Division of Legal Counsel
JUL 24 2018
Environmental Protection
Agency

The Bureau of Water received a request on August 28, 2017 from John Milliman 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:

Milliman Livestock
2682 N. 1700th St.
West Liberty, IL 62475

NW ¼ of Section 15, T5N, R10E of the 3rd PM in Jasper County

The livestock waste handling facilities consisting of one (1) concrete manure pit (approximately 101 ft. x 340 ft. x 8 ft.), the concrete slatted portion of the floor over the manure pit that capture and contain waste generated in the barn above, and twelve (12) pumpout pits (approximately 6 ft. x 5 ft. each) 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.

DEL:WH:Tax Cert Recommendation.docx

cc: Tax Cert File

Watershed Unit Tax Certification Review Sheet

Project Name: Milliman Livestock

Date: June 26, 2018

Type: Agchem
 Livestock

Reviewer: WH

Log number: TC-138585

Contact: John Milliman
16536 E. 300th Ave.
West Liberty, IL 62475
Phone: 618-783-1898

Applicant: John Milliman
16536 E. 300th Ave.
West Liberty, IL 62475

Property Index#: 75-18-12-100-006

Facility: Milliman Livestock
2682 N. 1700th St.
West Liberty, IL 62475

Parcel#:

County: Jasper

Legal Description:
NW ¼ of Section: 15 Twp: 5N R: 10E PM: 3rd

Signature: John Milliman

Title: Owner

Date Control Devices installed: February 2017

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 one (1) concrete manure pit (approximately 101 ft. x 340 ft. x 8 ft.) and the concrete slatted portion of the floor over the manure pit that capture and contain waste generated in the barns above. The concrete manure pit has twelve (12) (approximately 6 ft. x 5 ft. each) pumpout pits to allow manure removal from the manure pit. The facility collects, transports and stores livestock waste prior to cropland application.

Pollution control facilities requested by the applicant through Description of Pollution Control Facilities, Section 2 of the application form:

One (1) concrete manure pit (approximately 101 ft. x 340 ft. x 8 ft.) - Description of manufacturing process & pollution control facilities

Concrete slatted floor – Drawing received 06/15/2018 by email.

Twelve (12) (approximately 6 ft. x 5 ft. each) pumpout pits – Drawing received 06/23/2018 by email.

A process flow diagram with narrative is provided by the the email received 06/15/2018.

Recommended Action: Issue tax certification.

Han, Wei

From: John Milliman <jmilliman78@gmail.com>
Sent: Saturday, June 23, 2018 9:46 AM
To: Han, Wei
Subject: Re: [External] Re: FW: Milliman Livestock TC-138585
Attachments: PTAX Certification pumpout locations.pdf

Pump out sizes are 5 X 6's. They are spaced evenly along the pit walls.

On Fri, Jun 15, 2018 at 2:03 PM, Han, Wei <Wei.Han@illinois.gov> wrote:

Mr. Milliman,

The drawing of the pit shows several pumpout attached to the large pit. What are the number and dimensions of the pumpout. Please also confirm that they are concrete.

Thank you,

Wei Han

Illinois Environmental Protection Agency

BOW/DWPC/Permit Section

1021 North Grand Avenue E.

P.O. Box 19276

Springfield, IL 62794-9276

Phone: 217-524-3034

Email: Wei.Han@Illinois.gov

From: John Milliman [mailto:jmilliman78@gmail.com]
Sent: Friday, June 15, 2018 1:14 PM
To: Han, Wei <Wei.Han@Illinois.gov>
Subject: [External] Re: FW: Milliman Livestock TC-138585

This is for our certification. Please call me if this isn't enough.

Thanks John Milliman Cell number 618-783-1898.

On Tue, Jun 12, 2018 at 4:56 PM, Han, Wei <Wei.Han@illinois.gov> wrote:

Mr. Milliman

Thank you for calling me today. I did find your application from our files. The following is the email I sent to you early this year. We still need the process flow diagram with brief description to move the application review forward. I have attached the instructions for filling the application form. Please refer to the part that specify requirements for the process flow diagram and narrative.

Please let me know if you have any questions.

Wei Han

Illinois Environmental Protection Agency

BOW/DWPC/Permit Section

1021 North Grand Avenue E.

P.O. Box 19276

Springfield, IL 62794-9276

Phone: 217-524-3034

Email: Wei.Han@illinois.gov

From: Han, Wei

Sent: Thursday, January 04, 2018 4:10 PM

To: 'jmilliman78@gmail.com' <jmilliman78@gmail.com>

Subject: FW: Milliman Livestock TC-138585

Mr. Milliman,

Nice talking to you. See my email below. Please let me know if you have any questions.

Thanks,

Wei Han

Facility Evaluation Unit

Bureau of Water

Illinois Environmental Protection Agency

Phone: 217-524-3034

Email: Wei.Han@Illinois.gov

From: Han, Wei

Sent: Friday, December 15, 2017 11:25 AM

To: 'jmilliman78@gmail.com' <jmilliman78@gmail.com>

Subject: Milliman Livestock TC-138585

Hi, Mr. Milliman

The Illinois Environmental Protection Agency received tax certification application for the subject livestock farm on August 28, 2017. Please provide the following information for the Agency to complete the review:

A narrative description and a process flow diagram describing the pollution control facility from manure generation to land application.

Please let me know if you have any questions. Thanks,

Wei Han

Facility Evaluation Unit

Bureau of Water

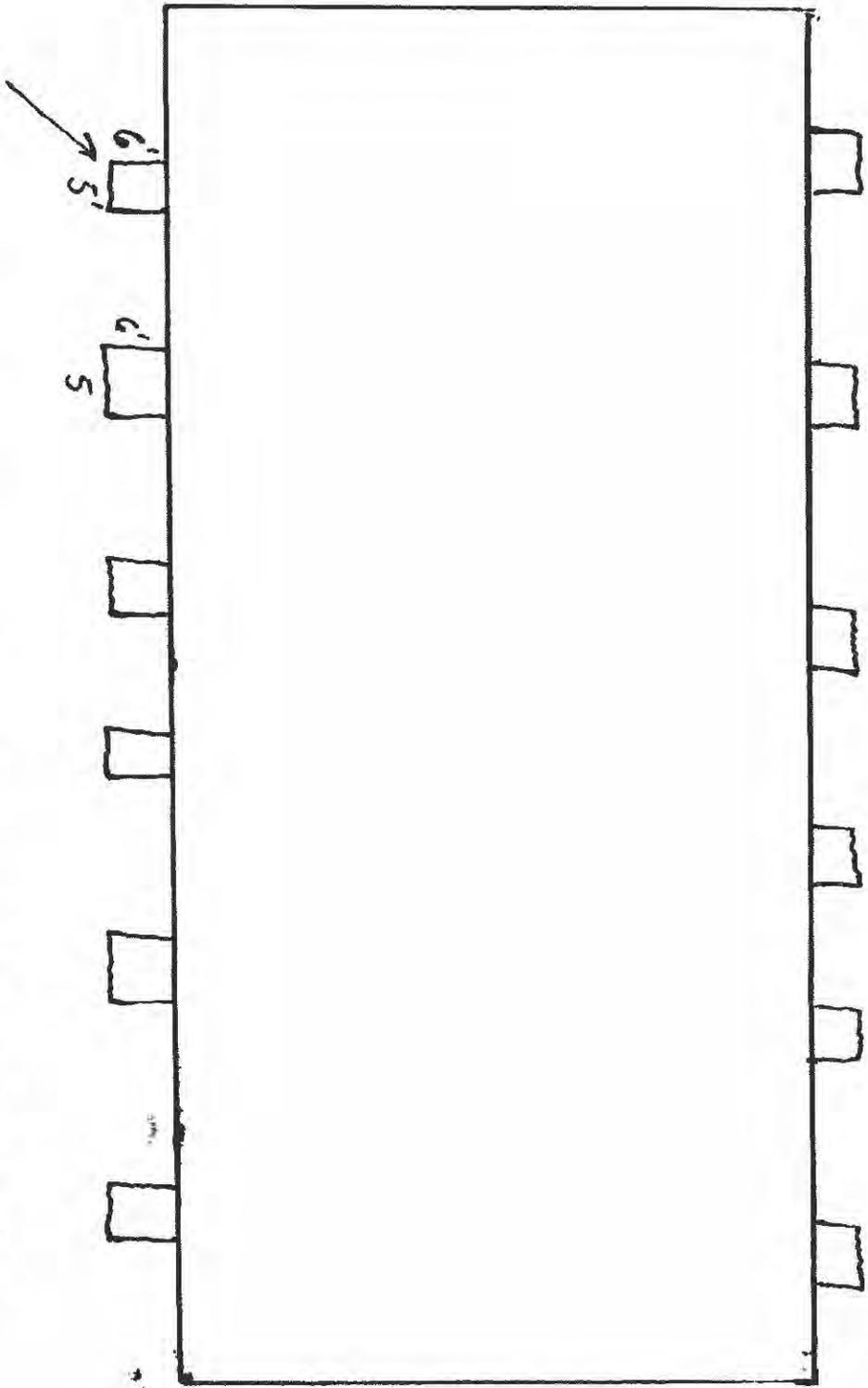
Illinois Environmental Protection Agency

Phone: 217-524-3034

Email: Wei.Han@Illinois.gov

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 or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify the sender immediately by return e-mail and destroy this communication and all copies thereof, including all attachments. Receipt by an unintended recipient does not waive attorney-client privilege, attorney work product privilege, or any other exemption from disclosure.

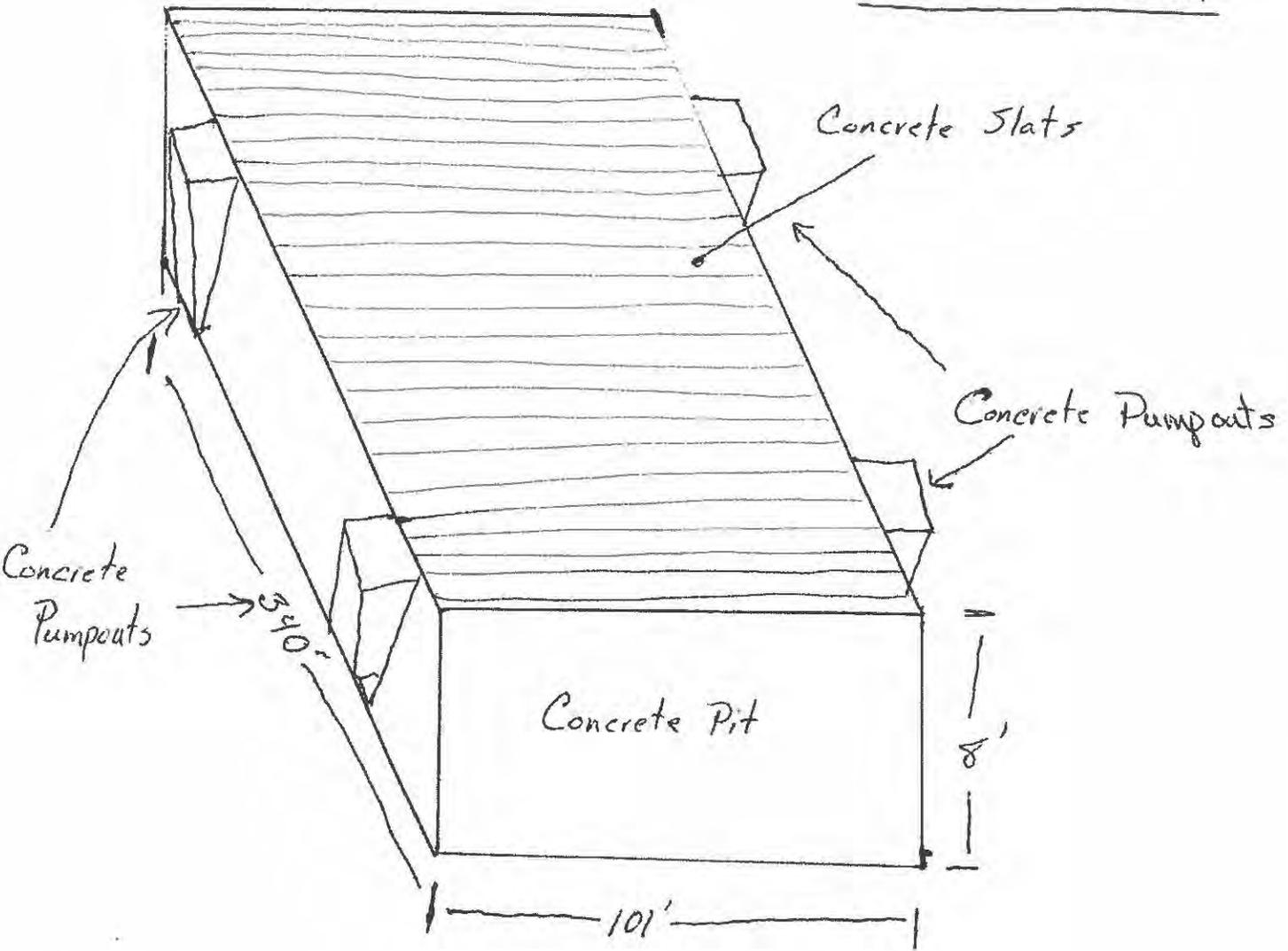
William Livestock



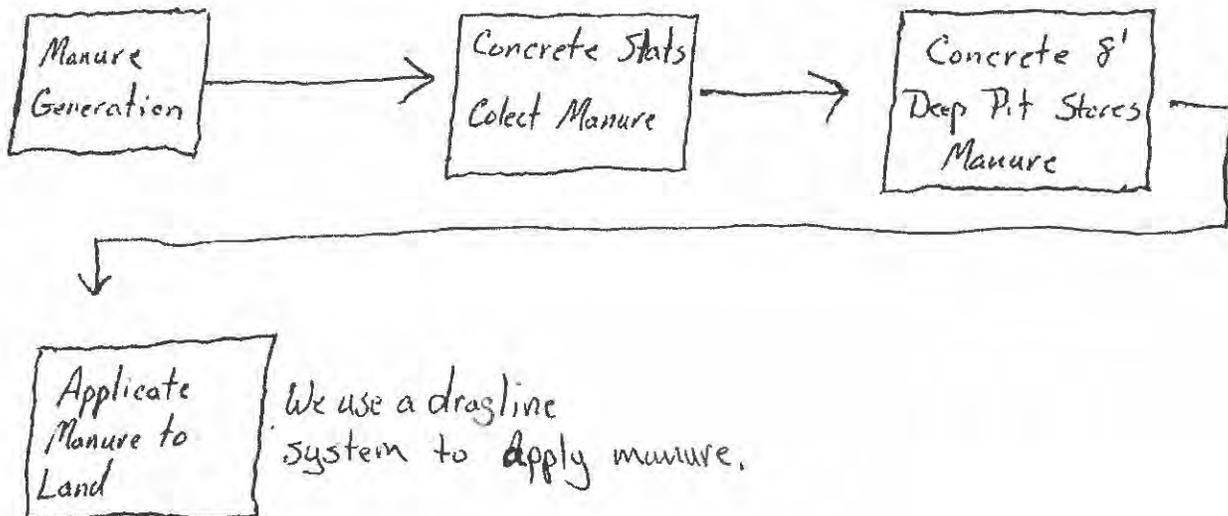
Concrete pumpouts: They are evenly spaced the length of the barn.

They are concrete and where poured at same time the exterior pit wall was poured. 6 per side all 5'x6' pumpouts

Milliman Livestock



Flow Chart on how it works. This is a solid concrete pit, that contains the swine manure. The pit is waterproof which prevents manure from leaking, or entering into local streams or ground water.





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. 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:

RECEIVED
AUG 28 2017

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>Milliman Livestock</u>	Person to Contact _____
Person Authorized to Receive Certification: <u>John Milliman</u>	for Additional Details _____
Street Address: <u>16536 E. 300th Ave.</u>	Street Address: _____
City: <u>West Liberty</u> State: <u>IL</u>	City: _____ State: _____
Zip: <u>62475</u> Phone: <u>618-783-1898</u>	Zip: _____ Phone: _____
Email Address: <u>jmilliman78@gmail.com</u>	Email Address: _____

II. Facility Information:

Facility Location: Quarter Section: 15 Township: 5 Range: 10
Municipality: W1/2 SW1/4 NW1/4 Township: St. Marie

Note: A plat map location is requested for facilities located outside of municipal boundaries.

Address: 2682 N. 1700th St. City: West Liberty
State: IL Zip Code: 62475 County: Jasper Book Number: _____

Property Index Number: 75-18-12-100-006

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:

Its a wean to finish hog production site.

Permit Information:

WPC Construction Permit Number: I don't have any Date Issued: _____

NPDES Permit Number: permits that I am Date Issued: _____ Exp. Date: _____

APC Construction Permit Number: aware of. Please call Date Issued: _____

APC Operating Permit Number: if any questions. 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:

The building is 101' wide and 340' long, with an 8' deep pit to store the hog manure. This pit was inspected by the USDA and it met all the requirements to be put into service.

Materials Used in the Process:

Concrete, Re bar, Wire, Misc.

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):

It is a 8' deep pit under the building to store and contain all the manure that will accumulate over a years time. Then we can apply the manure to our fields in the spring providing the nutrients our crops will require that year.

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

The facility was built to house wean pigs until they grow into market hogs around the 285 pound average. Once they reach that weight then we ship the hogs to a packing plant to be processed for food.

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
Manure	Swine Waste	We use a drag line system to inject the waste into surrounding fields. Which is used as fertilizer for next years crops.

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: Feb 5, 2017

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

Feb 6, 2017 was the first day that the site was put into service

Status of installation on date of application:

Complete

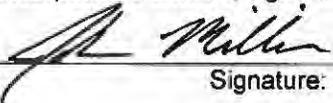
III. Verification and Signature:

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))

John Milliman Printed Name: Owner Title:

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

 Signature: 8-24-17 Date:

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 July 17, 2018, 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

John Milliman
16536 E. 300th Ave.
West Liberty, Illinois 62475

[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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