

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Borgic Enterprises, Inc.-Newton)
(Property Identification Number) PCB 014-
29-13-35-300-008)) (Tax Certification
) Water)

NOTICE

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

Jeff Borgic
4204 N. 1600th St.
Newton, Illinois 62448

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.

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY

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

DATED: August 15, 2013

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

Borgic Enterprises, Inc.-Newton)
(Property Identification Number) PCB 014-
29-13-35-300-008) (Tax Certification
) Water)

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: August 15, 2013
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

Borgic Enterprises, Inc.-Newton)
(Property Identification Number) PCB 014-
29-13-35-300-008)) (Tax Certification
) Water)

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 August 7, 2012, the Illinois EPA received a request from Borgic Enterprises, Inc. (log number TC-16-12, 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: Borgic Enterprises, Inc.
4204 N. 1600th St.
Newton, Illinois 62448

3. The proposed water pollution control facilities in this request are located at Section 35, T6N, R10E of the 3rd PM in Jasper County, at the above street address and consist of the following:

Livestock waste management facilities consisting of one concrete manure pit approximately (60 ft. x 206 ft. x 8 ft.) with 4 concrete pump out pits approximately (5 ft. x 5 ft. x 8 ft. each) and the portion of concrete slotted flooring over the manure pit in building #1; one concrete manure pit approximately (293.83 ft. x 82.5 ft. x 2 ft.) with approximately 50 ft. of 10-inch diameter pvc manure transfer pipe connecting this building with building #2b and the portion of plastic slotted flooring over the manure pit in building #2a; one concrete manure pit approximately (77.33 ft. x 321 ft. x 8 ft.) with 8 concrete pump out pits approximately (5 ft. x 5 ft. x 8 ft. each) and the portion of concrete slotted flooring over the manure pit in building #2b.

These pollution control facilities have the primary purpose of collecting, transporting, and/or storing 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 (2012), defines “pollution control facilities” as:

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“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

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requested tax certification.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 
Vera Herst
Assistant Counsel
Division of Legal Counsel

Dated: August 15, 2013
Illinois Environmental Protection Agency
1021 North Grand Ave. E.
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217)782-2829

PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR

Memorandum

To: Connie Tonsor, Division of Legal Counsel

From: Al Keller, Manager, Permit Section *AK*

Date: August 8, 2013

Re: Borgic Enterprises, Inc. - Newton
Recommendation of Tax Certification
Log # TC-16-12
Property Identification # 29-13-35-300-008

The Bureau of Water received a request on August 7, 2012 from Borgic Enterprises, Inc. 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:

Borgic Enterprises, Inc.
4204 N 1600th St.
Newton, IL 62448

Section 35, Township 6N, Range 10E of the 3rd PM in Jasper County.

Livestock waste management facilities consisting of one concrete manure pit approximately (60 ft. x 206 ft. x 8 ft.) with 4 concrete pump out pits approximately (5 ft. x 5 ft. x 8 ft. each) and the portion of concrete slotted flooring over the manure pit in building #1; one concrete manure pit approximately (293.83 ft. x 82.5 ft. x 2 ft.) with approximately 50 ft. of 10-inch diameter pvc manure transfer pipe connecting this building with building #2b and the portion of plastic slotted flooring over the manure pit in building #2a; one concrete manure pit approximately (77.33 ft. x 321 ft. x 8 ft.) with 8 concrete pump out pits approximately (5 ft. x 5 ft. x 8 ft. each) and the portion of concrete slotted flooring over the manure pit in building #2b.

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 217/782-0610.

SAK:TJF:TC-16-12.docx

cc: Tax Cert File

Project Review Notes

Reviewer: JTB

Date: [Click here to enter a date](#)

Project Name Borgic Enterprises, Inc.

Project Location Newton

County Jasper

Log No. TC-16-12

Project Description Livestock waste management facilities consisting of one concrete manure pit approximately (60 ft. x 206 ft. x 8 ft.) with 4 concrete pump out pits approximately (5 ft. x 5 ft. x 8 ft. each) and the portion of concrete slotted flooring over the manure pit in building #1; one concrete manure pit approximately (293.83 ft. x 82.5 ft. x 2 ft.) with one 0.83 ft pvc drainage pipe connecting this building with building #2b and the portion of plastic coated steel flooring in building #2a; one concrete manure pit approximately (77.33 ft. x 321 ft. x 8 ft.) with 8 concrete pump out pits approximately (5 ft. x 5 ft. x 8 ft. each) and the portion of concrete slotted flooring over the manure pit in building #2b.

These livestock waste management facilities are used to collect, transport and/or store livestock wastes prior to cropland application.

Need to certify with applicant the nature of the steel flooring over the pits i.e. wire, slats etc.

8/1/13 spoke w/ Jeff Borgic

Jeff said the flooring in Building 2a is all plastic slats that are supported by steel. The flooring is all plastic.

TJF

Watershed Unit Tax Certification Review Sheet

Project Name: Borgic Enterprises, Inc.

Location: Newton

Reviewer: JTB

Date: November 27, 2012

Log number: TC-16-12

Type: Agchem
 Livestock

Applicant: Borgic Enterprises, Inc.
4204 N. 1600th St.
Newton, IL 62448

Contact: Jeff Borgic

Phone: _618-783-2387

Facility: Borgic Enterprises, Inc.
4204 N 1600th St.
Newton, IL 62448

Property ID: 29-13-35-300-008

County: Jasper

Legal Description:

Signature: Jeff Borgic

S: Section 35 Twp: 6N R: 10E PM: 3rd

Title: Manager

Date Control Devices installed: 10/20/2010

Provided Fair cash Value: 2,283,000

- 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:

Livestock waste management facilities consisting of one concrete manure pits approximately (60 ft. x 206 ft. x 8 ft. deep) with 4 concrete pump out pits approximately (5 ft. x 5 ft. x 8 ft. deep) and the portion of concrete slotted flooring over the manure pits in building #1; one concrete manure pits approximately (293.83 ft. x 82.5 ft. x 2 ft. deep) with one .83 ft pvc drainage pipe connecting this building with #3 and the portion of plastic coated steel in building #2; one concrete manure pits approximately (77.33 ft. x 321 ft. x 8 ft. deep) with 8 concrete pump out pits approximately (5 ft. x 5 ft. x 8 ft. deep) and the portion of concrete slotted flooring flooring over the manure pits in building #3.

These livestock waste management facilities are used to collect, transport and/or store livestock wastes prior to cropland application.

Spoke to Jeff Borgic Facilities were put into service in 2010.



Identify Results



Point Clicked

Longitude: 88° 08' 29" West

Latitude: 38° 58' 56" North

Elevation: 500 to 999 feet

County Name: Jasper

State: Illinois

Date of Admission: December 3, 1818

Order of Admission: 21

[Printable Maps](#)

Country: United States

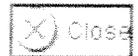
[Printable Maps](#)

Public Land Survey System

Survey Name: Third Principal

Feature Type: Public Survey

Township/Range: Township 6 North Range 10 East



8/2/2012

* * *

Jeff Borgic
Borgic Enterprises, Inc
4204 N 1600th St
Newton, IL 62448

RECEIVED
AUG 07 2012

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY
BOW/WPC/PERMIT SECTION

IL EPA
Bureau of Water
PO Box 19276
Springfield, IL 6279-9276

To whom it may Concern,
Borgic Enterprises, Inc. wishes to apply for Tax Certification for 3 facilities (improvements) that we have added at our livestock farm. To hopefully facilitate the process, we have included a site map detailing our entire production site, along with the Application For Certification.

As you can see, many of the structures are marked as "existing" and have previously received IL EPA certification. I'd like to draw your attention to the following structures shown, recognizable by my hand written labeling:

Gilt Developer (add #1),

Proposed Farrowing (add #2a)

Proposed Gestation (add #2b).

These are the structures that we are seeking your certification approval on. Below is a narrative on each:

Add #1:

Gilt Developer is a livestock waste management facility consisting of one concrete manure pit (60 ft. X 206 ft. X 8 ft. deep) with 4 concrete pump out pits (each 5 ft. X 5 ft. X 8 ft. deep) and with concrete slotted flooring over the entire manure pit.

The manure that is collected and stored in this pit is bi-annually pumped out of the pit to a drag line injector and injected into surrounding crop fields at Agronomic rates in accordance to our Manure Management Plan.

Add #2a:

Farrowing is a livestock waste management facility consisting of one concrete manure pit (293 ft. 10 in. X 82 ft. 6 in. X 2 ft. deep) and the steel and plastic floor over the manure pit. The manure collected is gravity drained through a (10 in. X 50 ft.) PVC pipe into facility #2b. for storage.

Borgic Enterprises, Inc

Add #2b:

Gestation is a livestock waste management facility consisting of 1- concrete manure pit (77 ft. 4 in. X 321 ft. X 8 ft. deep) with 8 concrete pump out pits (each 5 ft. X 5 ft. X 8 ft. deep) and with concrete slotted flooring over the entire manure pit.

The manure that is collected and stored in this pit is bi- annually pumped out of the pit to a dragline injector and injected into surrounding crop fields at Agronomic rates in accordance to our Manure Management Plan.

Should you have any questions or comments regarding the contents of this letter, I have provided contact information below.

Sincerely,

A handwritten signature in black ink that reads "Jeff Borgic". The signature is written in a cursive style with a large, stylized "J" and "B".

Jeff Borgic,
Borgic Enterprises, Inc.
Phone: 1-618-783-1311
Email: jborgic@psbnewton.com

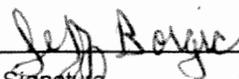
APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT)
 POLLUTION CONTROL FACILITY
 AIR WATER

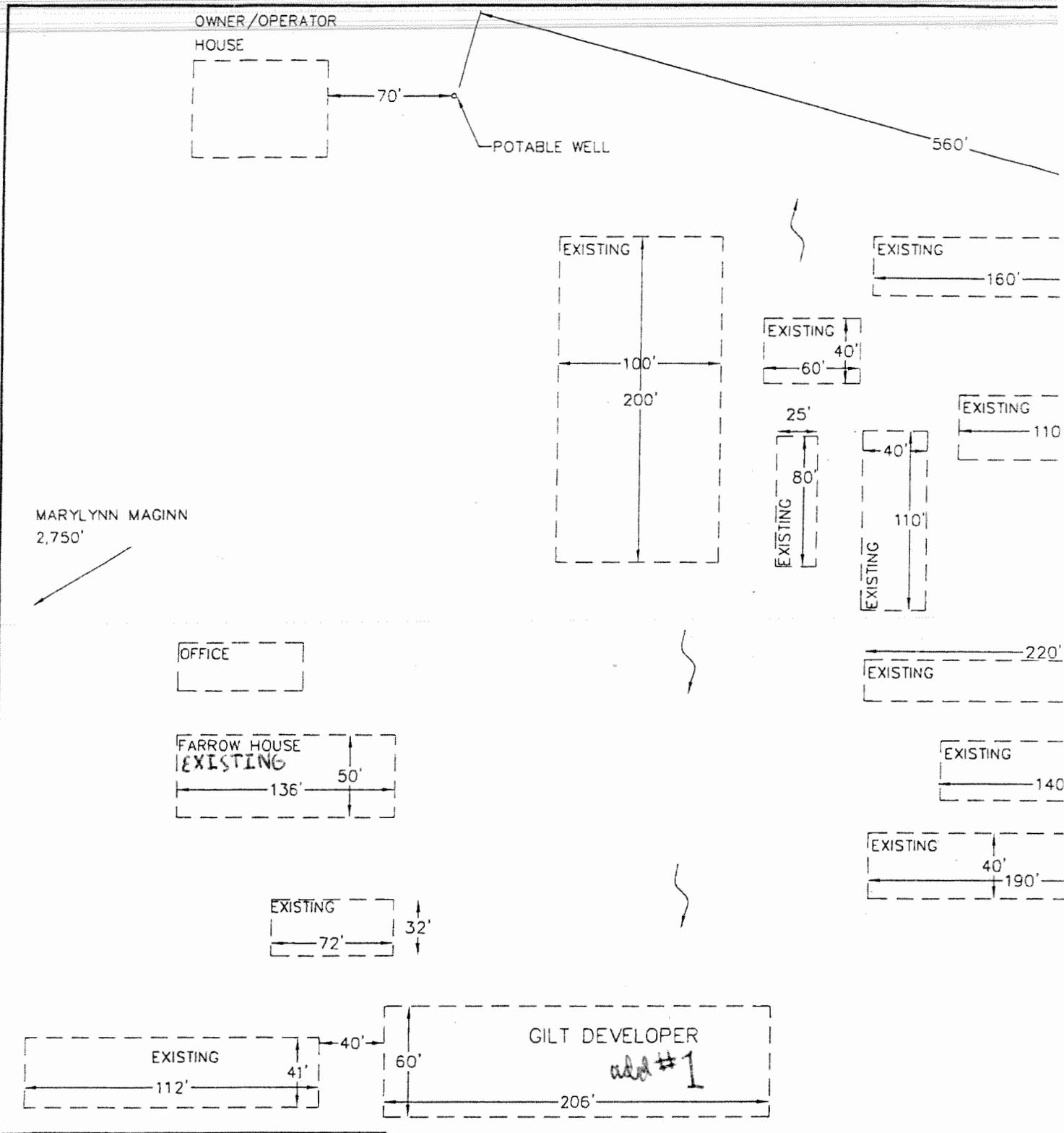
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
 P. O. Box 19276, Springfield, IL 62794-9276

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 Borgic Enterprises, Inc			
	Person Authorized to Receive Certification Jeff Borgic		Person to Contact for Additional Details Jeff Borgic	
	Street Address 4204 N 1600th St		Street Address 4204 N 1600th St	
	Municipality, State & Zip Code Newton, IL 62448		Municipality, State & Zip Code Newton, IL 62448	
	Telephone Number (618) 783-2387		Telephone Number (618) 783-2387	
	Location of Facility Quarter Section Township Range SW 1/4 Sec 35 T6 R10		Municipality Township	
	Street Address 4204 N 1600th St		County Book Number Jasper	
	Property Identification Number 29-13-35-300-008		Parcel Number	
	Sec. B MANUFACTURING OPERATIONS	Nature of Operations Conducted at the Above Location This is a 6700 head farrow to finish swine confinement facility		
		Water Pollution Control Construction Permit No. N/A	Date Issued N/A	
NPDES PERMIT No. N/A		Date Issued N/A	Expiration Date N/A	
Air Pollution Control Construction Permit No. N/A		Date Issued N/A		
Air Pollution Control Operating Permit No. N/A		Date Issued N/A		
Sec. C MANUFACTURING PROCESS	Describe Unit Process N/A			
	Materials Used in Process N/A			
Sec. D POLLUTION CONTROL FACILITY DESCRIPTION	Describe Pollution Abatement Control Facility See attached documents please			

Sec. E	(1) Nature of Contaminants or Pollutants SWINE MANURE		
CONTAMINANTS			Material Retained, Captured or Recovered
	Contaminant or Pollutant	DESCRIPTION	DISPOSAL OR USE
	Swine manure	applied to cropland	The manure is pumped from the pit(s) to a drag line injector and injected into the ground to fertilize crops at Agribonics rates in accordance to our MNP
(2) Point(s) of Waste Water Discharge NONE			
Plans and Specifications Attached			Yes <input type="checkbox"/> No <input checked="" 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 Dec 1st 2009 status of installation on date of application complete		
ACCOUNTING DATA	(5)	a. FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:	\$ 2,283,000
		b. NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY:	\$ 36,000
		c. PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY:	\$ ---
		d. PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY:	\$ ---
		e. PERCENTAGE CONTROL FACILITY BEARS TO WHOLE FACILITY VALUE:	% 43%
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.		
SIGNATURE			Manager
	Signature		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 <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:
		Illinois EPA P.O. Box 19276 Springfield, IL 62794-9276	Al Keller Permit Section Division of Water Pollution Control
			Donald E. Sutton Permit Section Division of Air Pollution Control

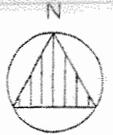


	LEGEND
	SURFACE FLOW DIRECTION
	EXISTING STRUCTURES

NOTES
NO SUBSURFACE DRAINAGE LINES WITHING 100'
NO ABANDONED OR PLUGGED, DRAINAGE OR INJECTION WELLS WITHIN 1,000'
DISTANCES MEASURED FROM CLOSEST PROPOSED BUILDING

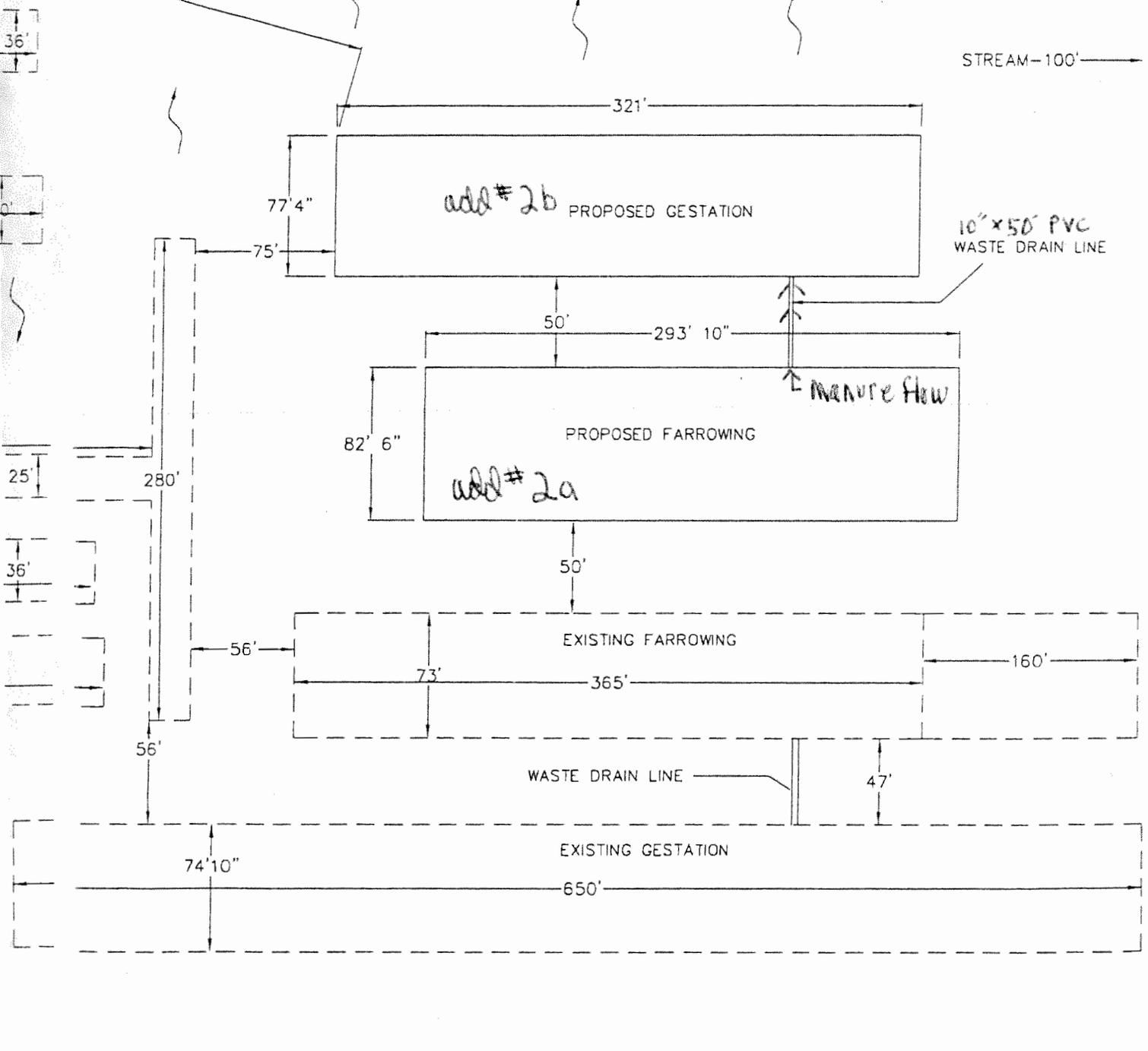
Frank & West
 Environmental Engineers, Inc.
 7226 N. State Route 29
 Springfield, IL 62707
 Phone: 217/487-7686
 Fax: 217/487-7687

BORGIC ENTERPRISES
 NEWTON, ILLINOIS
PLOT PLAN
 DRAWN BY: CEO



ST. MARIE-15,000'
ST. MARIE BANK-15,800'
ST. MARIE ELEMENTARY SCHOOL-15,400'

STREAM-100' →



2009 © FRANK & WEST ENVIRONMENTAL ENGINEERS, INC.
THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF
FRANK & WEST ENVIRONMENTAL ENGINEERS, INC., ARE ONLY
FOR THIS PROJECT AND MAY NOT BE USED, COPIED OR
DUPLICATED WITHOUT PRIOR WRITTEN CONSENT.

STATE OF ILLINOIS
COUNTY OF SANGAMON

)
)
)
)
)

PROOF OF SERVICE

I, the undersigned attorney at law, hereby certify that on August 15, 2013, I served true and correct copies of an **APPEARANCE AND THE RECOMMENDATION**, upon the persons and by the methods as follows:

[1st Class U.S. Mail]

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

[1st Class U.S. Mail]

Jeff Borgic
4204 N. 1600th St.
Newton, Illinois 62448

[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/ Vera Herst
Assistant Counsel
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276-
Springfield, Illinois 62794-9276
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217.782.9143 (TDD)

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