

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

JMTR-Beswick)
(Property Identification Number) **PCB 19-**
13-14-200-006) **(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

Todd Dail
8571 Albany Rd.
Erie, Illinois 61250

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: 

Michael S. Roubitchek
Assistant Counsel
Division of Legal Counsel

DATED: December 28, 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

JMTR Beswick)
(Property Identification Number) PCB 19-
13-14-200-006) (Tax Certification)
)

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: 
Michael S. Roubitchek
Assistant Counsel
Division of Legal Counsel

DATED: December 28, 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

JMTR-Beswick)
(Property Identification Number) **PCB 19-**
13-14-200-006) **(Tax Certification)**
)

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 April 25, 2018, the Illinois EPA received a request from JMTR-Beswick (log number TC-139635, Exhibit A)¹ 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: JMTR-Beswick
9822 Frog Pond Road
Erie, IL 61250

The proposed water pollution control facilities in this request are located in the NE ¼ of Section 14, T20N, R3E of the 4th P.M. in Whiteside County, at the above street address and consist of the following:

Livestock waste holding facilities consisting of one (1) concrete pit (approximately 391.3 ft. x 51.2 ft. x 8 ft. deep), approximately 19,500 sq. ft. of concrete slatted floors over the pit to collect swine waste, ten (10) concrete pump out pits (6 ft. x 6 ft. x 8 ft. deep), and a HDPE perimeter tile drain (approximately 4 in. diameter and 1,008 ft. in length).

¹ This parcel of land was the subject of a tax certification in PCB Case No. 2018-046; however, this is a new request for a separate structure and is otherwise unrelated to the prior tax certification.

These livestock waste management facilities are 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 (2016), 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 (2016), pollution control facilities must be certified as such by the Board, 35 ILCS 200/11-20 (2016) 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: 
Michael S. Roubitchek
Assistant Counsel
Division of Legal Counsel

Dated: December 28, 2018

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

BRUCE RAUNER, GOVERNOR

ALEC MESSINA, DIRECTOR

Memorandum

To: Charles Gunnarson, Division of Legal Counsel
From: Darin E. LeCrone P.E., Manager, Industrial Unit, Permit Section *DL*
Date: December 12, 2018
Re: JMTR-Deswick - Erie
Recommendation of Tax Certification
Log # TC-139635
BOW ID # W1958150004
Property Identification # 13-14-200-006

The Bureau of Water received a request on April 25, 2018 from JMTR-Beswick 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:

JMTR-Deswick
9822 Frogpond Road
Erie, IL 61250

NE 1/4 of Section 14, Township 20-North, Range 3-East of the East 4th PM in Whiteside County.

Livestock waste management facilities consisting of one concrete swine finishing barn manure pit approximately 391.3 ft. (length) x 51.2 ft. (width) x 8 ft. (depth) with 10 concrete pump out pits approximately (6 ft. x 6 ft. x 8 ft. deep), approximately 1,008 linear feet of 4 inch HDPE perforated perimeter drain tile and approximately 19,500 sq. ft. of concrete slatted flooring over this manure pit.

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 Darren Gove at 217/782-0610.

DRG:TC-139635_Tax Cert Recommendation_25Apr18.docx

Illinois EPA - Bureau of Water - Division of Pollution Control
Title 35 Subtitle A Part 125 Tax Certifications
Illinois EPA Review Notes for:
Agency Recommendation of Pollution Control Facilities.

BOW ID #: W1958150004

Project Name: JMTR-Deswick

Pollution Control Facility Type:
Swine Livestock Waste Management Facility

Date application received: 4/25/2018

Property ID: 13-14-200-006

Reviewer: DRG

Applicant: JMTR-Beswick
8571 Albany Road
Erie, IL 61250

Log number: TC-139635

Legal Description:
NE 1/4 of Section 14 Twp: 20-North Range: 3-
East PM: East 4th

Facility: JMTR-Deswick
8571 Albany Road
Erie, IL 61250

County: Whiteside

Date Control Devices installed: 3/14/2018

Facility Contact:

Application Signature by: Todd Dail

Phone: _

Title: Manager

Contents of Application: Std 3-page application, foundation plan, location map, process flow diagram,

Is there a pollutant control flow diagram? **Yes**

Is there sufficient diagrams showing the pollution control facilities? **Yes**

This facility generates the following pollutants and prevents their discharge as indicated:
Livestock waste is collected and land applied to cropland.

Physical description of pollution control facilities that ARE recommended:

Livestock waste management facilities consisting of one concrete swine finishing barn manure pit approximately 391.3 ft. (length) x 51.2 ft. (width) x 8 ft. (depth) with 10 concrete pump out pits approximately (6 ft. x 6 ft. x 8 ft. deep), approximately 1,008 linear feet of 4 inch HDPE perforated perimeter drain tile and approximately 19,500 sq. ft. of concrete slatted flooring over this manure pit.

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

[Click or tap here to enter text..](#)

Notes:

Nothing follows – DRG - (November 27, 2018)

REVIEW NOTES

Project Name JMTR-Deswick

Project Location Erie

Cty Whiteside

Log No. TC-139635 Descr

Date 11/27/2018 Reviewer

Request for tax Certification of

Forms complete — check Facility location address

Has Flow Diagram

Has appropriate drawings

⇒ All requested items meet primary purpose:
We can recommend.

DRG



Electronic Filing: Received, Clerk's Office 12/28/2018 **PCB 2019-0817635

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: _____

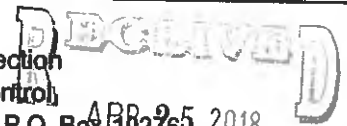
Facility Type (check one): Air Water

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.

You must have Adobe Acrobat Reader 10 or above installed to use the features on this form.

You may complete this form online, save a copy locally, print, sign and submit it to:

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



IEPA
BOWWPC/PERMIT SECTION

I. Applicant Information:

Company Name: <u>JMTR-Beswick</u>	Person to Contact for Additional Details: <u>Same</u>
Person Authorized to Receive Certification: <u>Todd Dail</u>	Street Address: _____
Street Address: <u>8571 Albany Rd.</u>	City: _____ State: _____
City: <u>Erie</u> State: <u>IL</u>	Zip: _____ Phone: _____
Zip: <u>61250</u> Phone: <u>815-622-1560</u>	Email Address: _____
Email Address: _____	

II. Facility Information:

Facility Location: Quarter Section: NE Township: 20-North Range: 3-East
 Municipality: Section 14 Township: _____

Address: _____ City: _____
 State: _____ Zip Code: _____ County: Whiteside Book Number: _____

Property Index Number: 13-14-200-006

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:

The structure is a swine finishing building where swine are housed on concrete slats with a below ground concrete pit used as waste storage.

Permit Information:

WPC Construction Permit Number: _____	N/A	Date Issued: _____	
NPDES Permit Number: _____	N/A	Date Issued: _____	Exp. Date: _____
APC Construction Permit Number: _____	N/A	Date Issued: _____	
APC Operating Permit Number: _____	N/A	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:

Not applicable

Materials Used in the Process:

Not applicable



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.

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

A concrete pit with dimensions of 391'4" x 51'2" x 8' deep is used to store livestock waste until the appropriate time to apply the manure to agricultural fields at agronomic rates. The building has ten (10) 6' x 6' x 8' concrete pumpouts, 1,008' of 4" HDPE perforated tile around the perimeter of the footings, and 19,500 ft² of precast concrete slats.

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

The primary purpose of the pit is to have a years worth of livestock manure storage to allow flexibility for application to agricultural fields when conditions are ideal.

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).

Not applicable

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
Livestock Manure	Stored in below ground concrete pit	Field applied at agronomic rates

Note: Contaminant or pollutant means that which is removed from the process by the pollution control facility.



Illinois Environmental Protection Agency

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: 3/14/2018

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

Facility first placed into service on 3/14/18.

Status of installation on date of application:

Facility is 100% operational.

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))

TODD DAIL

Printed Name:

MEMBER/MANAGER

Title:

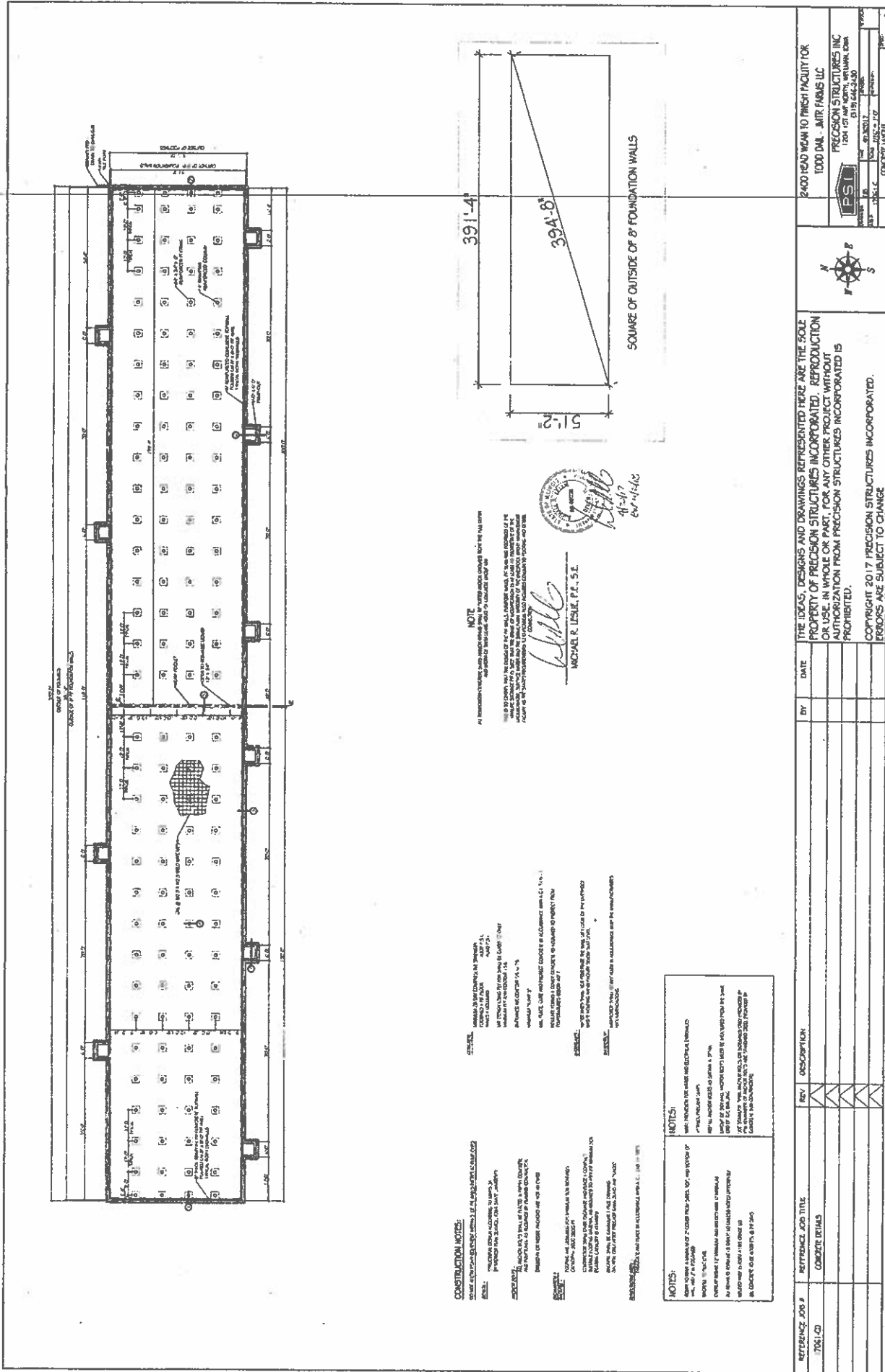
For incorporated entities, signature should be from an authorized corporate representative.

Todd Dail

Signature:

4/23/2018

Date:



NOTE
 ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED ARE IN FEET AND INCHES. DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.
 ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.
 ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.

Michael R. Leske
 MICHAEL R. LESKE, P.E., S.E.
 CONSULTING ENGINEER
 41-117
 2018-11-18

CONSTRUCTION NOTES:
 1. ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED ARE IN FEET AND INCHES.
 2. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.
 4. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.

NOTES:

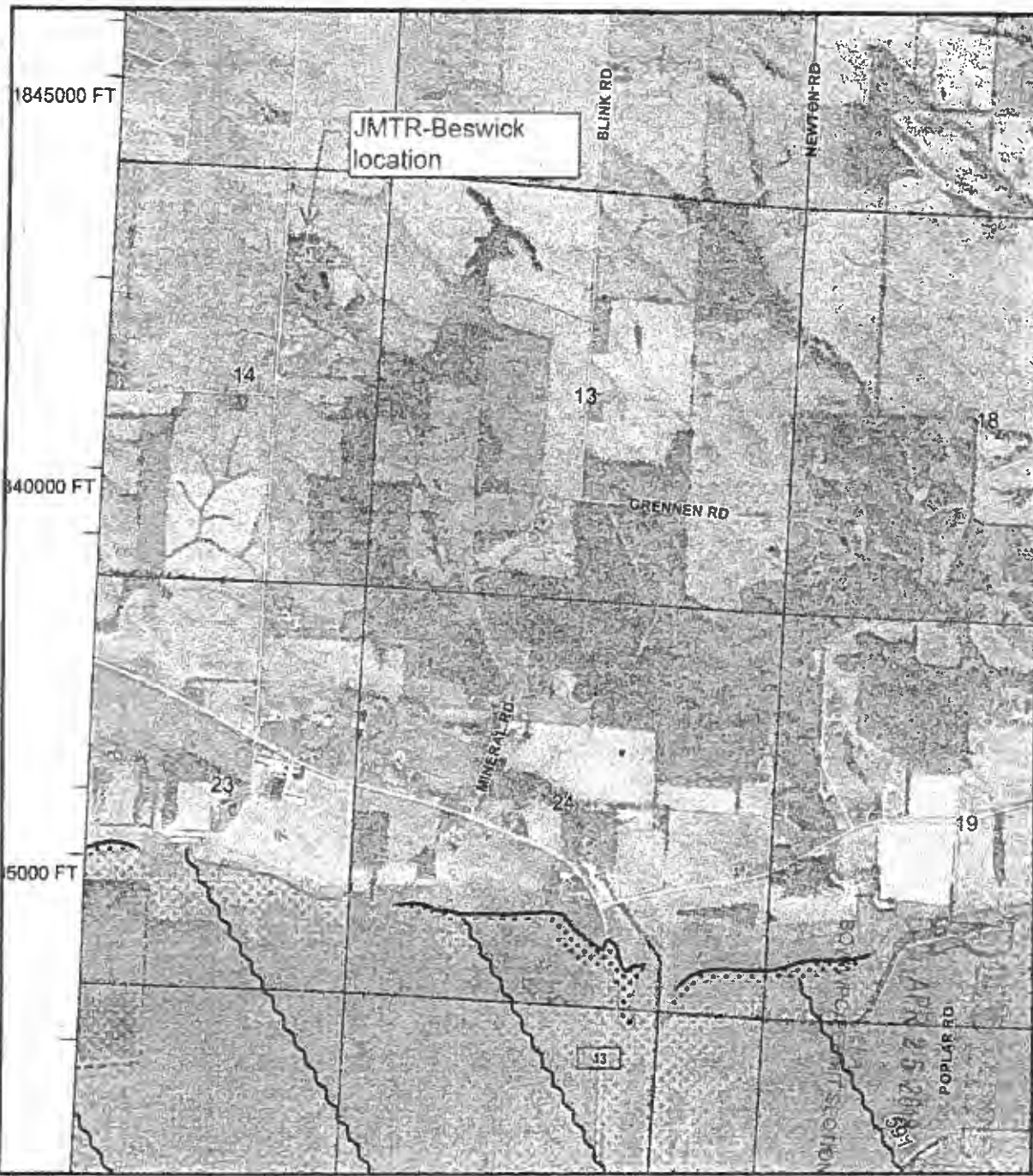
1. ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED ARE IN FEET AND INCHES.
2. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.

REFERENCE JOB #	REFERENCE JOB TITLE	REV	DESCRIPTION	BY	DATE
7061-03	CONCRETE DETAILS				

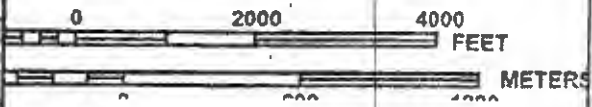
2400 SQ FT LEAN TO FINISH FACILITY FOR 1000 DAL - JMT FARMIS LLC
 PRECISION STRUCTURES, INC.
 1204 1ST AVE SOUTH, WYOMING, WYOMING
 TEL: 307.634.2172 FAX: 307.634.2172
 WWW.PSSTRUCTURES.COM

PSI
 PRECISION STRUCTURES, INC.
 1204 1ST AVE SOUTH, WYOMING, WYOMING
 TEL: 307.634.2172 FAX: 307.634.2172
 WWW.PSSTRUCTURES.COM

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 ERRORS ARE SUBJECT TO CHANGE.



MAP SCALE 1" = 2000'



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0300E

FIRM
FLOOD INSURANCE RATE MAP
WHITESIDE COUNTY,
ILLINOIS
AND INCORPORATED AREAS

PANEL 300 OF 485
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	N.P.S.F.	PANEL	SHEET
WHITESIDE COUNTY	17195	1030	E

Notice to User: The Map Number shown herein should be used when placing map orders. But Community by number shown above should be used on insurance applications for the subject community.

MAP NUMBER
17195C0300E
EFFECTIVE DATE
FEBRUARY 18, 2011



Federal Emergency Management Agency

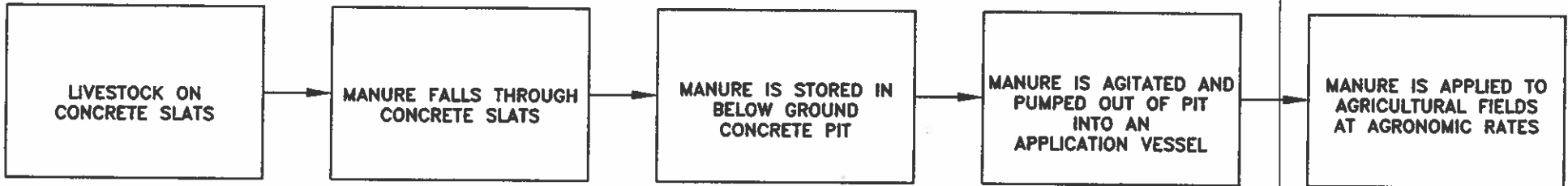
REGIONAL OFFICE SECTION
 FEMA

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

Electronic Filing: Received, Clerk's Office 12/28/2018 **PCB 2019-081**

APR 25 2018

POLLUTION CONTROL FACILITY
PROCESS FLOW DIAGRAM



APR 25 2018
EPA
BOWW/PC/PERMIT SECTION



Frank & West
Environmental Engineers, Inc.

RECEIVED
APR 25 2018

IEPA
BOWWPC/PERMIT SECTION

September 22, 2017

Al Keller
Permit Section
Division of Water Pollution Control
Illinois EPA
P.O. Box 19276
Springfield, Illinois 62794-9276

RE: JMTR-Beswick facility

Dear Mr. Keller:

Frank & West is submitting an application for certification of property tax treatment for pollution control facility on behalf of the JMTR-Beswick facility.

If you have any further questions or comments regarding the JMTR-Beswick non-lagoon livestock waste handling facility, please advise.

FRANK & WEST
ENVIRONMENTAL ENGINEERS, INC.

A handwritten signature in black ink, appearing to read 'Jacob Nims', is written over the company name.

Jacob Nims
Agricultural Engineer

Attachment: Application for Certification

Tax Certification

Close

Name JMTR-Beswick-Erie

Status A Fee Exempt

Type Tax Certification

Billing Status Do Not Bill

Tax Cert ID TC-137101

IPCB Docket Number

Type Bureau of Water

DLC Number PCB 18-46

Status A

Certification Number

Comments (Shift+F2 to enlarge)

Process Flow Diagram Attached No

Property ID: 13-14-200-006

Plans & Specifications Attached No

Diagram of Discharge Points Attached No

Contaminants Collected No

Last Changed User Belinda.Hafliger

Last Changed Date 1/2/2018

Event Log (Logbook) Agent(s) Assigned Facility Linked Activity(s) Former Name(s) Engineer Decision Support Location Detail

Event Type	Event Date	Event Status	Notes	Status	Last User
Order Date	12/21/2017	Completed		A	Belinda.Hafliger
Routed to DLC	10/20/2017	Completed		A	Belinda.Hafliger
Routed to DLC	1/23/2017	Completed		A	Belinda.Hafliger
Application Received Date	11/7/2016	Completed		A	Belinda.Hafliger
*					

Record: 5 of 5

No Filter

Search

Electronic Filing: Received, Clerk's Office 12/28/2018 **PCB 2019-081**

STATE OF ILLINOIS

COUNTY OF SANGAMON

)
)
)
)
)

CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that I have served on the date of December 28, 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

Todd Fail
8571 Albany Rd.
Erie, Illinois 61250

[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/ Michael S. Roubitchek
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)

THIS FILING IS SUBMITTED ON RECYCLED PAPER