

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

WIN Production, LLC-New Salem )  
(Property Identification Number ) PCB No. 20-  
44-023-12B) (Tax Certification)  
)

**NOTICE**

**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, copies of which are herewith served upon you.

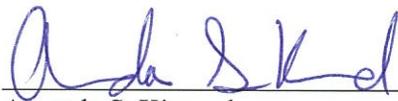
WIN Production, LLC  
Brian Bradshaw  
44619 Co. HWY 2  
Griggsville, Illinois 62340

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

**Copies also provided electronically as follows:**

Illinois Department of Revenue  
via email at REV.PropTaxApp@illinois.gov  
101 West Jefferson  
P.O. Box 19033  
Springfield, Illinois 62794

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By:   
Amanda S. Kimmel  
Assistant Counsel  
Division of Legal Counsel

DATED: August 5, 2020

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**

**WIN Production, LLC-New Salem** )  
**(Property Identification Number** ) **PCB No. 20-**  
**44-023-12B)** ) **(Tax Certification)**  
 )

**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:   
Amanda S. Kimmel  
Assistant Counsel  
Division of Legal Counsel

DATED: August 5, 2020

Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Post Office Box 19276  
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**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

WIN Production, LLC-New Salem )  
(Property Identification Number ) PCB No. 20-  
44-023-12B) (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 December 30, 2019, the Illinois EPA received a request from WIN Production, LLC (log number TC-142184, 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: WIN Production, LLC  
37808 County Highway 2  
New Salem, IL 62357

The proposed water pollution control facilities in this request are located in the SE ¼ of Section 14, T4S, R4W of the 4th P.M. in Pike County, at the above street address and consist of the following:

Livestock waste management facilities consisting of four concrete manure pit (approximately 89 ft. x 157.5 ft. x 8 ft. under building P1; 84 ft. x 138 ft. x 8 ft. under building P1; 85 ft. x 18 ft. x 2 ft. under building P1; and 32 ft. x 60 ft. x 2 ft. under E8), the concrete slatted portion of the floor over the manure pit that captures and contains waste generated in the barn above, PVC pipe (approximately 200 ft. x 10 in. and 800 ft. x 8 in. in total) that transfer manure from concrete pits to existing earthen holding ponds, and a perimeter drainage tiles (approximately 665 ft. x 4 in. and 150 ft. x 5 in. total CPP), located around the footing of the

manure pit to prevent flotation of the pit, which includes one inspection riser port.

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 (2018), 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 (2018), pollution control facilities must be certified as such by the Board, 35 ILCS 200/11-20 (2018) 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:   
Amanda S. Kimmel  
Assistant Counsel  
Division of Legal Counsel

Dated: August 5, 2020

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

JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

# Memorandum

To: Charles Gunnarson, Division of Legal Counsel

From: Darin E. LeCrone, Manager, Industrial Unit, Permit Section *DSL*

Date: JUL 06 2020

Re: WIN Production, LLC – New Salem  
Recommendation of Tax Certification  
Log# TC-142184  
Property Index# 44 – 023 – 12B

The Bureau of Water received a request on December 30, 2019 from Brian Bradshaw 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:

WIN Production, LLC  
37808 County Highway 2  
New Salem, IL 62357

SE ¼ of Section 14, T4S, R4W of the 4<sup>th</sup> PM in Pike County

The livestock waste handling facilities consisting of four (4) concrete pits (approximately 89 ft. x 157.5 ft. x 8 ft. under building P1, 84 ft. x 138 ft. x 8 ft. under P1, 85 ft. x 18 ft. x 2 ft. under P1, and 32 ft. x 60 ft. x 2 ft. under E8) and the concrete slatted portion of the floor over the manure pits that capture and contain waste generated in the barns above, PVC pipes (approximately 200 ft. x 10 in. and 800 ft. x 8 in. total) that transfer manure from concrete pits to existing earthen holding ponds, and perimeter drainage tiles (approximately 665 ft. x 4 in. and 150 ft. x 5 in. total CPP) located around the footing of the manure pit to prevent flotation of the pit. 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

Electronic Filing: Received, Clerk's Office 08/05/2020 \*\*PCB 2021-010\*\*  
Watershed Unit Tax Certification Review Sheet

Project Name: WIN Production, LLC

Date: February 4, 2020

Reviewer: WH

Type:  Agchem  
 Livestock

Log number: TC-142184

Applicant: Brain Bradshaw  
44619 Co. HWY 2  
Griggsville, IL 62340

Contact: Terry Feldmann  
3116 N. Dries Lane, Suite 100  
Peoria, IL 61604

Facility: WIN Production, LLC  
37808 County Highway 2  
New Salem, IL 62357

Phone: 309-693-7615

Property Index#: 44-023-12B

Legal Description:  
SE of Section: 14 Twp: 4S R: 4W PM: 4<sup>th</sup>

Parcel#:

County: Pike

Signature: Brain Bradshaw

Date Control Devices installed: December 2016

Title: Manager

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 four (4) concrete pits (approximately 89 ft. x 157.5 ft. x 8 ft. as P1, 84 ft. x 138 ft. x 8 ft. as P1, 85 ft. x 18 ft. x 2 ft. as P1, and 32 ft. x 60 ft. x 2 ft. as E8) and the concrete slatted portion of the floor over the manure pits that capture and contain waste generated in the barns above. PVC pipes (approximately 200 ft. x 10 in. and 800 ft. x 8 in. total) transfer manure from concrete pits to the earthen holding ponds. Perimeter drainage tiles (approximately 665 ft. x 4 in. CPP and 150 ft. x 5 in. CPP total) are located around the footing of the manure pits to prevent flotation of the pits. 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 C of the application form and the attached drawings.

Four (4) concrete manure pit;

Concrete slatted floor at the pit;

PVC pipes between manure pits and earthen holding ponds.

Perimeter drainage tubes around Building P1 (corrugated perforated pipes)

A process flow diagram and a plan view of the pits is submitted with the application.

Recommended Action: Issue tax certification.

wtaxcert review sheet



**MAURER-STUTZ**

ENGINEERS SURVEYORS

12/27/2019

Illinois EPA  
Attn: Al Keller, Permit Section  
Division of Water Pollution Control  
1021 N. Grand Avenue East, P.O. Box 19276  
Springfield, IL 62794-9276

**RECEIVED**

DEC 30 2019

IEPA  
BOWWPC/PERMIT SECTION

Mr Keller,

Please find enclosed seven (7) separate Pollution Control Facility (Property Tax Treatment) applications along with supporting attachments. All of the enclosed applications are for farms owned by Win Productions, LLC.

Please contact Terry L. Feldmann, PE or myself at (309) 693-7615 if you have any questions.

Regards,

Daniel N. Feucht, CCA  
Agricultural Services Group



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

Illinois EPA
Attention: Ray E. Pilapil, Permit Section
Division of Air Pollution Control
1021 North Grand Avenue East, P.O. Box 19276
Springfield, IL 62794-9276

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: WIN Productions, LLC
Person Authorized to Receive Certification: Brian Bradshaw
Street Address: 46619 Co. HWY 2
City: Griggsville State: IL
Zip: 62340 Phone: 217-833-2111
Email Address: brian@winproductionsllc.com
Person to Contact for Additional Details: Terry L. Feldmann
Street Address: 3116 N. Dries Lane, Suite 100
City: Peoria State: IL
Zip: 61604 Phone: 309-693-7615
Email Address: tfeldmann@mstutz.com

II. Facility Information:

Facility Location: Quarter Section: SE-14 Township: 4S Range: 4W
Municipality: Township: New Salem

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

Address: 37808 County Highway 2 City: New Salem
State: IL Zip Code: 62357 County: Pike Book Number:

Property Index Number: 44-023-12B

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:

NA

Permit Information:

WPC Construction Permit Number: None Date Issued:
NPDES Permit Number: None Date Issued: Exp. Date:
APC Construction Permit Number: None Date Issued:
APC Operating Permit Number: None 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:

N/A

**Materials Used in the Process:**

N/A

**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):

See Attachment 1: Facility Pollution Control Facility Description

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

See Attachment 2: Purpose of the Pollution Control Facility

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).

Federal: Title 35, Subtitle E, Chapter 1, Part 502&502; State: Title 8, Chapter 1, Subchapter T, Part 900

**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
Swine Manure	Manure	Land Application for Crop Nutrients

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



## ATTACHMENT 1: Facility Pollution Control Facility Description

The facility consists of two cattle barns and five (5) swine barns: Building E1 – 128ft. x 40ft, Building E5 – 191ft x 103ft, Building E6 – 191ft x 103ft, Building E8 – 32ft x 60ft, and Building P1 – 157ft x 170ft. Manure from the facility is collected in concrete pits and three clay lined holding ponds (E2, E3, and E4). Manure is transferred from the barns to the holding ponds via pull plugs in 8" and 10" gravity PVC piping.

In the certification issued on May 7, 2009 Buildings E1, E5, and E6 and Holding Ponds E2, E3, and E4 were certified. Since that certification, Building E7 has been razed and P1 was constructed.

Building P1 was constructed in 2014. The building has overall dimensions of 157'-6" x 169'-8". The building is of rectangular configuration with a single gable roofline but contains the following separate pits all located within the structure. See attached plans

88'-11" x 157'-6" x 8' deep	Deep pit below slotted flooring concrete pit
83'-11" x 137'-11" x 8' deep	Deep pit below slotted flooring concrete pit
85'-0 x 18'-3" x 2' deep	Shallow pit below slotted flooring concrete pit

The deep pits with the dimensions listed above consist of a 4" thick reinforced slab with 8" thick x 8' tall exterior walls. The exterior walls sit on top of 5' wide footings that are 12" thick. Slotted floors enable excreta and wastewater to fall through and accumulate in the below floor pits. Interior pit walls are 2' wide, 6" thick, and 7'-4" tall and function as columns to support beams that are 6" wide, 10" tall, and with various lengths to accommodate building dimensions. The beams support slotted flooring and equipment used in production. Manure and wastewater are transferred from the deep pits to holding pond E2 via 8" & 10" gravity SDR-35 sewer pipe. The pit has four pull plug openings to facilitate draining of the pit. There is 150' of 8" SDR-35 sewer pipe and 200' of 10" SDR-35 sewer pipe used to transfer the manure. A perimeter drain is used to control the seasonally high water table. The lengths of 4" CPP and 5" CPP used to control the water table are 665 feet and 150 feet.

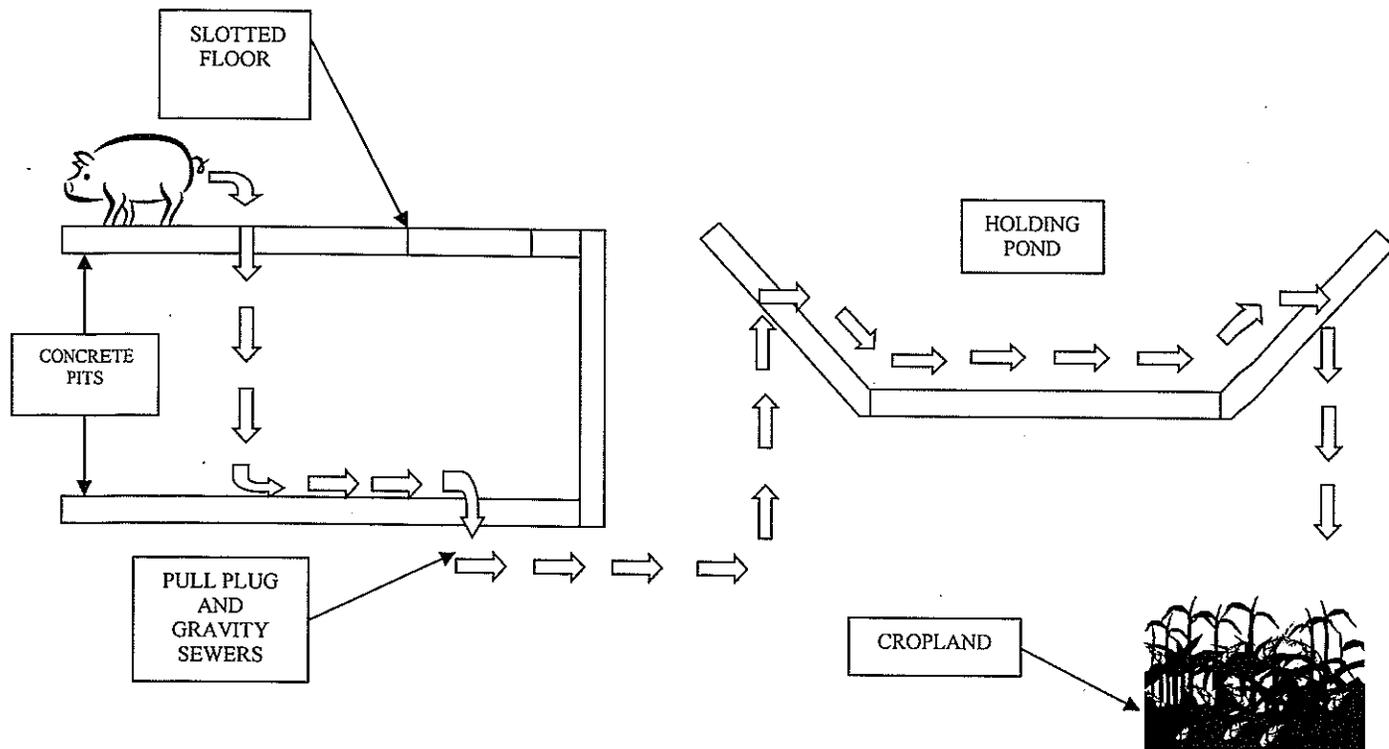
The shallow pit with the dimensions listed above consists of a 4" reinforced pit slab and 8" thick exterior walls. The exterior walls sit on top of 1' wide footings that are 8" thick. Slotted floors allow excreta and wastewater to fall through and accumulate in the below floor pits. Manure and wastewater are transferred from the shallow pits to the deep pit section of the part via 8" SDR-35 sewer pipe. The pit has four pull plug openings to facilitate draining of the pit.

Additionally the shallow pit barn, E8 was not listed under the previous certification. The barn serves as a nursery equipped with slotted flooring over a 2'-0" deep concrete pit consisting of a 4" thick slab. The pit walls are 8" thick with footings that are 9" thick and 2'-0" wide. 6" stem walls poured systematically throughout the pit support the slotted floor, which enable excreta and wastewater to fall through and accumulate in the below floor pits. The pit utilizes pull plugs to drain manure and wastewater via an 8" SDR-35 PVC sewer pipe to holding pond E2. The barn contains 4 pull plug locations. Approximately 650 feet of 8" SDR-35 PVC sewer pipe is used to convey the manure from E8 to Holding pond E2.

The facility is requesting certification for the nursery (E8) and the new multipurpose swine barn (P1) concrete pit and for the manure transfer system that transfers manure from P1 and E8 to holding pond E2.

The facility protects ground and surface water by providing collection and storage of livestock waste for about 365 days. Subsequently, the waste is applied agronomically to cropland under proper soil and weather conditions for safe use.

### MANURE DIAGRAM



### **ATTACHMENT 2: Purpose of Pollution Control Facility**

The primary purpose of the facilities is to provide collection & storage for the manure until it can be properly land applied to cropland at agronomic rates.

### **ATTACHMENT 3: Date of First Service**

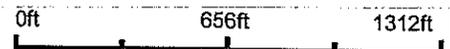
The E5 & E6 pollution control facility was first placed into service and operated Jan 2007. E1, E8, and the holding ponds were placed into service prior to 1999. Additional barns expanding the facility were under construction in 2015, with the last constructed being placed into service in December 2016.

### **ATTACHMENT 4: Status of Installation**

Facilities described in Attachment 1 are fully constructed and in service as of December 31, 2016.



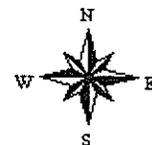
map center: 39.711695, -90.821421



  
**MAURER-STUTZ**  
ENGINEERS SURVEYORS

**14-4S-4W**  
**Pike County**  
**Illinois**

Maps Provided By:  
  
**surety**  
CUSTOMIZED ONLINE MAPPING  
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4/15/2019

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 August 5, 2020, the attached **NOTICE, 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:

WIN Production, LLC  
Brian Bradshaw  
44619 Co. HWY 2  
Griggsville, Illinois 62340

**Copies also provided electronically as follows:**

Illinois Department of Revenue  
via email at REV.PropTaxApp@illinois.gov  
101 West Jefferson  
P.O. Box 19033  
Springfield, Illinois 62794

**[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/ Amanda S. Kimmel  
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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