BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Radius Ag, LLC (Property Identification Number 10-034-001-00)

)) PCB 17-) (Tax Certification)

NOTICE

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

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

Ed McEwen 23265 N. 2200th Road Prairie City, Illinois 61470

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board an <u>APPEARANCE</u> and <u>RECOMMENDATION OF THE ILLINOIS</u> <u>ENVIRONMENTAL PROTECTION AGENCY</u>, a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By:

Michael S. Roubitchek Assistant Counsel Division of Legal Counsel

DATED: January 3, 2017

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

Radius Ag, LLC (Property Identification Number 10-034-001-00))) PCB 17-) (Tax Certification)

APPEARANCE

The undersigned, as one of its attorneys, hereby enters an <u>APPEARANCE</u> on behalf of Respondent, Illinois Environmental Protection Agency.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

ath By:

Michael S. Roubitchek Assistant Counsel Division of Legal Counsel

DATED: January 3, 2017

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

Radius Ag, LLC (Property Identification Number 10-034-001-00))) PCB 17-) (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.

- On January 5, 2016, the Illinois EPA received a request from Radius Ag, LLC (log number TC-02-16, 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:

Radius Ag, LLC 1613 10th Avenue Avon, IL 61415

The proposed water pollution control facilities in this request are located in the

Section 34, T8N, R1W of the 4th P.M. in Warren County, at the above street

address and consist of the following:

Livestock waste management facilities consisting of two concrete manure pits (approximately 281 ft. x 71 ft. x 8 ft. deep and 281 ft. x 71 ft. x 10 ft. deep), the concrete slatted portion of the floor over each manure pit that captures and contains waste generated in the barn above, and four concrete pump out pits for each manure pit (each approximately 6 ft. x 6 ft.). 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 (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.

- 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).
- 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

where nll By:

Michael S. Roubitchek Assistant Counsel Division of Legal Counsel

Dated: January 3, 2017

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, ACTING DIRECTOR

Memorandum

MAL

To: Charles Gunnarson, Division of Legal Counsel

From: Al Keller, Manager, Permit Section

Date: DEC 1 3 2016

Re: Radius Ag, LLC – Avon Recommendation of Tax Certification Log # TC-02-16 Property Identification # 10-034-001-00

The Bureau of Water received a request on January 5, 2016 from Ed McEwen 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:

Radius Ag, LLC 1613 10th Ave. Avon, IL

Section 34, T8N, R1W of the 4th PM in Warren County

The livestock waste handling facilities consisting of two (2) concrete manure pits (approximately 281 ft. x 71 ft. x 8 ft. and 281 ft. x 71 ft. x 10 ft.) and the concrete slotted portion of the floor over each manure pit that capture and contain livestock waste. Four (4) (approximately 6 ft. x 6 ft.) pumpout pits for each manure pit that allow manure removal from the manure 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.

SAK:WH:Tax Cert Recommendation.docx

cc: Tax Cert File

4302 N. Main St., Rockford, IL 61103 (815)987-7760 595 S. State, Elgin, IL 60123 (847)608-3131 2125 S. First St., Champalgn, IL 61820 (217)278-5800 2009 Mall St., Collinsville, IL 62234 (618)346-5120

Watershed Unit Tax Certification Review Sheet

Location: Avon, IL
Date: December 1, 2016
Type: Agchem
Livestock
Contact: Ed McEwen
23265 N. 2200th Rd.
Prairie City, IL 61470
Phone: 309-333-8535
Property ID: 10-034-001-00
County: Warren
Signature: Ed McEwen
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 two (2) concrete manure pits (approximately 281 ft. x 71 ft. x 8 ft. and 281 ft. x 71 ft. x 10 ft.) and the concrete slat portion of the floor over each manure pit that capture and contain waste generated in the barn above. Each concrete manure pit has four (4) (approximately 6 ft. x 6 ft.) pumpout pits to allow manure removal from the manure pit. The facility collects, transports and stores livestock waste prior to cropland application.

01/29/2016: WH called Ruth Ann McGrew for further information about the buildings (dimensions, pumpouts, etc.). Ruth Ann provided additional information by email.

11/29/2016: WH emailed Ruth Ann McGrew about the correction of Section D Description of Pollution Control Facility. She emailed the corrections to WH.

12/01/2016: Ruth Ann emailed a statement that Building 1 and 2 above the concrete floor are not required for tax certification.

Recommended Action: Issue tax certification.

taxcert review sheet

Electronic Filing: Received Glerk's Office A1/3/2017

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

FOR AGENCY USE

This Agency this information under Illinois Revised Statues, 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.

wit

ile No.	Date Received	Certification No.		Date
Sec, A	Company Name	1 Pad	s Aq LLC	1
APPLICANT	Fric McEwen Person Authorized to Receive Certification	1 xuan	Person to Contact for	Additional Details
	Ed McEwen		Edn	
	Street Aridress	. 24	Street Address	
	A3245 NI. 2200+1 Municipality, State & Zip Code	1 Xd	23265 N	, 2200 th Rd Zip Code
	Municipality, State & Zip Code	ANTA	Municipality, State &	C.X. TI CUIDE
	Praisie City, IL Telephone Nymber	414.70	Telephone Number	City, IL GIHTO
APR	(309) 333-853.5		(309) 3. Municipality	33 - 8535
	Location of Facility Quarter Section Township	Range	Municipality	Township
	34 8N	IW		Green bush
	Street Address		County	Book Number
	1613 10 th Ave, A Property Identification Number	vonIL	Parcel Number	
	Property identification Number $1/2 = 0.02$		Parcel Number	
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			ricany sto	ine contraction.
g	for commercial slav	gliter.		
URIN	Water Pollution Control Construction Permit	~	Date Issued	
ACT	N/A			
MANUFACTURING OPERATIONS	NPDES PERMIT No.		Date Issued	Expiration Date
MAN				
W	Air Pollution Control Construction Permit No.		Date Issued	
W	Air Pollution Control Construction Permit No.		Date Issued	
W	N /A		Date Issued	
	N /A Air Pollution Control Operating Permit No. W/A			
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Page 1 of 2 8/00

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ł	D. NET SALVAGE VALUE IF CO				\$	0
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Han, Wei

From: Sent: To: Subject: Ruth Ann McGrew <ruthann.mcgrew@fbfm.org> Wednesday, February 24, 2016 9:21 AM Han, Wei EPA application descriptions

Dear Mr. Han,

Per your request by phone for additional description of Building 1 and Building 2 for Mr. Ed McEwen, Mr. Eric McEwen and or Radius Ag LLC please note the following.

Building 1 has a 281Ft x 71Ft slated concrete floor over the concrete floor pit. It also has four 6Ft wide by 10Ft deep concrete jut outs in the walls for pump out sections within the pit for waste removal from the pit.

Building 2 has a 281FT x 71FT slated concrete floor over the concrete floor pit. It also has four 6Ft wide by 8Ft deep concrete jut outs in the walls for pump out sections within the pit for waste removal from the pit.

Please let us know if you have any further questions.

Thank you for your assistance with these applications.

Sincerely,

Ruth Ann McGrew Western FBFM Association 446 East Main Street, P. O. Box 93 Bushnell, IL 61422 Office - 309-772-9251 Cell - 309-341-6223 Fax - 309-422-4334 e-mail - ruthann.mcgrew@fbfm.org

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From:	Ruth Ann McGrew <ruthann.mcgrew@fbfm.org></ruthann.mcgrew@fbfm.org>
Sent:	Tuesday, November 29, 2016 4:49 PM
To:	Han, Wei
Subject:	[External] Section D on EPA Applications for Radius Ag LLC

Dear Mr. Han,

Section D - Describe Pollution Abatement Control Facility (Corrections)

Building 1 – 281Ft x 71Ft slated concrete floor over the concrete pit with concrete jut outs in walls for pump out sections within the pit for waste removal. Please see attachments for additional information.

Building 2 – 281Ft x 71Ft slated concrete floor over the concrete pit with concrete jut outs in walls for pump out sections within the pit for waste removal. Please see attachments for additional information.

These changes were per your request for clarity of Section D of our original EPA applications filed 12/30/15.

Please confirm receipt of this emailed information with an email acknowledgement.

Thank you for your assistance.

Sincerely,

Ruth Ann McGrew Western FBFM Association 446 East Main Street, P. O. Box 93 Bushnell, IL 61422 Office – 309-772-9251 Cell – 309-341-9223 Fax – 309-422-4334 e-mail – ruthann.mcgrew@fbfm.org

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From: Sent: To: Subject: Ruth Ann McGrew <ruthann.mcgrew@fbfm.org> Thursday, December 01, 2016 4:17 PM Han, Wei [External] Radius Ag Application

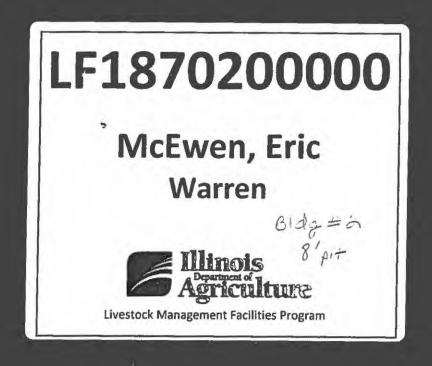
Dear Mr. Han, Building 1 and Building 2 above the concrete floor will not be required for tax certification. Thank you.

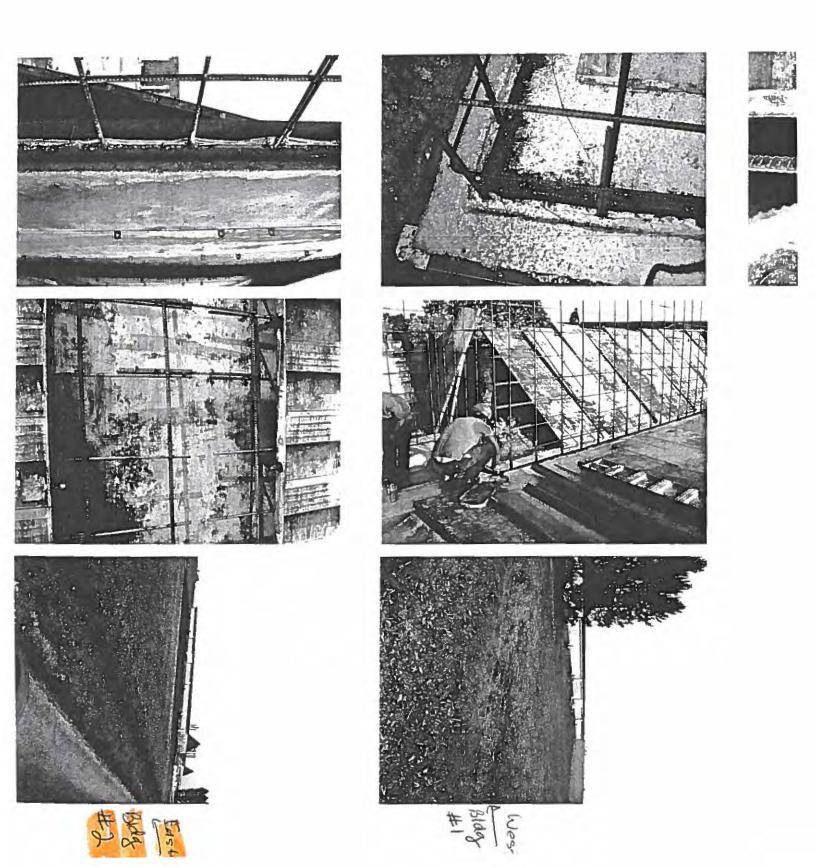
Ruth Ann McGrew Western FBFM Association 446 East Main Street, P. O. Box 93 Bushnell, IL 61422 Office – 309-772-9251 Cell – 309-341-9223 Fax – 309-422-4334 e-mail – ruthann.mcgrew@fbfm.org

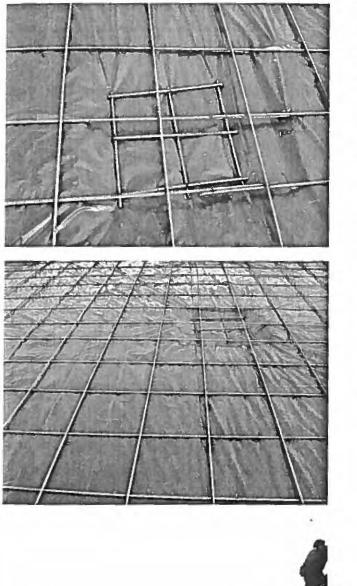
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Building # 2:

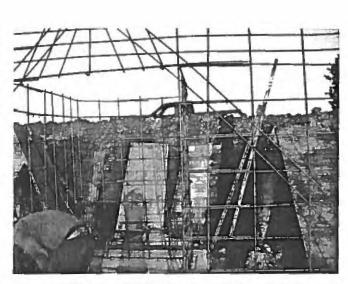
Building # 2 is a slatted floor deep pit building. Hogs are housed inside this building that has a 281FT x 71FT pit that is 8FT deep. Concrete slats on top of the pit allow manure and liquids to fall through the slats and into the pit below. Total capacity of the pit is approximately calculated to be 850,000 gallons of manure storage. The pit is pumped and applied to cropland using a mechanical pump and injector system.

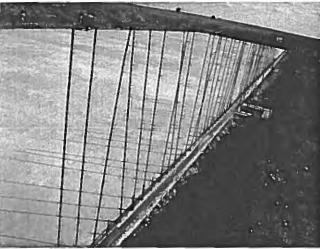


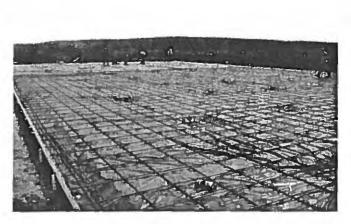










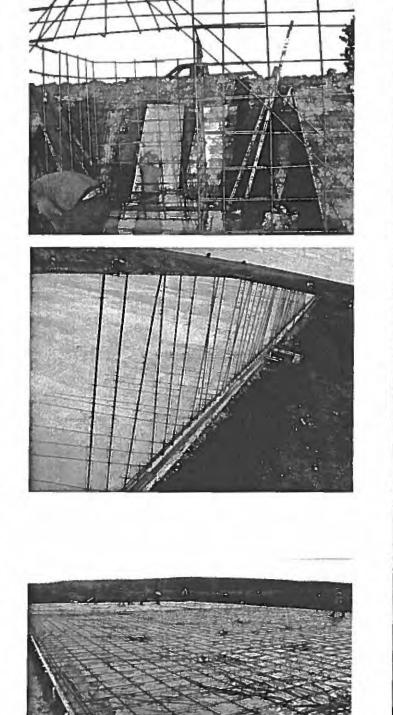


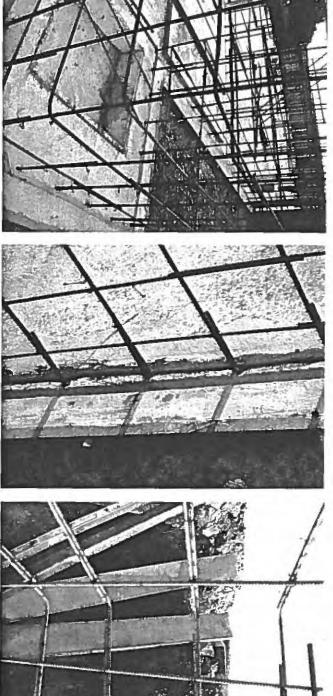


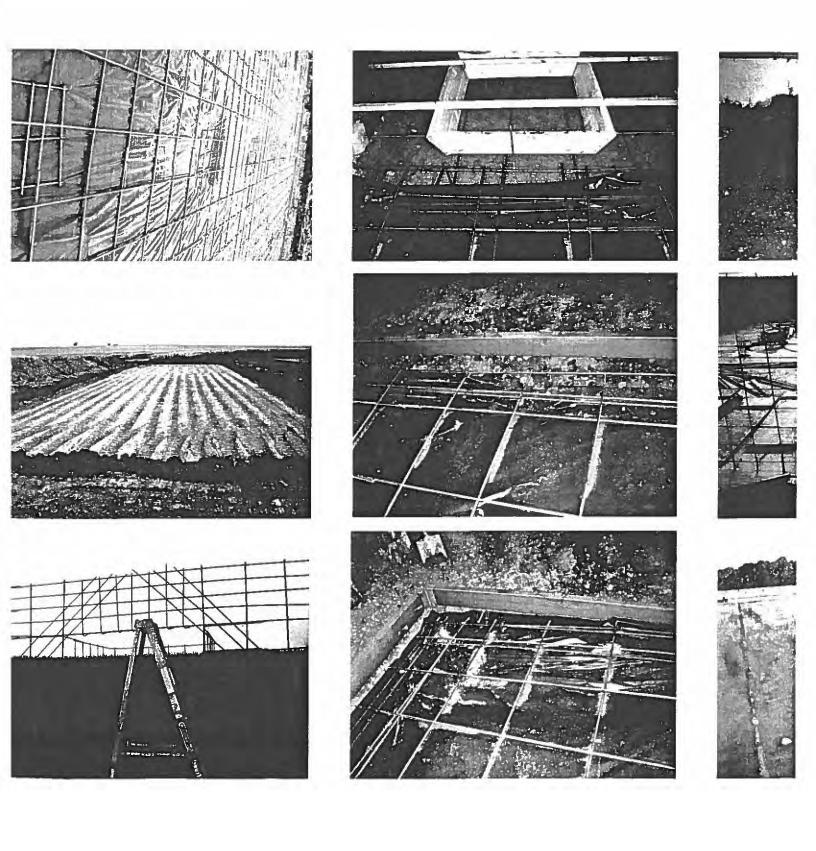












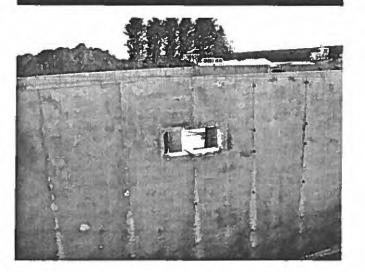


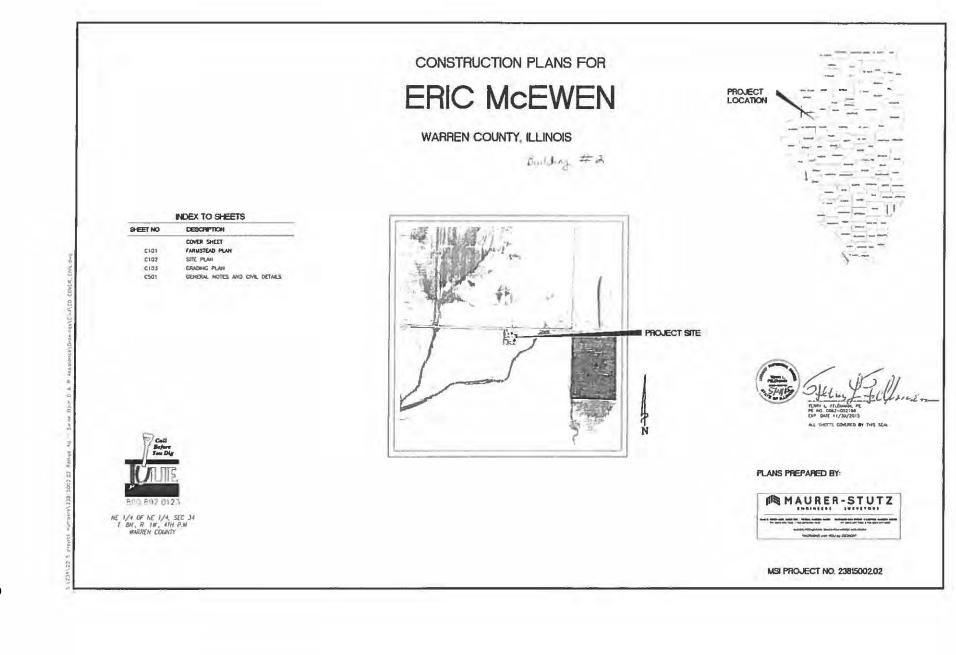




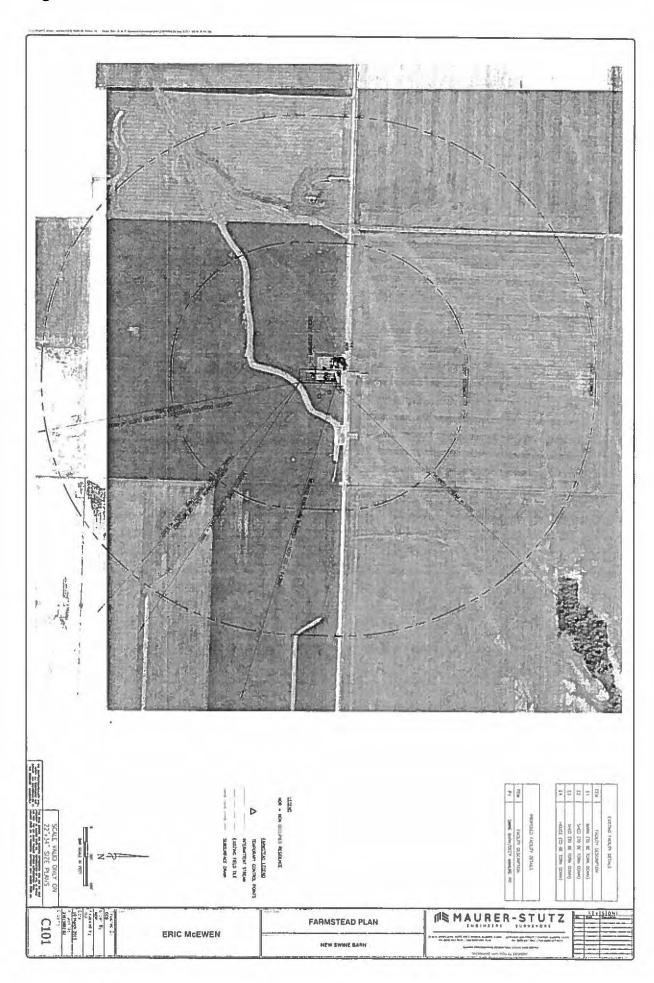


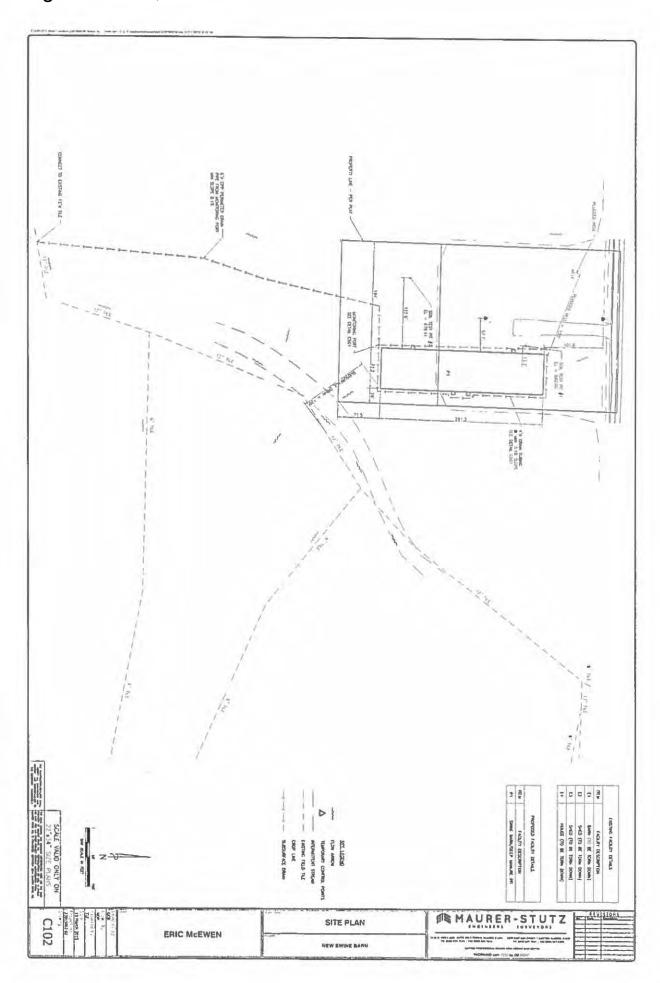
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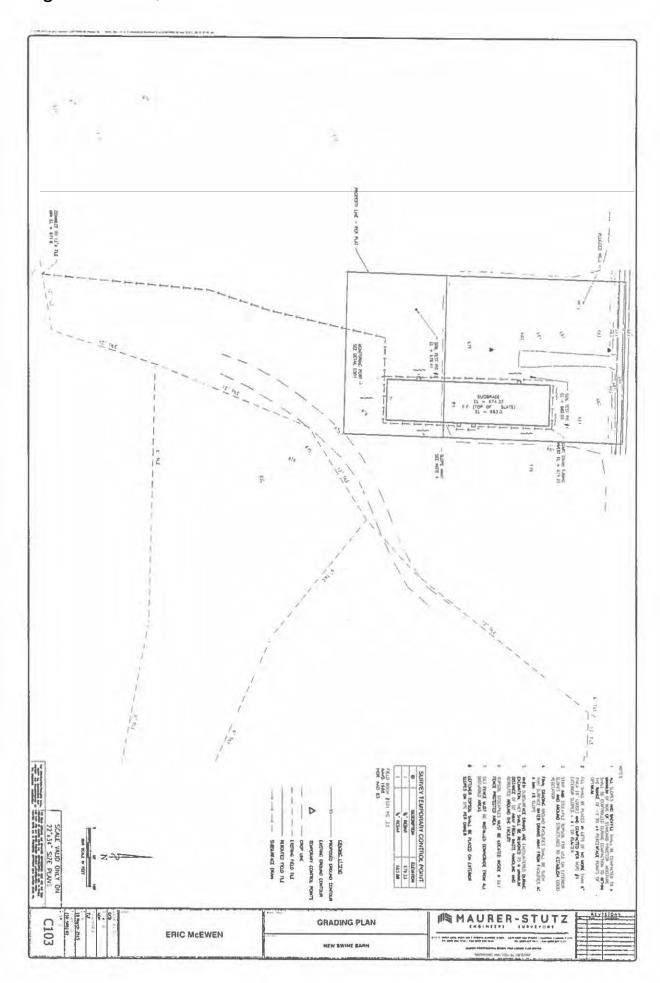


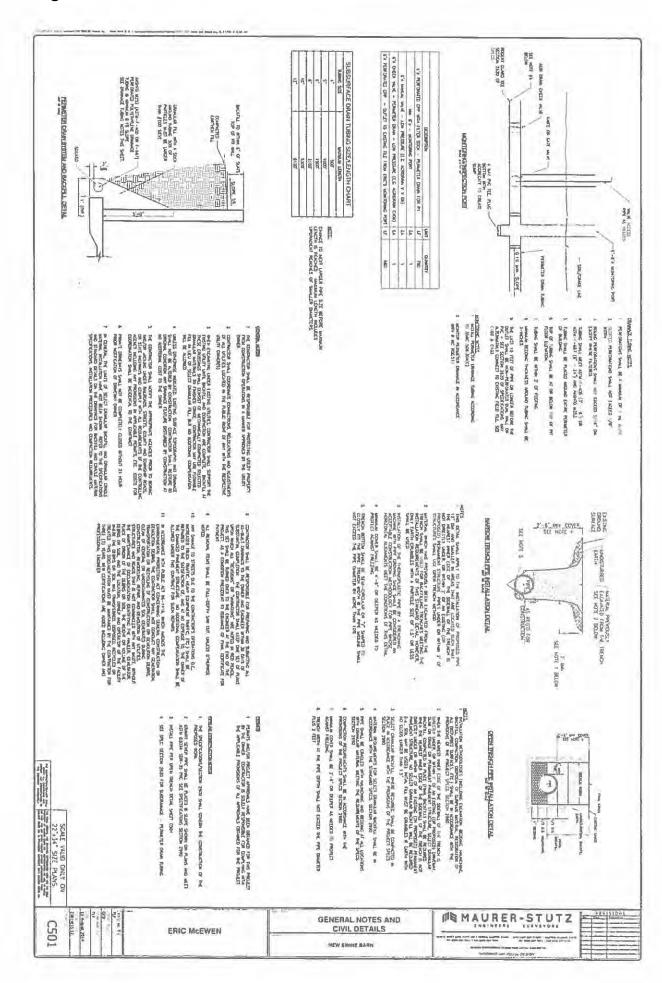


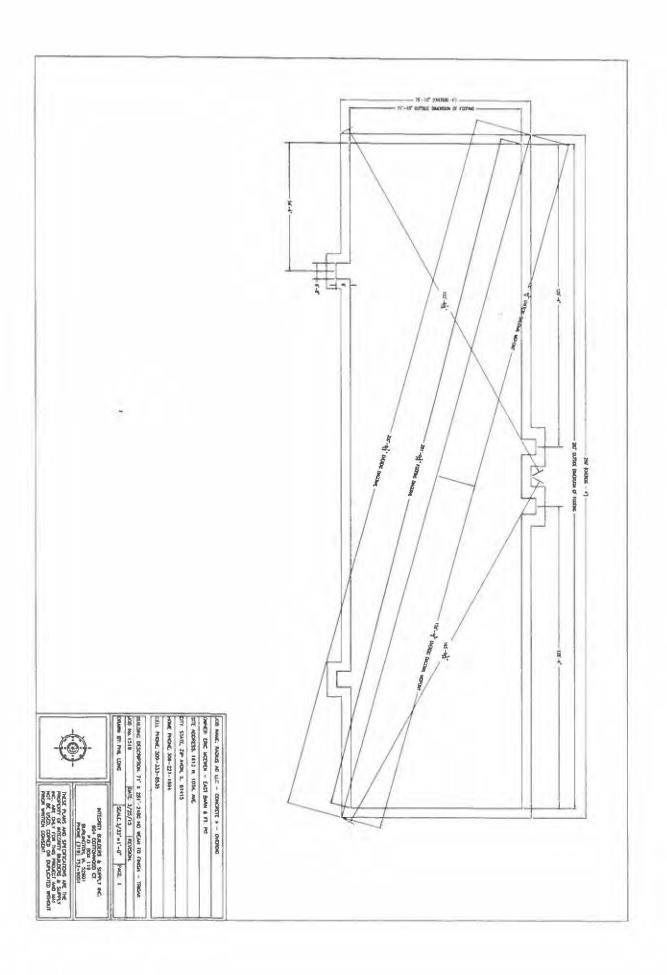
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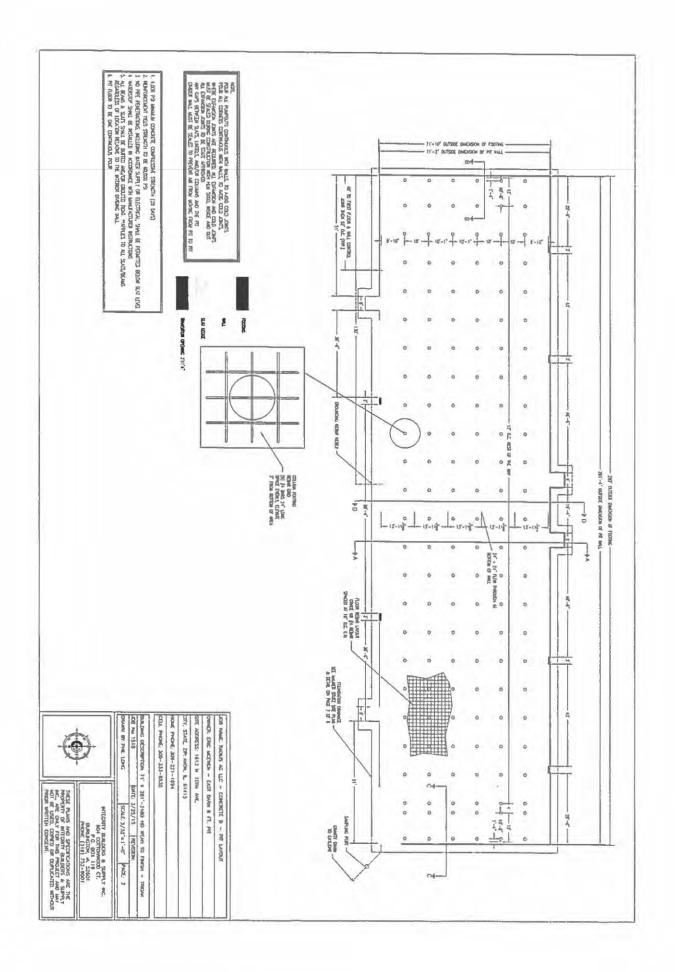


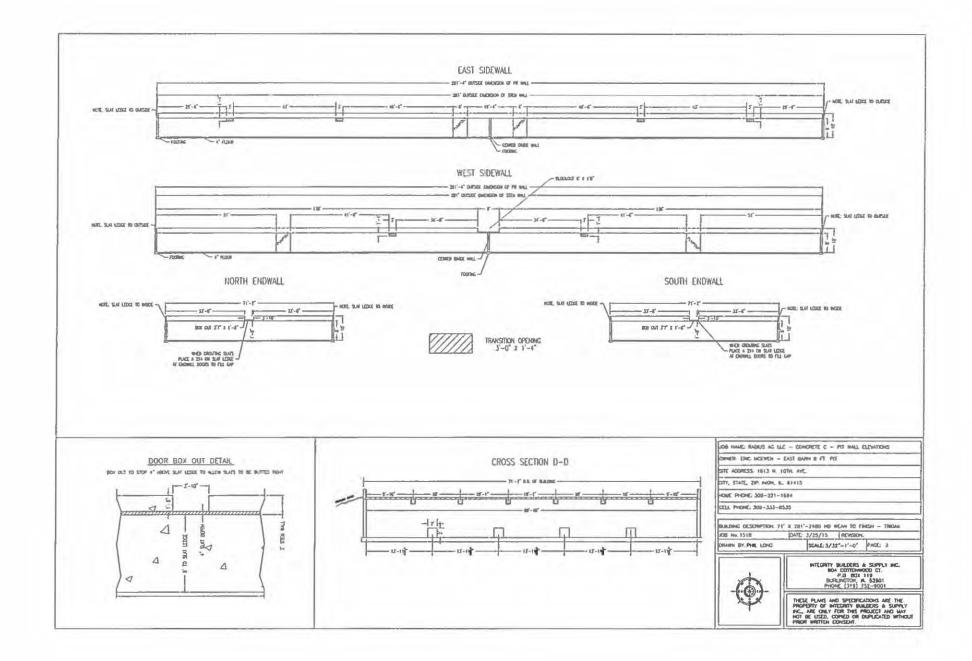




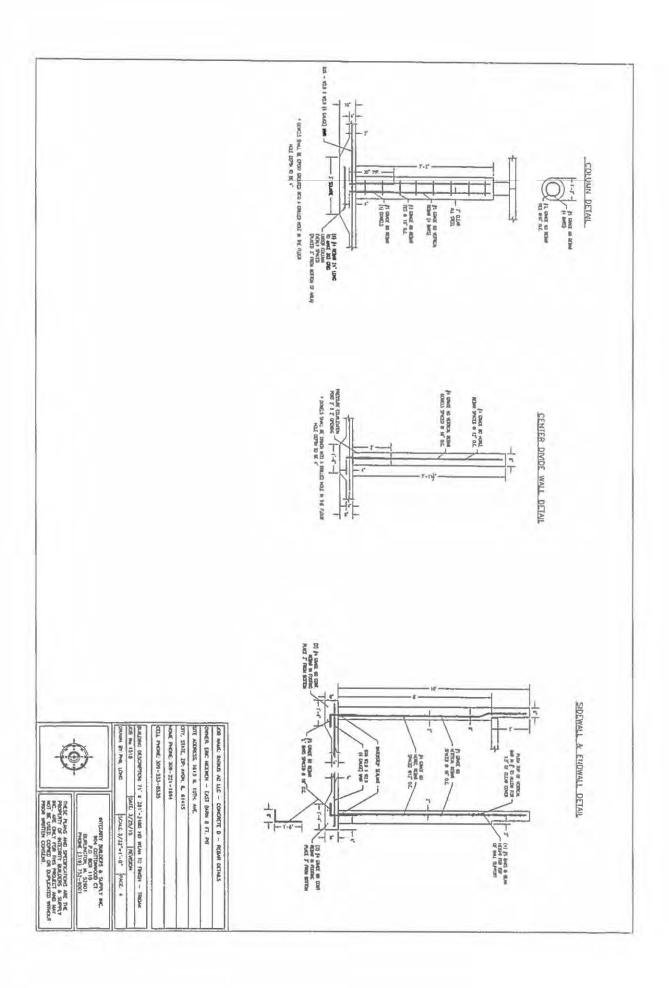


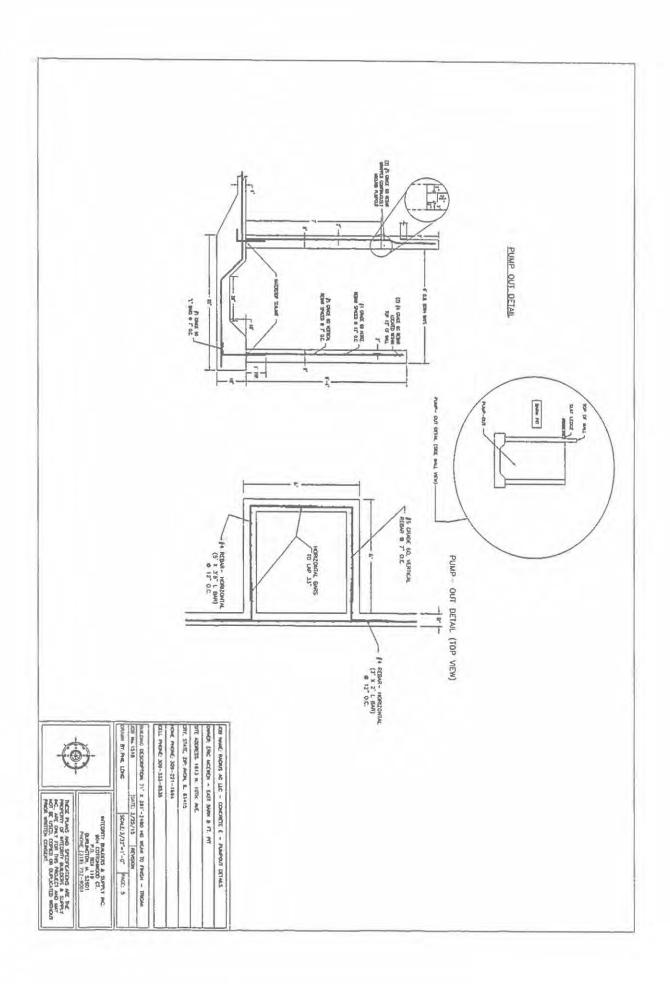


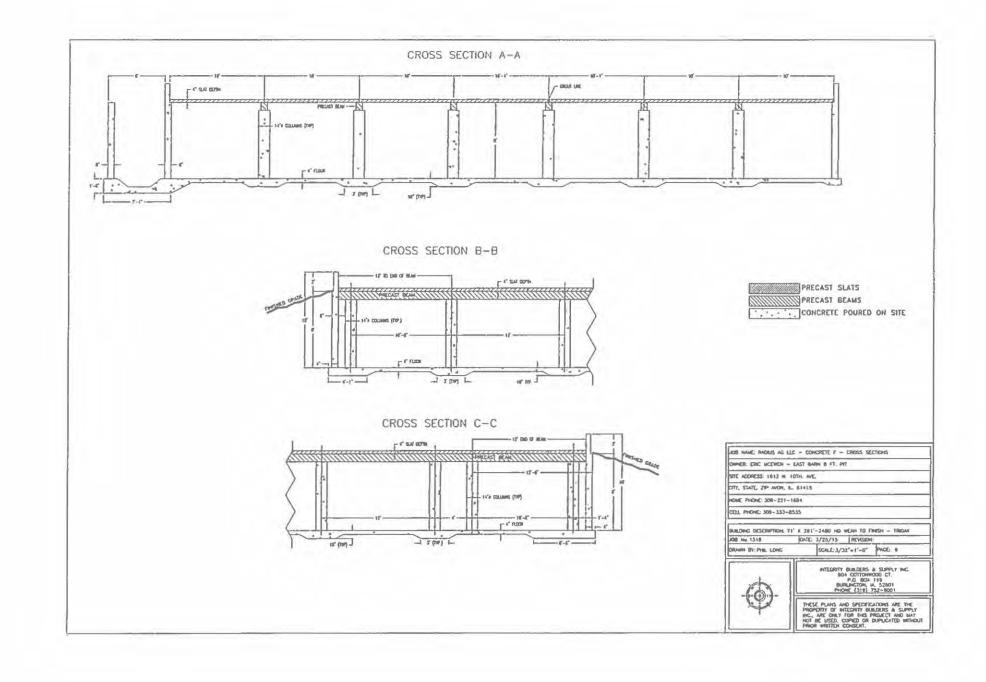




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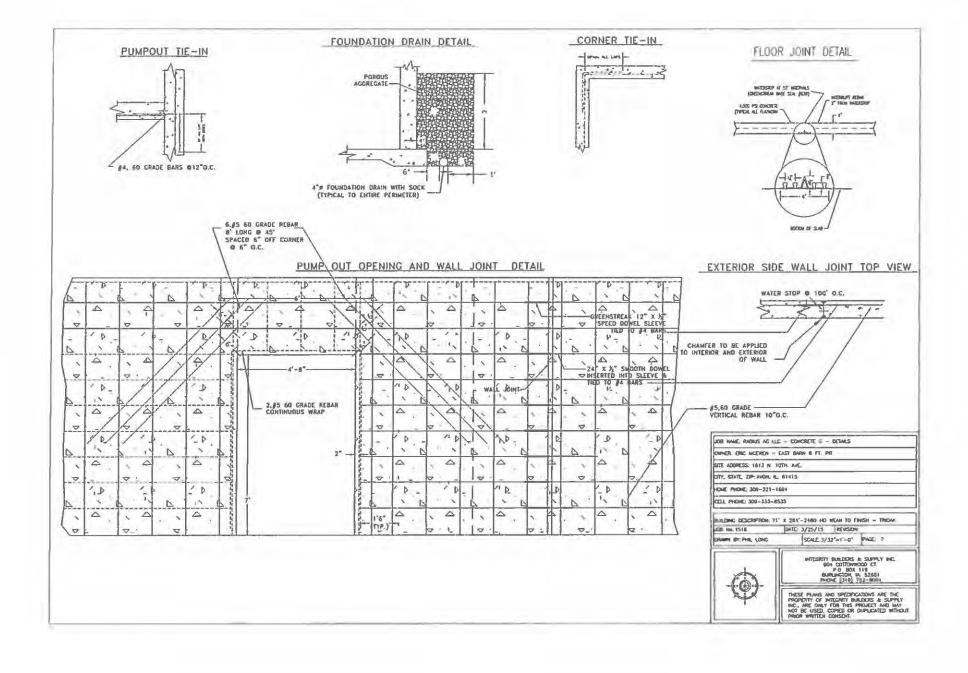


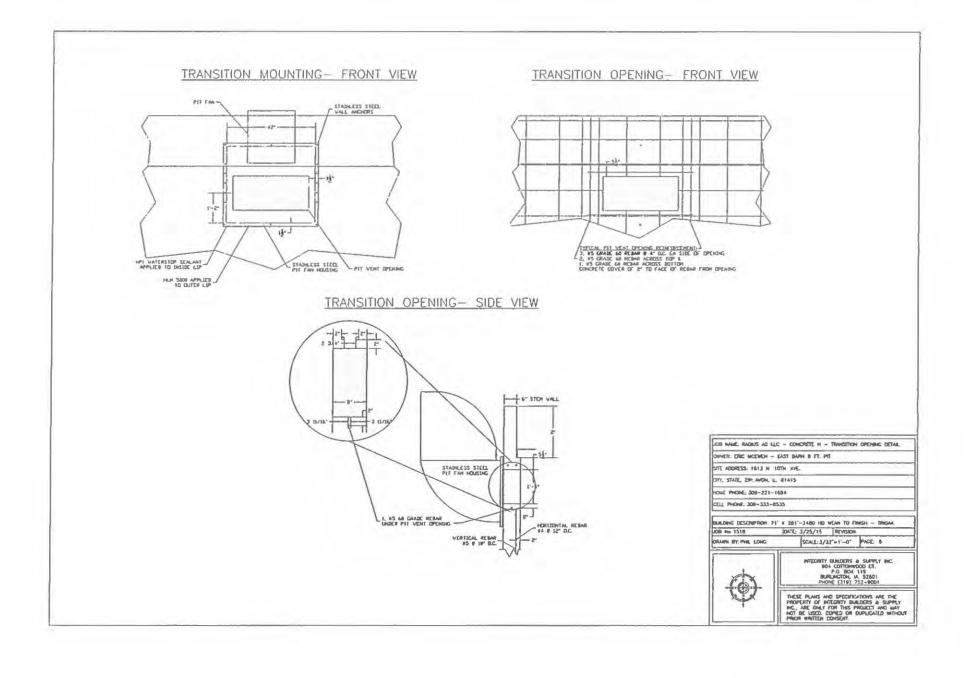






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STATE OF ILLINOIS)
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COUNTY OF SANGAMON)
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CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that I have served on the date of January 3, 2017, the attached <u>APPEARANCE</u> and <u>RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL</u> <u>PROTECTION AGENCY</u>, 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 Ed McEwen 23265 N. 2200th Road Prairie City, Illinois 61470

-160

[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