### RECEIVED CLERK'S OFFICE

### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

JUN 1 0 2005

Borgic Enterprises, Inc.-Newton (Property Identification Number 29-13-35-300-008)

)
) PCB 05- )
(Tax Certification)

STATE OF ILLINOIS Pollution Control Board

NOTICE

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

Jeff Borgic 4204 N. 1600<sup>th</sup> Street 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 <u>APPEARANCE AND THE RECOMMENDATION</u> of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

ENVIRONMENTAL PROTECTION AGENCY OF THE STATE OF ILLINOIS

Ву: \_\_\_\_\_

Vera Herst

Assistant Counsel

Division of Legal Counsel

DATED: June 8, 2005

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

### RECEIVED CLERK'S OFFICE

### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

JUN 10 2005

Borgic Enterprises, Inc		)	STATE OF ILLINOIS
(Property Identification I	Number	)	Pollution Control Board
29-13-35-300-008)	ina j	) ) PCB 05- 2l <sup>0</sup> ) (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

y: Vera He

Vera Herst Assistant Counsel

Division of Legal Counsel

DATED June 8, 2005 Illinois Environmental Protection Agency 1021 North Grand Avenue East Post Office Box 19276 Springfield, Illinois 62794-9276 (217)782-5544

### RECEIVED CLERK'S OFFICE

### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

JUN 10 2005

STATE OF ILLINOIS Pollution Control Board

Borgic Enterprises, Inc. -Newton (Property Identification Number 29-13-35-300-008)

) ) PCB 05- 2-10 ) (Tax Certification)

### 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.

- On May 12, 2004, the Illinois EPA received a request from Borgic Enterprises,
   Inc. (log number TC-20-04, 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 applicants' address is:

Borgic Enterprises, Inc. 4204 N 1600<sup>th</sup> Street Newton, Illinois 62448

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

Livestock waste management facilities consisting of one concrete manure pit (68 ft. x 304 ft. x 2 ft. deep) and the steel and plastic portion of the flooring over the manure pit in the farrow building; one concrete pit (69 ft. x 635 ft. x 8 ft. deep) with six concrete pump out pits (each 4 ft. x 4 ft. x 8 ft. deep) and the concrete slotted portion of the flooring over the manure pit in the main gestation building; one concrete pit (38 ft. x 178 ft. x 8 ft.

deep) with seven PVC pump out pits (each 10 inches in diameter) and the concrete slotted portion of the flooring over the manure pit in the gestation building (G3); one concrete pit (34 ft. x 131 ft. x 5 ft. deep) with three PVC pump out pits (each 10 inches in diameter) and the concrete slotted portion of the flooring over the manure pit in the gestation building; one concrete pit (greatest dimensions 231 ft. x 263 ft. x 8 ft. deep) with eight PVC pump out pits (each 10 inches in diameter) and the wire mesh portion of the flooring over the manure pit in the farrow building (F5); one concrete pit (38 ft. x 103 ft. x 4 ft. deep) with one concrete pump out pit (8 ft. x 8 ft. x 4 ft. deep) and the concrete slotted portion of the flooring over the manure pit in the gestation building; one concrete pit (34 ft. x 150 ft. x 5 ft. deep) with four PVC pump out pits (each 10 inches in diameter) and the concrete slotted portion of the flooring over the manure pit in the gestation building; one concrete pit (38 ft. x 56 ft. x 6 ft. deep) with one concrete pump out pit (2 ft. x 6 ft. x 6 ft. deep) and the concrete slotted portion of the flooring over the manure pit in the gestation building; one concrete pit (94 ft. x 188 ft. x 8 ft. deep) with one PVC pump out pit (30 inches in diameter) and the concrete slotted portion of the flooring over the manure pit in the gestation building; one concrete pit (47 ft. x 128 ft. x 2 ft. deep) and the wire portion of the flooring over the manure pit in the farrow building; one concrete pit (32 ft. x 72 ft. x 8 ft. deep) with four PVC pump out pits (each 10 inches in diameter) and the concrete slotted portion of the flooring over the manure pit in the ISO building; one concrete pit (40 ft. x 170 ft. x 8 ft. deep) with two concrete pump out pits (each 4 ft. x 4 ft. x 8 ft. deep) and the concrete slotted portion of the flooring over the manure pit in the ISO building; one clay-lined earthen storage basin (120 ft. x 240 ft. x 16 ft. deep) with riprap protection; two 5horsepower manure transfer pumps; approximately 940 feet of 4-inch PVC manure transfer pipe and approximately 94 feet of 10-inch PVC manure transfer pipe.

These livestock waste management facilities are used to collect, transport, and/or store 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 (2004), defines "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: (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 requested tax certification.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Bv:

Vera Herst

Assistant Counsel

Division of Legal Counsel

Dated: June 8, 2005

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

# STATE OF ILLINOIS COUNTY OF SANGAMON

### PROOF OF SERVICE

I, the undersigned, on oath state that I have served the attached <u>APPEARANCE AND THE</u>

<u>RECOMMENDATION</u>, upon the person to whom it is directed, by placing a copy in an envelope addressed to:

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

Jeff Borgic 4204 N. 1600<sup>th</sup> Street Newton, Illinois 62448

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

and mailing it from Springfield, Illinois, on June 8, 2005, with sufficient postage affixed for first class mail.

SUBSCRIBED AND SWORN TO BEFORE ME

This 8th day of June, 2005

Blenda Bochner

Notary Public

OFFICIAL SEAL
BRENDA BOEHNER
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 11-14-2005

THIS FILING IS SUBMITTED ON RECYCLED PAPER



### ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276, 217-782-3397 JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601, 312-814-6026

ROD R. BLAGOJEVICH, GOVERNOR

RENEE CIPRIANO, DIRECTOR

### Memorandum

To: Connie Tonsor, Division of Legal Counsel

From: Bruce J. Yardin, Manager, Watershed Management Section

Date: MAY 3 2005

Re: Borgic Enterprises, Inc. - Newton

Recommendation of Tax Certification

Log # TC-20-04

Property Identification # 29-13-35-300-008

The Bureau of Water received a request on May 12, 2004 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, T6N, R10E of the 3rd P.M. in Jasper County

Livestock waste management facilities consisting of one concrete pit (68 ft. x 304 ft. x 2 ft. deep) and the steel and plastic portion of the flooring over the manure pit in the farrow building; one concrete pit (69 ft. x 635 ft. x 8 ft. deep) with six concrete pump out pits (each 4 ft. x 4 ft. x 8 ft. deep) and the concrete slotted portion of the flooring over the manure pit in the main gestation building; one concrete pit (38 ft. x 178 ft. x 8 ft. deep) with seven PVC pump out pits (each 10 inches in diameter) and the concrete slotted portion of the flooring over the manure pit in the gestation building (G3); one concrete pit (34 ft. x 131 ft. x 5 ft. deep) with three PVC pump out pits (each 10 inches in diameter) and the concrete slotted portion of the flooring over the manure pit in the gestation building; one concrete pit (greatest dimensions 231 ft. x 263 ft. x 8 ft. deep) with eight PVC pump out pits (each 10 inches in diameter) and the wire mesh portion of the flooring over the manure pit in the farrow building (F5); one concrete pit (38 ft. x 103 ft. x 4 ft. deep) with one concrete pump out pit (8 ft. x 8 ft. x 4 ft deep) and the concrete slotted portion of the flooring once the manure pit in the gestation building; one concrete pit (34 ft. x 150 ft. x 5 ft. deep) with four PVC pump out pits (each 10 inches in diameter) and the concrete slotted portion of the flooring over the manure pit in the gestation building; one concrete pit (38 ft. x 56 ft. x 6 ft. deep) with one concrete pump out pit (2 ft. x 6 ft. x 6 ft. deep) and the concrete slotted portion of the flooring over the manure pit in the gestation building; one concrete pit (94 ft. x 188 ft. x 8 ft. deep) with one PVC pump out pit (30 inches in diameter) and the concrete slotted portion of the flooring over the manure pit in the gestation building; one concrete pit (47 ft. x 128 ft. x 2 ft. deep) and the wire portion of the flooring over the manure pit in the farrow building; one concrete

ROCKFORD - 4302 North Main Street, Rockford, IL 61103 - (815) 987-7760

ELGIN - 595 South State, Elgin, IL 60123 - (847) 608-3131

PEORIA - 5415 N. University St., Peoria, IL 61614 - (309) 693-5463

BUREAU OF LAND - PEORIA - 7620 N. University St., Peoria, IL 61614 - (309) 693-5462

SPRINGFIELD - 4500 S. Sixth Street Rd., Springfield, IL 62706 - (217) 786-6892

MARION - 2309 W. Main St., Suite 116, Marion, IL 62959 - (618) 993-7200

pit (32 ft. x 72 ft. x 8 ft. deep) with four PVC pump out pits (each 10 inches in diameter) and the concrete slotted portion of the flooring over the manure pit in the ISO building; one concrete pit (40 ft. x 170 ft. x 8 ft. deep) with two concrete pump out pits (each 4 ft. x 4 ft. x 8 ft. deep) and the concrete slotted portion of the flooring over the manure pit in the ISO building; one clay-lined earthen storage basin (120 ft. x 240 ft. x 16 ft. deep) with riprap protection; two 5-horsepower manure transfer pumps; approximately 940 feet of 4 inch PVC manure transfer pipe and approximately 94 feet of 10 inch PVC manure transfer pipe. 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 James Allison at 217/782-3362.

BJY:JRA:

cc: Tax Cert File

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Dear Sir,

I received you list of items that required clarification recently.

I hoped the lasiest way to answer, would be to highlight the answers on the facility lay out map.

Also included is the letter you sent me, with notes responding to each question. I high lighted my response with the same color used to answer the greation on the map. I hope this helps yore.

The property ID number (#7) is from my RE tox vill. I pray it is the number you want.

Please call 618-783-2387 anytime with additional equestions or of I failed to properly address any question.

Thank Yerr, Sincerely, Jeff Borgie

MAR 3 0 2005

Watershed Management Section

BUREAU OF WATER



### ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276, 217-782-3397 JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601, 312-814-6026

ROD R. BLAGOJEVICH, GOVERNOR

RENEE CIPRIANO, DIRECTOR

217/782-3362

MAR 1 6 2005

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

Illinois Property Tax: Borgic Enterprises, Inc. – Newton (Jasper County)

Livestock Waste Containment Facilities

Log # TC-20-04

Dear Mr. Borgic:

We received your application for Illinois Property Tax Certification and supporting documents concerning TC-20-04 on May 12, 2004. The documents, as submitted, have been reviewed by the Watershed Management Section staff, and based on that review, the following items are offered for your consideration and appropriate action.

Please verify that there are concrete slotted flooring above all pits. all except Farming house, existing Janswing, F5 and new fattow. Please see map, I highlighted these bains in you Please provide dimensions on all pump out ports (length x width x depth). The highlighted a the map.

- 3. Please provide complete dimensions on the farrow building label "F5" containing 165 head. high lighted at the mas 22 × 313
- 4. Please provide the length of the 4 inch and 10 inch manure transfer piping and any other piping included at the facility. - high lighted on the inap
- Please indicate if the two 5 HP electric pumps are the only pumps used at the facility for manure transfer. please
- Please indicate if the building labeled as "not used" is to be include in the certification. NO
- Please provide the facility's Property ID number. 29-13-35-300-008 This is my Should you have any questions or comments regarding the content of this letter, please contact me at the above telephone number and address.

Sincerely,

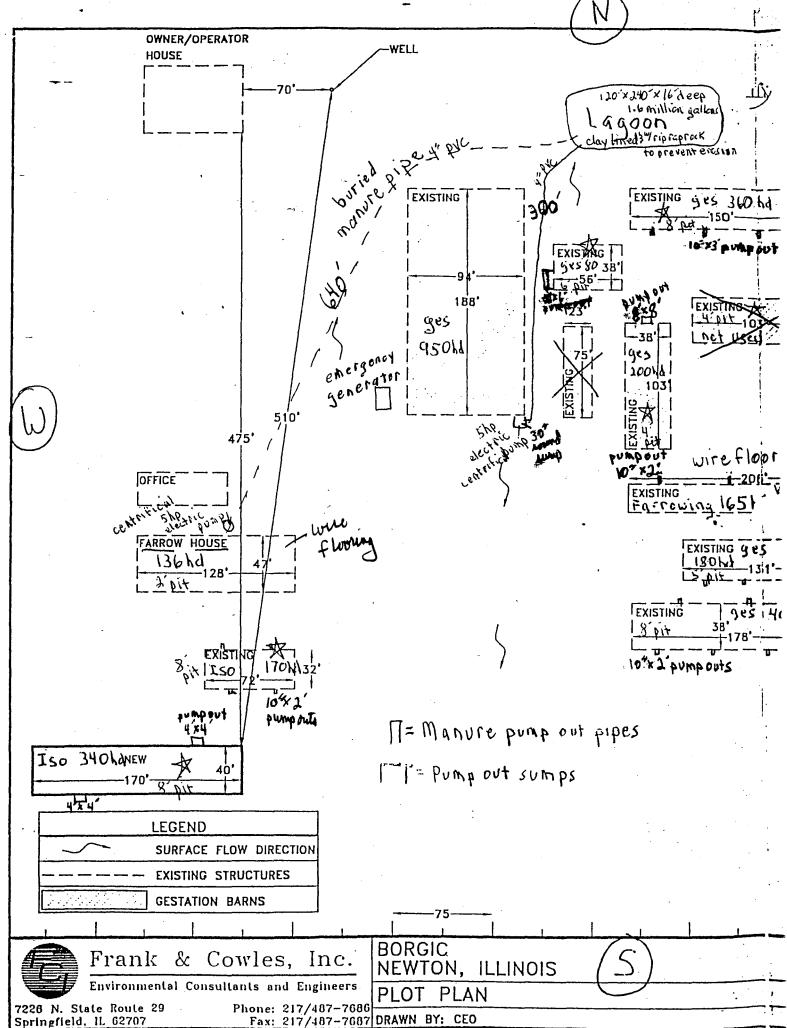
James Allison

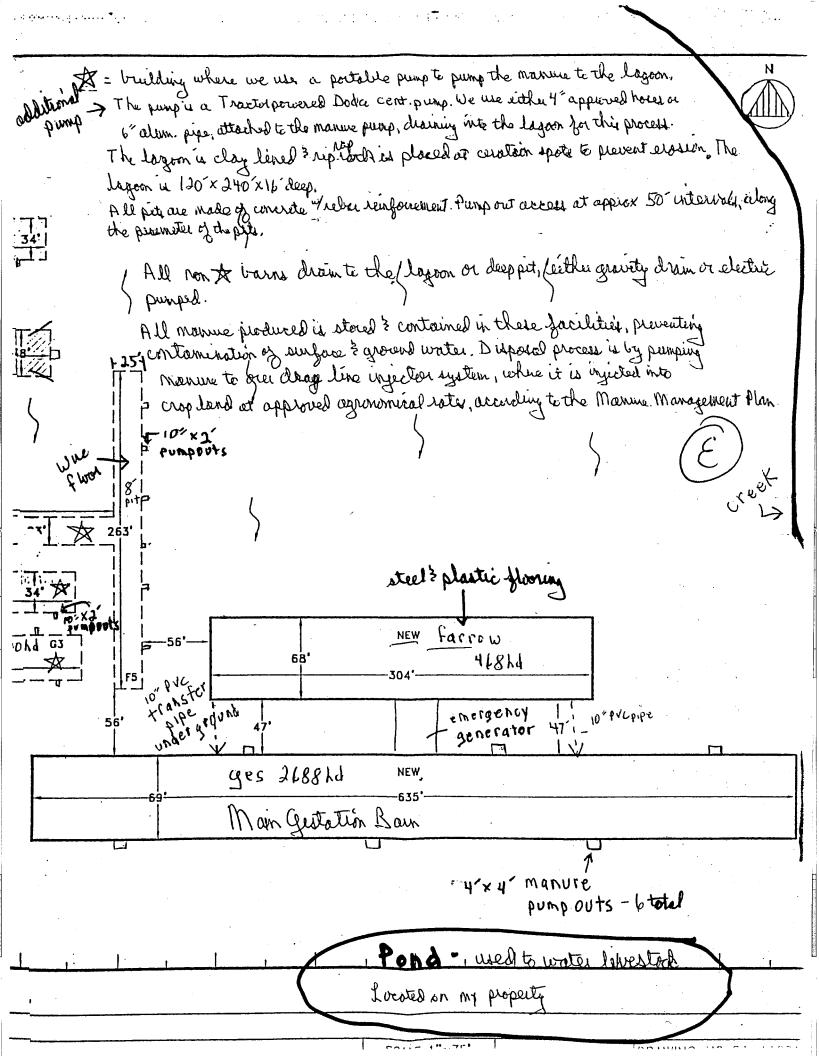
Facility Evaluation Unit

James aleese

Watershed Management Section

Bureau of Water







### Illinois Environmental Protection Agency

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276, 217-782-3397 JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601, 312-814-6026

ROD R. BLAGOJEVICH, GOVERNOR

RENEE CIPRIANO, DIRECTOR

217/782-3362

### MAR 1 6 2005

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

Re:

Illinois Property Tax: Borgic Enterprises, Inc. - Newton (Jasper County)

Livestock Waste Containment Facilities

Log # TC-20-04

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- 1. Please verify that there are concrete slotted flooring above all pits.
- 2. Please provide dimensions on all pump out ports (length x width x depth).
- 3. Please provide complete dimensions on the farrow building label "F5" containing 165 head.
- 4. Please provide the length of the 4 inch and 10 inch manure transfer piping and any other piping included at the facility.
- 5. Please indicate if the two 5 HP electric pumps are the only pumps used at the facility for manure transfer.
- 6. Please indicate if the building labeled as "not used" is to be include in the certification.
- 7. Please provide the facility's Property ID number.

Should you have any questions or comments regarding the content of this letter, please contact me at the above telephone number and address.

Sincerely,

James Allison

Facility Evaluation Unit

James alerse

Watershed Management Section

Bureau of Water

## 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 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.

	FOR AGENCY USE			
File No.	Date Received C	ertification No.	· .	Pate
Sec. A	Company Name			
	Person Authorized to Receive Certification	lnc	Person to Contact for Addi	tional Details
	Jeff Borgic Street Address		Street Address	
	4104 N. 1600+h St Municipality, State & Zip Code		Same	
5	Municipality, State & Zip Code		Municipality, State & Zip C	ode
CA	Newton IL. 62448 Telephone Number		Sathe Telephone Number	
APPLICANT			Same	1
•	618-793-2387 cr 3661 Location of Facility		Municipality	Fownship
	Quarter Section Township R	ange 10	• •	
	Street Address			Book Number
	Property Identification Number	IL	Jasper	
	Property Identification Number		Parcel Number	
Sec. B	Nature of Operations Conducted at the Above L	ocation		
0e0. D	<b>.</b>		•	
	This is a 5500 hd. farrow to			
9 v	Swine confinement facili	÷у		
MANUFACTURING OPERATIONS	Water Pollution Control Construction Permit No.		Date Issued	
UFA PER	NPDES PERMIT No.		Date Issued	Expiration Date
N O	N/A		N/A	N/A
_	Air Pollution Control Construction Permit No.		Date Issued N/A	
-	Air Pollution Control Operating Permit No.		Date Issued N/A	
Sec. C	Describe Unit Process			
	N N /14			
MANUFACTURING PROCESS	IN/A		PECE	(IVE)
	Materials Used in Process		MAY 1	1 2004
	N/A		ILLINOIS ENVI	RONMENTAL
	10/14		PROTECTIO BOW/WPC/PER	N AGENCY
Sec. D	Describe Pollution Abatement Control Facility		2017,111 0,1 211	SECTION
	2 - 2 - 2 - 2 - 2 - 2 - 2 - 2 - 2 - 2 -			
PTION	See attached docu	ments		
SCR				न अज्ञातकात्राका
POLLUTION CONTROL FACILITY DESCRIPTION			) <b>&amp;</b> {} <sub>j</sub>	RCRIABID
			Annual An	MAY 1 2 2004

Sec. E	(1) Nature of Contaminants or Pollutants						
	<u> </u>	vine hanure	Material Date	ind Co. L. D.			
2	Contam	nant or Pollutant	DESCRIPTION	nined, Captured or Recovered			
NAN		ne manuse	cooling to crop land	DISPOSAL OR USE			
AMI	ושה	ne manore	appears a con take	lacon and deep pite to a drew			
, N		······································		line unjecter ? inject it intothe			
ځ۵				ground agranomic rate in			
당				heardare to the MMP.			
FA	(2) Poin	t(s) of Waste Water Discharge	NONE				
ROL							
INO			Plans and Specifications				
Ö Z		e contaminants (or residues) co		Yes X No			
OIT	(4) D			n date of application <u>complete</u>			
ATA	(5) a.	FAIR CASH VALUE IF CONSIDE	RED REAL PROPERTY:	\$ 1,187,827			
S O	b.	NET SALVAGE VALUE IF CONS	IDERED REAL PROPERTY:	\$ 18,000			
Ę	C.	PRODUCTIVE GROSS ANNUAL	INCOME OF CONTROL FACILITY:	\$			
POLLUTION CONTROL FACILITY ACCOUNTING DATA CONTAMINANTS	d.	PRODUCTIVE NET ANNUAL INC	COME OF CONTROL FACILITY:	\$			
AC	e.	PERCENTAGE CONTROL FACI	LITY BEARS TO WHOLE FACILITY	VALUE: % 38 %			
Sec. F	The follo	wing information is submitted in acco	ordance with the Illinois Property Tax	Code, as amended, and to the best of my			
111	knowledge, is true and correct. The facilities claimed herein are "pollution control facilities" as defined in Section 11-10 of the lillinois Property Tax Code.    John Bour						
ŪR!							
LAN							
SIG	- 309	p Brooker	4	_			
Sec. G	Signatu	· · · · · · · · · · · · · · · · · · ·	Title				
Sec. G			ONS FOR COMPILING AND FILING API				
	General: water ope	Separate applications must be complet rations are related, file two applications.	ed for each control facility claimed. Do n If attachments are needed, record them	ot mix types (water and air). Where both air and consecutively on an index sheet.			
	Sec. A	Information refers to applicant as listed facilities. Define facility location by stre	in the tax records and the person to be deet address or legal description. A plat may	contacted for further details or for inspection of ap location is required for facilities located			
	Con D	outside of municipal boundaries. The property identification number is required.					
	Sec. B	Self-explanatory. Submit copies of all	permits issued by local pollution control a	gencies. (e.g. MSD Construction Permit)			
:	Sec. C	·	materials on which pollution control facility				
	Sec. D	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.					
INSTRUCTIONS	Sec. E	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:	Attention:			
·		Illinois EPA	Thomas McSwiggin	Donald E. Sutton			
		P.O. Box 19276 Springfield, IL 62794-9276	Permit Section Division of Water Pollution Control	Permit Section Division of Air Pollution Control			

# Flow Diagram of Waste Handling

