

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Newman Farms – Lynn Center)
(Property Identification Number) PCB 24-
17-06-300-003) (Tax Certification)
)

NOTICE

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

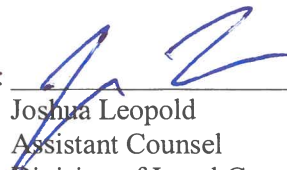
Brayden Newman
11857 East 600th Street
Lynn Center, IL 61262

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

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: 

Joshua Leopold
Assistant Counsel
Division of Legal Counsel

DATED: November 3, 2023

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

**Newman Farms – Lynn Center
(Property Identification Number
17-06-300-003)**

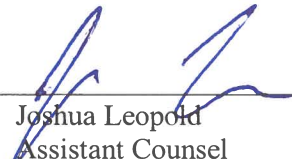
)
) PCB 24-
) (Tax Certification)
)

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: _____


Joshua Leopold
Assistant Counsel
Division of Legal Counsel

DATED: November 3, 2023

Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Newman Farms – Lynn Center)
(Property Identification Number) PCB 24-
17-06-300-003) (Tax Certification)
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**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 January 18, 2022 the Illinois EPA received a request from Newman Farms (log number TC-147226, 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: Newman Farms
11210 East 600th street
Lynn Center, Il 61262

The proposed water pollution control facilities in this request are located in the SW ¼ of Section 6, T15N, R2E of the 4th P.M. in Henry County, at the above street address and consist of the following:

Two (2) concrete swine finishing barn manure pits, each measuring approximately 51 ft. (length) x 203 ft. (width) x 8 ft. (depth) with five (5) concrete pumpout pits measuring approximately 5 ft. (length) x 6 ft. (width) x 8 ft. (depth), approximately 508 linear feet of perimeter drainage tile, and approximately 10,000 sq. ft. of concrete slatted flooring over the manure pit having 72 one foot columns 7 ft. tall, supporting 68 12 ft. (8 in. x 10 in.) support beams, and 264 concrete gang slats (4 ft. x 10 ft.) on top of the support beams.

This livestock waste management facility is used to collect, transport, and/or store livestock waste prior to cropland application, and are further described in Exhibit A.

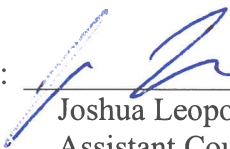
3. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2014), and Section 125.200(a) of the Board's regulations, 35 Ill. Adm. Code 125.200(a), define "pollution control facilities" as:

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.

4. 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).
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:  _____
Joshua Leopold
Assistant Counsel
Division of Legal Counsel

Dated: November 3, 2023

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: Mike Roubitchek, Division of Legal Counsel

From: Darin E. LeCrone, P.E., Manager, Permit Section, Division of Water Pollution Control, Illinois Environmental Protection Agency *DEL*

Date: **OCT 24 2023**

Re: Newman Farms - Lynn Center
Recommendation of Tax Certification
Log No.: TC-147226
BOW ID No.: W0738010004
Property Index Number: 17-06-300-003

The Bureau of Water received a request on January 18, 2022 from Newman Farms, having a principal place of business at 11857 East 600th Street, Lynn Center, IL 61262, 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:

Newman Farms
11210 East 600th Street
Lynn Center, IL 61262

SW 1/4 of Section 6, Township 15-North, Range 2-East of the 4th PM in Henry County.

Livestock waste management facilities consisting of:

Two (2) concrete swine finishing barn manure pits, each measuring approximately 51 ft. (length) x 203 ft. (width) x 8 ft. (depth) with five (5) concrete pumpout pits measuring approximately 5 ft. (length) x 6 ft. (width) x 8 ft. (depth), approximately 508 linear feet of perimeter drainage tile, and approximately 10,000 sq. ft. of concrete slatted flooring over the manure pit having 72 one foot columns 7 ft. tall, supporting 68 12 ft. (8 in. x 10 in.) support beams, and 264 concrete gang slats (4 ft. x 10 ft.) on top of the support beams.

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 Webert Deslien at 217/782-0610.

2125 S. First Street, Champaign, IL 61820 (217) 278-5800
2009 Mall Street Collinsville, IL 62234 (618) 346-5120
9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000
595 S. State Street, Elgin, IL 60123 (847) 608-3131

2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022
4302 N. Main Street, Rockford, IL 61103 (815) 987-7760

Electronic Filing: Received, Clerk's Office 11/03/2023 **PCB 2024-031**

Page No. 2

Tax Certification Recommendation

Log No. TC-147226

DEL:WJD: TC-147226_Tax Cert Recommendation_23Oct23.docx

cc: Tax Cert File

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 #: W0738010004

Project Name: Newman Farms – Lynn Center

Date application received: January 18, 2022

Reviewer: WJD

Log number: TC-147226

Legal Description: SW 1/4 of Section 6,
Township 15-North, Range 2-East of the 4th PM

County: Henry

Facility Contact: Randal Newman,
11857 East 600th Street, Lynn Center, IL 61262

Phone: 309-307-3020

Pollution Control Facility Type:
Swine Livestock Waste Management Facility

Property ID: 17-06-300-003

Applicant: Brayden Newman
11857 East 600th Street
Lynn Center, ILL 61262

Facility: Newman Farms
11210 East 600th Street
Lynn Center, IL 61262

Date Control Devices installed: 11/1/2020

Application Signature by: Brayden Newman

Title: Owner

Contents of Application: Tax Certification Form for Livestock Operations, Concrete Plan Pit, Photos of
Pollution Control Facilities, Plot Map.

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:

Two (2) concrete swine finishing barn manure pits, each measuring approximately 51 ft. (length) x 203 ft. (width) x 8 ft. (depth) with five (5) concrete pumpout pits measuring approximately 5 ft. (length) x 6 ft. (width) x 8 ft. (depth), approximately 508 linear feet of perimeter drainage tile, and approximately 10,000 sq. ft. of concrete slatted flooring over the manure pit having 72 one foot columns 7 ft. tall, supporting 68 12 ft. (8 in. x 10 in.) support beams, and 264 concrete gang slats (4 ft. x 10 ft.) on top of the support beams.

Notes:

Nothing follows – WJD - (October 23, 2023)

TC-147226



Illinois Environmental Protection Agency

1021 North Grand Avenue East • P.O. Box 19276 • Springfield • Illinois • 62794-9276 • (217) 782-3397

Division of Water Pollution Control Tax Certification Form for Livestock Operations

This form's purpose is for the application for tax certification of water pollution control facilities at a livestock operation in accordance with 35 Ill. Admin. Code Part 125. For purposes of this form, a water pollution control facility ("facility") is designed, constructed, installed or operated for the primary purpose of eliminating, preventing, or reducing water pollution. Multiple facilities may be submitted using this form; however, all facilities must be located on the same livestock operation site. Separate applications must be completed for separate livestock operations.

All other types of operations (e.g. industrial, agrichemical, etc.) and air pollution control facilities must use form IL 532-0222 APC 151 (Application for Certification (Property Tax Treatment) Pollution Control Facility).

Please follow the instructions found throughout this form. If you need additional assistance with filling out this form, please call the Bureau of Water at 217-782-3362. Additional information about the tax certification process and applicable regulations including definitions may be found at the Agency website: www2.illinois.gov/epa/topics/forms/water-permits/tax-certification.

I. Applicant Information

Company: Newman Farms

Person Authorized to Receive Certification

Name: Brayden Newman

Street Addr: 11857 East 600th Street

City: Lynn Center State: IL ZIP: 61262

Phone: 309-507-3049 ext: _____

Email: braydynewman@gmail.com

Person to Contact for Additional Details

Name: Randal Newman

Street Addr: 11857 East 600th Street

City: Lynn Center State: IL ZIP: 61262

Phone: 309-307-3020 ext: _____

Email: _____

II. Livestock Operation Information

Site Location

The location of the parcel of land where the facilities are located and given by quarter section, township, range and county must be provided. The Public Land Survey System information is available on county plat maps or at www.isgs.illinois.edu/plss. A plat map location is requested for facilities located outside of municipal boundaries.

Quarter Section: SW6 Township: 15N Range: 2E Prime Meridian: 4 County: Henry

Municipality Name: _____ Township Name: Andover

Street Address: 11210 East 600th Street City: Lynn Center State: IL ZIP: 61262

Property Index Number(s): 17-06-300-003

A property index number (PIN) for the parcel of land where pollution control facilities are located is required. If multiple PINs are applicable to the requested facilities, you must identify all applicable PINs in the above line and in Section III below. If you do not know your PIN you may obtain it from your records or your County's tax assessors website which may be found on the Illinois Department of Revenue website at www2.illinois.gov/rev/Individuals/Pages/IllinoisCounties.aspx.

Livestock Activities: Provide descriptions of the livestock operations including type of animals at the site. (Text box will expand.)

At this site there are 2 identical 1200-head wean to finish swine barns 75 feet apart. Construction was completed August of 2020.

Pollutant Sources: Identify potential sources of water pollution that are being controlled (i.e., beef feedlot runoff, swine manure, silage leachate, etc.). Provide estimated quantities of each pollutant that is produced in gallons per year. (Text box will expand.)

Pollution control facilities were built to prevent water pollution from swine manure. We estimate that the two buildings will produce a total of 600,000 gallons of swine manure per year.

RECEIVED
JAN 18 2022

Are the pollutants collected by the facility land applied?

Yes No

If No, provide a description of the final disposition of the pollutants which are collected by the facility.

III. Pollution Control Facility Information

Applicant must ensure each requested pollution control facility is represented accurately in both Part A and Part B of this Section.

Part A. Operational Diagram

Using the space provided below or on a separate sheet of paper, provide a plan sketch or map of the livestock operation scaled to show the location and layout of all the requested facilities. All requested facilities must be clearly identified on this diagram. Each facility should be labeled with the pollution control facility number identified in Part B of this Section and primary dimensions to help distinguish between other requested facilities. Please include labels of roadways, downstream waterways, other important landmarks and a north seeking arrow.

Check this box if the required diagram was completed on a separate sheet and attached to this application.

Part B. Pollution Control Facility Data

For each separate requested pollution control facility in this application, provide written or typed responses to all of the following questions. Use the button below the questions to add blank questions for each additional requested facility.

Pollution Control Facility Number 1

Name of pollution control facility: Newman Farms

Provide a physical description including all pertinent dimensions (length, width, depth, diameter), construction materials (e.g. steel, HDPE, concrete block, etc.), and rating (e.g. 10 HP centrifugal pump). (Text box will expand.)

New construction livestock waste handling facilities consist of two 51ft x 203ft x 8ft deep concrete manure pits, and the slotted concrete portion of the floor over the manure pit that capture and contain waste generated in the barns above. Each pit has five-5 ft. x 6 ft. x 8 ft. deep pumpout pits to allow manure removal from the manure pits. A perimeter drainage tile is located around the footing of each pit to prevent flotation of the manure pits. These facilities collect, transport, and store livestock waste prior to cropland application.

Our pollution control facilities capture and contain 100% of the waste generated by the hogs in the barns above. The waste is injected at agronomic rates into cropland as fertilizer for the next year's crop.

The control facilities consist of two 8' pits with 8" walls on 9" thick footings outside of a 5-8" thick floor. Each pit has 72 one-foot columns 7' tall, supporting 68 12' (8"x10") support beams. There are 264 concrete gang slats (4'x10') on top of the support beams. Each underground pit has five 5'x6' pump-outs to provide access to agitate and suck out waste. The two facilities are monitored via a perimeter tile around the footings of each. All material used in construction consists of concrete and steel reinforcement with waterstop joints.

Please see attached process flow diagram.

Is the requested facility used 100 percent for elimination, prevention, or reduction of water pollution? Yes No

If No, list all other uses of the facility and provide a use-percentage estimate for each of those other uses.

Original cost of the pollution control facility: \$290,000

Date of installation or status of installation: 11/1/2020

Property Index Number (PIN): 17-06-300-003

Applicable Illinois EPA permit number(s): _____

Are supplemental diagrams or construction drawings for this pollution control facility attached to the application? Yes No

If Yes, please label the diagram with the specific pollution control facility number identified above.

IV. Discharge Point Locations and Receiving Waters

Provide a written description of the surface water drainage characteristics of the operation which may convey wastewater or polluted stormwater runoff from the facility to downstream waterways. Identify the location(s) on the property at which runoff or surface discharge leaves the property.

N/A

Identify local ditches, streams, rivers, ponds or lakes that may receive wastewater or polluted stormwater runoff from the operation. Also identify any named waterways that are immediately downstream from the local waterway.

N/A

. Approvals of Application and Signature

The information on this form and attachments 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))

Brayden Newman

Printed Name

Owner

Title



Signature

January 13th 2022

Date

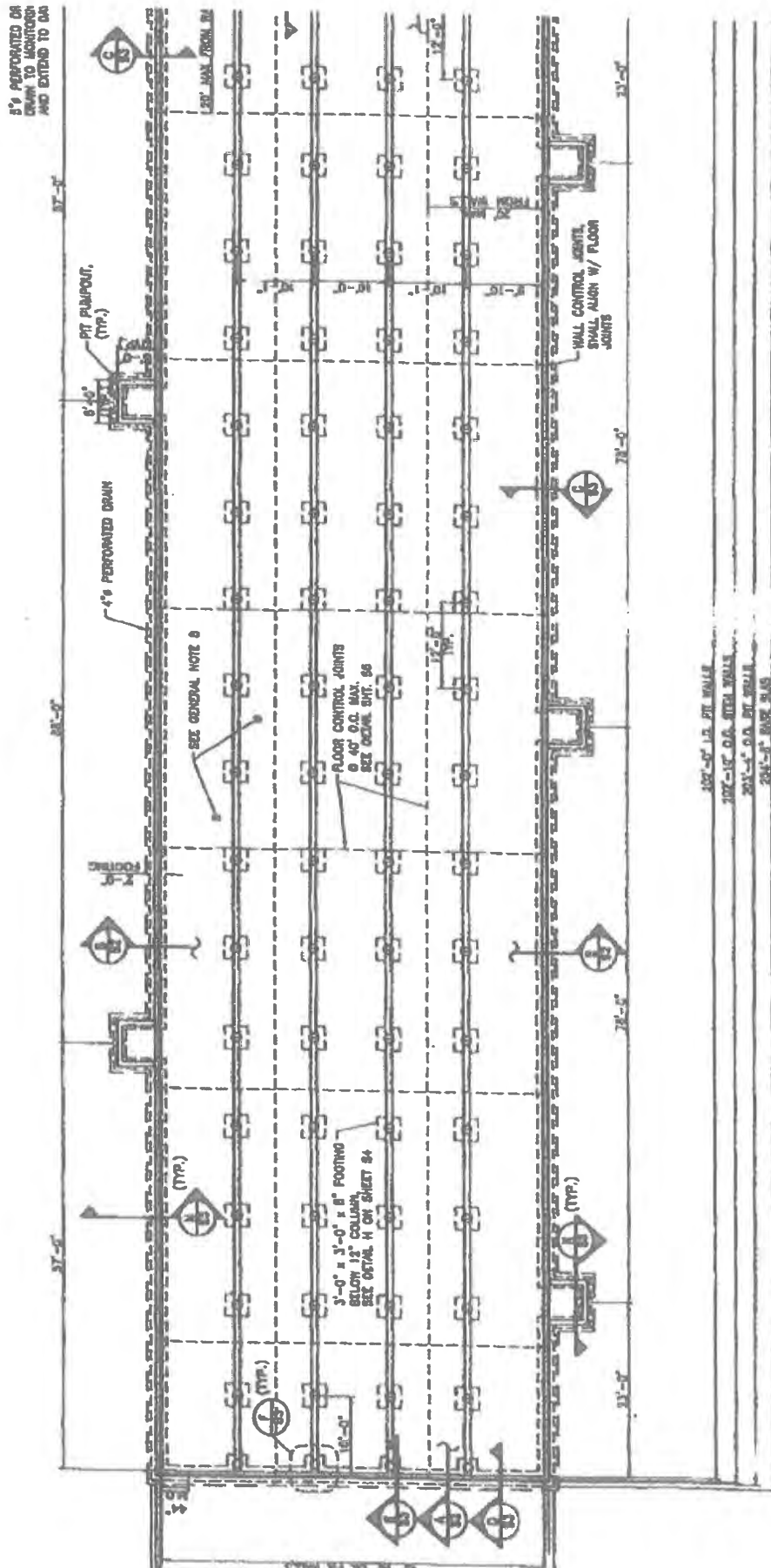
I. Submittal of Your Application

Completing this Form: The absence of information requested in this form may result in denial of your application for tax certification. If information is omitted, Agency staff will determine when and if such information or data is essential and may contact you to obtain this information to complete its review. This application form may be completed and stored locally in electronic form for future printing. Electronic submittal or email submittal of this form is not authorized. If handwritten, the form must be legibly completed.

Attachments: Please only send attachments on 8.5" x 11" paper, do not send 11" x 17" sheets.

Please mail the completed and signed form and necessary attachments to:

Illinois Environmental Protection Agency
Division of Water Pollution Control, Mail Code #15
Attention: Permit Section
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276



Pollution Control Facilities



There are two 1200 head swine barns over top of pollution control facilities. Facilities were installed in November 2020.



1. This photo shows the first of two identical pollution control devices, including slats on truck.



2. Swine waste flows through gang slats.



3. Gang slats are supported by support beams atop columns.

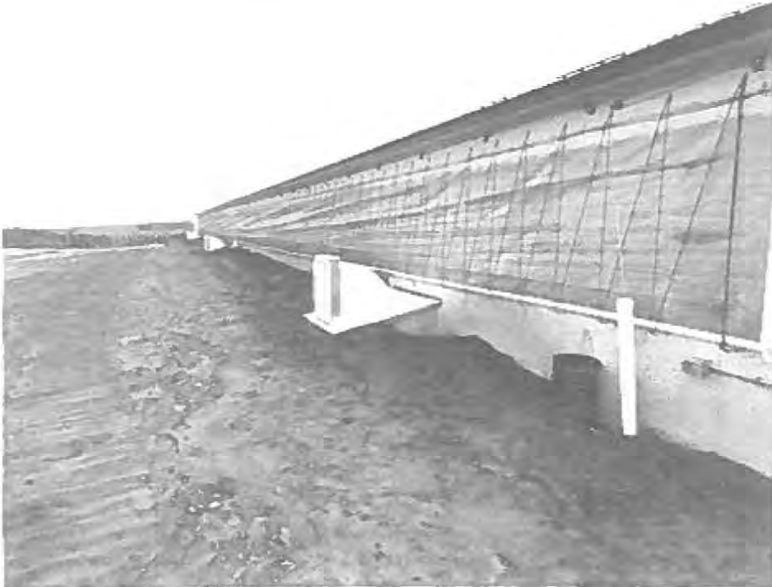


4. Each fall, waste is pumped out of five 5'x6' pump-outs.

5. A pump-out with ventilation fan removed for agitation during manure application.



6. Each fall we inject livestock waste as fertilizer into surrounding farm fields.



7. The integrity of our pollution control facility is monitored regularly, and quarterly reporting is submitted to the Illinois Department of Agriculture.

Google Maps



Camp Creek



Interstate 74

East 600th Street

#1 Swine Barn 51' x 203'

#2 Swine Barn 51' x 203'

Electronic Filing: Received, Clerk's Office 1/103/2023 **PCB 2024-031**

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 November 3, 2023, 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:

Brayden Newman
11857 East 600th Street
Lynn Center, IL 61262

Copies also provided electronically as follows:

Illinois Department of Revenue
via email at REV.PropTaxApp@illinois.gov
101 West Jefferson
P.O. Box 19033
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[Electronic Filing]

Clerk
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James R. Thompson Center
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Chicago, Illinois 60601

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

/s/ Joshua Leopold
Assistant Counsel
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
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217.782.5544
217.782.9143 (TDD)

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