

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE

JAN 28 2005

STATE OF ILLINOIS
Pollution Control Board

McLean Properties, LLC
(Property Identification Number
09-003-002-60)

)
)
)
) PCB 05- 142
) (Tax Certification)

NOTICE

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

McLean Properties, LLC
1533 HWY 136
Atlanta, Illinois 61723

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 APPEARANCE AND THE RECOMMENDATION of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

ENVIRONMENTAL PROTECTION AGENCY
OF THE STATE OF ILLINOIS

By: Vera Herst
Vera Herst
Assistant Counsel
Division of Legal Counsel

DATED: January 26, 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

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Pollution Control Board

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: Vera Herst
Vera Herst
Assistant Counsel
Division of Legal Counsel

DATED: January 26, 2005
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
(217)782-5544

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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STATE OF ILLINOIS
Pollution Control Board

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(Property Identification Number) PCB 05- 142
09-003-002-60) (Tax Certification)
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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.

1. On April 2, 2004, the Illinois EPA received a request from McLean Properties, LLC (log number TC-11-04, 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 applicant's address is: McClean Properties, LLC
1533 HWY 136
Atlanta, Illinois 61723
3. The proposed water pollution control facilities in this request are located at NW ¼ Section 3, T21N, R2W of the 3rd P.M. in Logan County, at the above street address and consist of the following:

Livestock waste management facilities consisting of one concrete manure pit (approximately 100 ft. x 230 ft. x 8 ft. deep), with the slotted concrete portion of the floor over the manure pit and 6 concrete pump out manure pits (each 6 ft. x 6 ft. x 8 ft. deep) located in each of three swine buildings.

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

By: Vera Herst
Vera Herst
Assistant Counsel
Division of Legal Counsel

Dated: January 26, 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 **APPEARANCE AND THE RECOMMENDATION**, 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

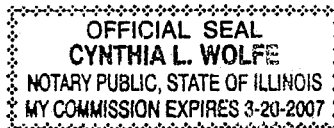
McLean Properties, LLC
1533 HWY 136
Atlanta, Illinois 61723

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

and mailing it from Springfield, Illinois, on January 26, 2005, with sufficient postage affixed for first class mail.

Nancy J. D. Lampert

SUBSCRIBED AND SWORN TO BEFORE ME
this 26th day of January, 2005



Cynthia L. Wolfe
Notary Public

THIS FILING IS SUBMITTED ON RECYCLED PAPER

Watershed Unit Tax Certification Review Sheet

Project Name: McLean Properties
Reviewer: Thaddois Fark
Log No.: TC-11-04

Location: Atlanta
Date: 12/7/04
Type: Agchem
 Livestock

Applicant: Ken Maschhoff
7475 state Pkwy #27
Atlanta, IL 61723
618-594-2125

Contact: Jason Logsdon
Phone: 618-594-2125

Facility: McLean Properties LLC
1533 Hwy. 136
Atlanta IL 61723

Property ID: 09-003-002-60

Legal Description: ^{NW1/4} Section 3, T21N, R2W of 200 20N

County: Logan

Date Control Devices Installed: 6-1-93

Provided Fair Cash Value: \$563,000

Signature: signed by Ken Maschhoff

Title: Manager

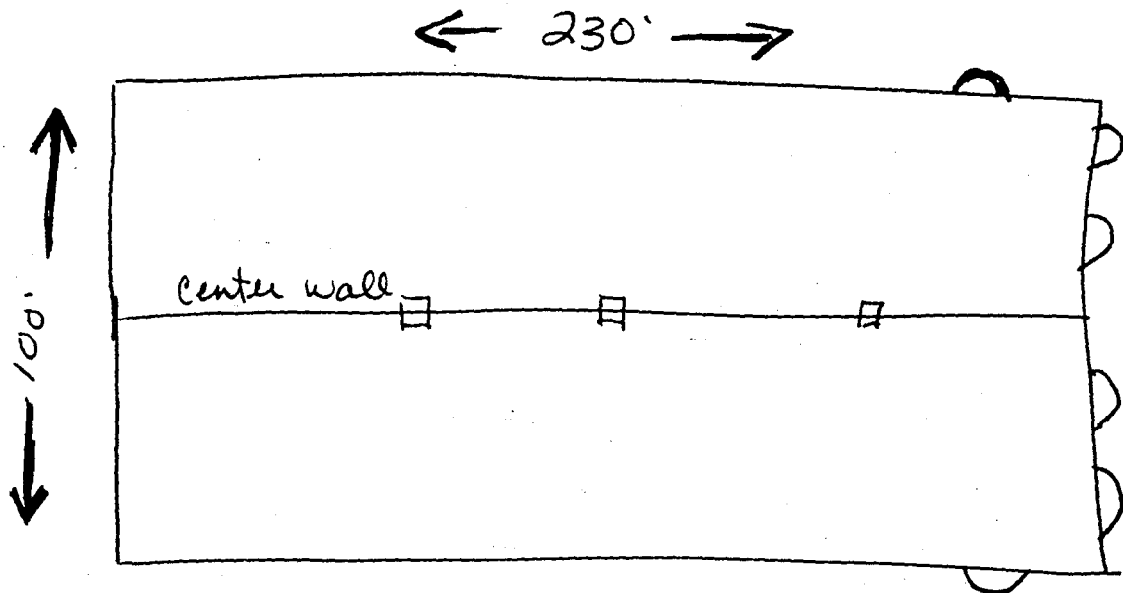
Wastes: Livestock waste is applied to cropland.
 Agrichemical rinsate and spillage is recycled through the facility and/or land applied.
 Other: _____

Physical Description of Pollution Control Devices:
One concrete manure pit (100 ft x 230 ft x 9 ft deep) w/ concrete celled floors
6 dividers (6 ft x 6 ft x 9 ft deep) set up in 2 rows of 3 dividers

Other: 3 total pits (1 pit + 1 building -> 3 buildings)

12/17/04 - spoke with Jason Logsdon - Jason said pumps are concrete 6 ft x 6 ft x 9 ft deep

There are 3 of these buildings at this site. Each building holds 3,000 Head of Wean to finish hogs. Each building has a pit size of 100' x 230' x 8' deep. The concrete is reinforced with rebar. There are 4 pump outs on one end of the building and one pump out on each adjacent side. The pump outs have a PTO driven centrifical pump that pumps the manure out from pit. The flooring is 100% total slats. There is a center wall with 3 flow through holes to keep the pit levels equal.



Flow Diagram of Waste Handling

