BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED CLERK'S OFFICE

Paul B. Finley		and the second second	
(Property Indentifi 90-07-21-400-006)	**		n de la companya de l La companya de la co
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MAR 17 2005

STATE OF ILLINOIS Poliution 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

Steve Santarelli Illinois Department of Revenue 101 West Jefferson Post Office Box 19033 Springfield, Illinois 62794 Paul B. Finley 11504 N. 900th Street Newton, Illinois 62448

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

By:

Vera Herst

Assistant Counsel

Division of Legal Counsel

DATED: March 16, 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

MAR 17 2005

Paul B. Finley (Property Indentification Number		en e	STATE C Pollution (OF ILLINOIS Control Board
90-07-21-400-006	· · · · · · · · · · · · · · · · · · ·	175	e was seen as a seen	
		PCB 05- 17		etter en et et en et en
)	(Tax Certification)		
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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

By:

Vera Herst Assistant Counsel

Division of Legal Counsel

DATED: March 16, 2005 Illinois Environmental Protection Agency 1021 North Grand Avenue East Post Office Box 19276 Springfield, Illinois 62794-9276 (217)782-5544

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD MAR 17 2005

Paul B. Finley (Property Identification Number)) PCB 05- 172	ST/ Pollu	ATE OF ILLINOIS ition Control Board
90-07-21-400-006)) (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.

- 1. On December 14, 2004, the Illinois EPA received a request from Vincent Berghower (log number TC-33-04, 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:

Paul B. Finley 11504 N. 900th Street Newton, Illinois 62448

3. The proposed water pollution control facilities in this request are located at Section 21, T7N, R9E 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 (41 ft. x 200 ft. x 8 ft. deep) with four concrete pump out pits (each 4 ft. x 4 ft. x 8 ft. deep) with plywood covers and the concrete slotted portion of the flooring over the manure pit in each of the four 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

Assistant Counsel

Division of Legal Counsel

Dated: March 16, 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

Paul B. Finley 11504 N. 900th Street Newton, Illinois 62448

Nanny J. Lamport

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

and mailing it from Springfield, Illinois, on March 16, 2005, with sufficient postage affixed for first class mail.

Wæfe

SUBSCRIBED AND SWORN TO BEFORE ME

this 16th day of March, 2005

OFFICIAL SEAL CYNTHIA L. WOLFE NOTARY PUBLIC, STATE OF ILLING

MY COMMISSION EXPIRES 3-20-2007

THIS FILING IS SUBMITTED ON RECYCLED PAPER

Vatersned Unit Tax Commission Review Sheet

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		- .	≯ Livestock
:מסווסמת:	Paul B Finley	Contact:	Same
•	11504 N 900th St	Phone:	
	Newton IL 62448		
	Newton , LL 62-18	= *	
	1818 1753-8154	_	
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gnature:	Paul B Finley	_ Title:	_ one
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STATE OF ILLINOIS ENVIRONMENTAL PROTECTION AGENCY 2200 CHURCHILL ROAD, SPRINGFIELD, ILLINOIS 62706

APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT)

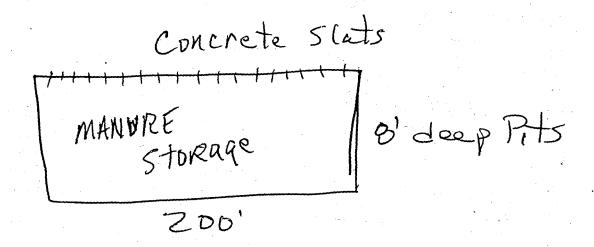
This Agency is deribed information under lile WATER AIR

information under Illinois Bevised Statutes, 1979, Chapter, 120, Section 502a-7. Disclosure of this information is voluntary. Sowever, failure to comply could prevent your application from being processed or could result in denial or your application for cartification. This

	FOR AGENCY	USE.	form has been approved by the Forms Management Center.
	le No. Date Received	Certification No.	Date
Sec. A	Company Name Paul B. Finley	Same	
PPLICANT	Person Authorized to Receive Certification Paul B. Finley	Person to Contact for A	KERIVED
	11504 N 900 St Municipality, State & Zip Code:	Street Address:	DEC 15 2004
	NEWTON II 62448 Telephone Number:	Telephone Number:	PROTECTION AGENCY
	618-783-8154	NE	SOW/WFC/PERMIT SECTION
₹ .	Location of Facility: 4 m. N.W. of Newton FINRGE Seconstreet Address:	21 4 of County:	SF4 WADE
	11504 N 900 ST Property Identification Number:	Jasper Parcel Number:	
	9D-07-21-400-006		
Sec.	Nature of Operations Conducted at the above location: Hog Production - Finishing	replacement	Gets for
MANIFACTURING OPERATIONS	40.00 to 28000. 8000	replacement He annual	lly
SE OPE	(1) Water Pollution Control Construction Permit No.	Date Issued	
ACTURE	(2) NPDES Permit No.	Date Issued	Expiration Date
MANUF	(3) Air Pollution Control Construction Permit No.	Date Issued	
	(4) Air Pollution Control Operating Permit No.	Date Issued	
Sec. C	(1) Describe Unit Process:	malino Bi	arms. Each Barn Barn are totally
333	1000 hd + 1000 hd ft	total) THOG	Barn are totally
: PROCE	Four 1000 hd for Hog F is 416+ x 200 ft (8200 sq ft slatted with a full pranur	, Pist (820	song (T) under each
MANUFACTURING PROCE	(2) Materials Used in Process: The As A Rovers are wood for	and Build	lungo with steel
MANUFA	Barn (2) Materials Used in Process: Clese 4 Raruns are wood for of a concrete pit. The Cont (2) Of a concrete pit.	Lese Burley	ings set on top
	of a concrete pet. the and	ese pu u	country of
Sec. D	Bilding The 4 Barns Have Cone (1) Describe pollution abatement control facility:	D - D P	- A De CAR
D Z	(1) Describe pollution abatement control facility: Concrete sided puts (8'ft have steel relien uside. Con	crete Plan	in Botton of
XINTROL	Tits with steel relian. Side	are allow	" thick and
POLLITTON CONTROL FACILITY DESCRIPTION	DD w 4" Thick Pater	There are	4 pump outs
POLL	floor is 4" thick Potential on &	ach Buld	ing This pito preven

	v.					
Sec. E	(I) Natur	e or untame ants or Polli	itants:		()	
	Contaminant or Pollutant			Material Retained, Capture DESCRIPTION	d or Recovered DISPOSAL OR USE	
POLLUTICN CONTROL FACILITY -, CONTAMINANTS	W H	D9 Manure	Hoa M	ranure d'ivante le	sites Manuse is used	
	10	A	Dom E	wisher 1600	for Grop products	
	W		DUNC T	7704	Fertilizer . Injected	
					into the soil By	
ROL FA					a Manuretank	
EL CONTE	(2) Point	(s) or Waste Water Dischar	80: there is	no waste	water duchancel	
LUTTO	unles	two beging a	d Injus	led in took Form	Fields	
POLLU ACCOUNTING DATA	(5) a. F. c. N. d. N. e. P. f. P	contaminants (or residues) installation completed AIR CASH VALUE IF CONSIDER AIR CASH VALUE IF CONSIDER ET SALVAGE VALUE IF CONSIDER RODUCTIVE GROSS ANNUAL INCOMPREDITIVE NET ANNUAL INCOMPREDITIVE CONTROL FACILITY	ED PERSONAL PROPERTY EED PERSONAL PROPERTY ERED PERSONAL PROPERTY ERED PERSONAL PROP EME OF CONTROL FACIL E OF CONTROL FACIL	IIY: :: EKIY: :ILITY: .ITY:	Yes / No	
Sec.	The follo	wing information is submit	ted in accordance	with the "Revenue Act or 1939", as ame	nded, and to the best of my knowledge, is fined in the Revenue Act of 1939, 120 Par.	
SICNATURE	502a.	SIGNATURE Paul	B. Fin		127	
Sec. G	 		INSTRUCTIONS FO	R COMPILING AND FILING APPLICATION		
	General: air and wa				not mix types (water and air). Where both cord them consecutively on an index sheet.	
	Sec. A		Location of facil		e contacted for further details or for in- cation system, property identification no.,	
	Sec. B	Self-explanatory. Submi	t copies of all pe	rmits issued by local pollution contro	1 agencies. (e.g. MSD Construction Permit)	
	Sec. C Refers to mamufacturing processes or materials on which pollution control facility is used.					
	Sec. D	Sec. D Narrative description of the pollution control facility, indicating that its primary purpose is to eliminate, prevent or reduce pollution. State the type of control facility. State permit number, date, and agency issuing permit. A narrative description and a process flow diagram describing the pollution control facility. Include a listing of each major piece of equipment included in the claimed fair cash value for real or personal property. Include an average analysis of the influent and effluent of the control facility stating the collection efficiency.				
Si	Sec. E List air contaminants, or water pollution substances released as effluents to the manufacturing processes. List also the final 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.					
INSTIUKTIONS		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	•		porate authorized signature.		
	NOTE:	Submit to:		Attention:	Attention:	
		Environmental Protection 2200 Churchill Road Springfield, Illinois 6	•	Thomas McSwiggin Industrial Tax Certification Unit Division of Water Pollution Control	Otto J. Klein, Jr., Manager Tax Certification Section Division of Air Pollution Control	

Hog Production
- Side VIEW



Page 1

Pits hold manure until it can be applied to crop production fields. These Pits have the capacity to store manure for one full year. Manure is usually Howled 2 times per year.

Page 2 Hog Production Site 4 Buildings (TOP VIEW) <u>n</u>Z00