

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Brian Robinson Swine Farm-Galesburg)
(Property Identification Number) **PCB 10-**
09-30-100-002)) **(Tax Certification)**
)

NOTICE

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

Brian Robinson
22 Knox Road
Galesburg, Illinois 61401

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: February 25, 2010

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

Brian Robinson Swine Farm-Galesburg)
(Property Identification Number) **PCB 10-**
09-30-100-002)) **(Tax Certification)**
)

A P P E A R A N C E

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
Assistant Counsel
Division of Legal Counsel

DATED: February 25, 2010
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

Brian Robinson Swine Farm-Galesburg)
(Property Identification Number) PCB 10-
09-30-100-002) (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 February 2, 2009, the Illinois EPA received a request from Brian Robinson (log number TC-11-09, 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: Brian Robinson
22 Knox Road
Galesburg, Illinois 61401

3. The proposed water pollution control facilities in this request are located at NW ¼ Section 30, T11N, R1E of the 4th P.M. in Knox County, at the above street address and consist of the following:

Livestock waste management facilities consisting of one concrete manure pit (approximately 260 ft. x 44 ft. x 8 ft. deep) with two concrete pump out pits (each approximately 4 ft. x 4 ft. x 8 ft. deep), and the slotted concrete portion of the floor over the manure pit.

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 (2008), 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: February 25, 2010
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) 782-2829
James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

Memorandum

To: Connie Tonsor, Division of Legal Counsel

From: Al Keller, P.E., Manager, Permit Section *AK*

Date: February 18, 2010

Re: Brian Robinson Swine Farm – Galesburg
Recommendation of Tax Certification
Log # TC-11-09
Property Identification # 09-30-100-002

The Bureau of Water received a request on February 2, 2009 from Brian Robinson 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:

Brian Robinson Swine Farm
22 Knox Road 1400 N
Galesburg, IL 61401

NW ¼ Section 30, T11N, R1E of the 4th P.M. in Knox County

Livestock waste management facilities consisting of one concrete manure pit (approximately 260 ft. x 44 ft. x 8 ft. deep) with two concrete pump out pits (each approximately 4 ft. x 4 ft. x 8 ft. deep), and the slotted concrete portion of the floor over the manure pit.

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 Thaddeus Faught at 217/782-3362.

SAK:TJF:TC-11-09.docx

cc: Tax Cert File

Project Name: Brian Robinson Swine Farm
Reviewer: Thaddeus Fought
Log No.: TC-11-09

Location: Galesburg
Date: 1/26/10
Type: Agchem
 Livestock

Applicant: Brian Robinson
22 Knox Rd. 1400N
Galesburg, IL 61401

Contact: Brian Robinson
Phone: 309 341 1600

Facility: Same as applicant

Property ID: 09-30-100-002

Legal Description: NW 1/4 Section 30 T11N R1E of the 4th P.M.

County: Knox

Date Control Devices installed: 1991

Provided Fair Cash Value: \$69,000

Signature: by Brian Robinson

Title: owner

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 (260 ft x 44 ft x 8 ft deep) w/ 2 concrete pumpouts (each 4 ft x 4 ft x 8 ft)

Other: 1/26/10 spoke w/ Brian Robinson
both pumpouts are 4 ft x 4 ft x 8 ft concrete pumpouts

***** PCB 2010- 067 *****

JC-11-09

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 Statutes, 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	Certification No.	Date	
Sec. A APPLICANT	Company Name <i>BRIAN ROBINSON SWINE FARM</i>			
	Person Authorized to Receive Certification <i>BRIAN ROBINSON</i>		Person to Contact for Additional Details <i>SAME</i>	
	Street Address <i>22 KNOX RD 1400N</i>		Street Address	
	Municipality, State & Zip Code <i>GALESBURG, IL 61401</i>			
	Telephone Number <i>309 341-1600</i>			
	Location of Facility Quarter Section <i>NW 1/4 SEC 30</i>	Township <i>TIIN</i>	Range <i>R1E</i>	Municipality Township <i>GALESBURG GALESBURG</i>
	Street Address <i>22 KNOX RD 1400N</i>		County <i>KNOX</i>	Book Number
	Property Identification Number		Parcel Number <i>09-30-100-002</i>	
Sec. B MANUFACTURING OPERATIONS	Nature of Operations Conducted at the Above Location <i>SWINE OPERATION - BREED TO FINISH CORN / SOYBEAN PRODUCTION</i>			
	Water Pollution Control Construction Permit No.		Date Issued	
	NPDES PERMIT No.		Date Issued	Expiration Date
	Air Pollution Control Construction Permit No.		Date Issued	
	Air Pollution Control Operating Permit No.		Date Issued	
Sec. C MANUFACTURING PROCESS	Describe Unit Process			
	Materials Used in Process			
Sec. D POLLUTION CONTROL FACILITY DESCRIPTION	Describe Pollution Abatement Control Facility <i>44' x 260' TOTALLY SLATED FINISHING BUILDING WITH 8' DEEP PIT, COVERED WITH CONCRETE SLATS AND 4' CONCRETE WALLS ON TOP OF SLATS AROUND PERIMETER SAFEGUARD THE PERIMETER FROM MANURE. NO DISCHARGE. MANURE IS PUMPED/HAULED TO CROPLAND.</i>			

IL 532-0222
APC 151 (Rev. 8/00)

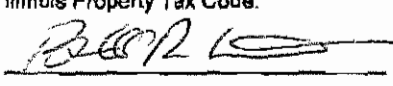
Tax Certification for Pollution Control Facilities
Page 1 of 2

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FEB - 2 2009 FEB 02 2009

Watershed Management Section
BUREAU OF WATER

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY
BOW/WPC/PERMIT SECTION

***** PCB 2010- 067 *****

POLLUTION CONTROL FACILITY - CONTAMINANTS	Sec. E (1) Nature of Contaminants or Pollutants		
		Material Retained, Captured or Recovered	
	Contaminant or Pollutant	DESCRIPTION	DISPOSAL OR USE
	SWINE MANURE - SWINE FINISHING		FERTILIZER FOR CROPLAND
	Sec. E (2) Point(s) of Waste Water Discharge NONE		
	Plans and Specifications Attached Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
	Sec. E (3) Are contaminants (or residues) collected by the control facility? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
	Sec. E (4) Date installation completed 1991 status of installation on date of application DONE		
ACCOUNTING DATA	Sec. E (5) a. FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:		\$ 69,000
	b. NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY:		\$ 55,000
	c. PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY:		\$?
	d. PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY:		\$?
	e. PERCENTAGE CONTROL FACILITY BEARS TO WHOLE FACILITY VALUE:		% 70%
SIGNATURE	Sec. F The following information is submitted in accordance with the Illinois Property Tax Code, as amended, and to the best of my knowledge, is true and correct. The facilities claimed herein are "pollution control facilities" as defined in Section 11-10 of the Illinois Property Tax Code.		
	 Signature: _____ Title: owner		
INSTRUCTIONS	Sec. G INSTRUCTIONS FOR COMPILING AND FILING APPLICATION		
	General: Separate applications must be completed for each control facility claimed. Do not mix types (water and air). Where both air and water operations are related, file two applications. If attachments are needed, record them consecutively on an index sheet.		
	Sec. A	Information refers to applicant as listed in the tax records and the person to be contacted for further details or for inspection of facilities. Define facility location by street address or legal description. A plat map location is required for facilities located outside of municipal boundaries. The property identification number is required.	
	Sec. B	Self-explanatory. Submit copies of all permits issued by local pollution control agencies. (e.g. MSD Construction Permit)	
	Sec. C	Refers to manufacturing processes or materials on which pollution control facility is used.	
	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 property. Include an average analysis of the influent and effluent of the control facility stating the collection efficiency.	
	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. 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 P.O. Box 19276 Springfield, IL 62794-9276	Al Keller Permit Section Division of Water Pollution Control	Donald E. Sutton Permit Section Division of Air Pollution Control

***** PCB 2010-067 *****

PORCINE FARMS, LLC
22 KNOX RD 1400N
GALESBURG, IL 61401

1991 FINISHER

44' WIDE

x

260' LONG

x

8' DEEP Manure Pit
NATURALLY VENTILATED

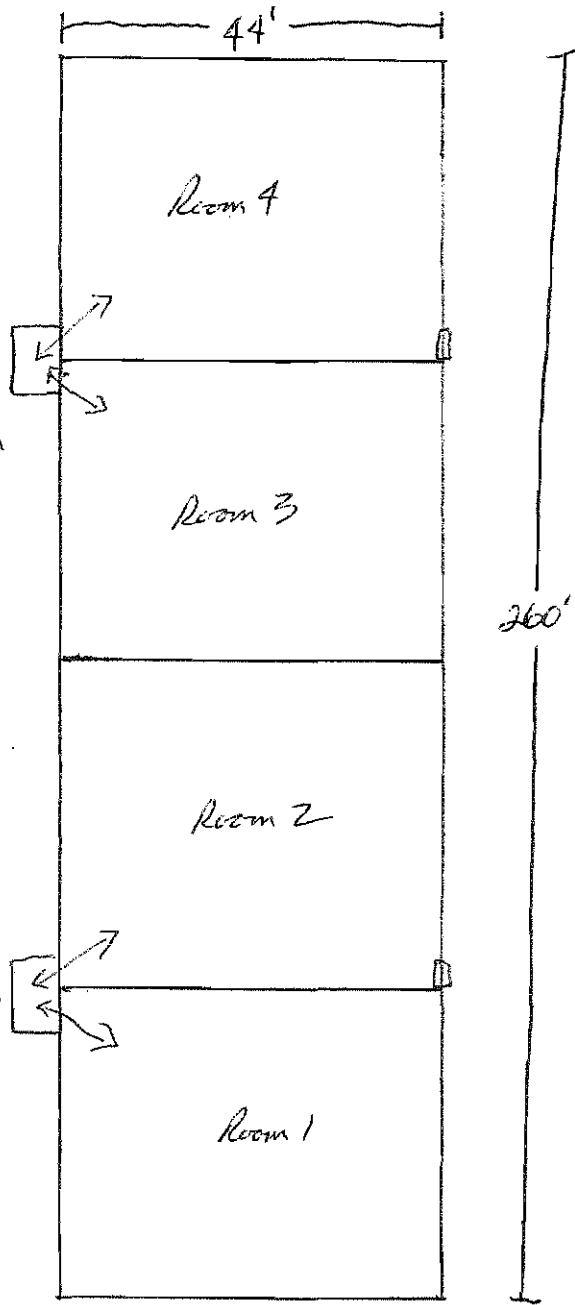
4 ROOMS

Fully slatted

2 Pumpouts

for PTO (TRACTOR) PUMP

(2 rooms each)



- CONCRETE / RE-ROD REINFORCED

- Also has 4' tall concrete walls above pit, so no manure gets outside at all.

22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS



***** PCB 2010- 067 *****

.....

PORCINE FARMS LLC
22 KNOX RD 1407N
GALLESBURG IL 61401
309-341-1600

facsimile transmittal

To: MARK LISKA Fax: 217-782-9801

From: LARA JOHNSTON Date: May 18, 2009

Re: APPLICATION FOR CERTIFICATION Page: 1

CC: _____

Urgent For Review Please Comment Please Reply Please Recycle

PLEASE REVIEW AND SEE IF YOU HAVE ALREADY RECEIVED THIS FORM. WE NEED A PTAX-401 POLLUTION CONTROL FACILITY TAX RETURN BACK IN THE MAIL FROM YOU. THIS FORM IS DUE JUNE 1ST. PLEASE LET ME KNOW WHAT YOU FIND OUT. MY NUMBER AGAIN IS 309-337-4267. THANKS AGAIN FOR YOUR HELP.

.....

PORCINE FARMS LLC
22 KNOX RD 1400N
GALESBURG IL 61401
309-341-1600

facsimile transmittal

To: MARK LISKA Fax: 217-782-9891

From: LARA JOHNSTON Date: May 18, 2009

Re: APPLICATION FOR CERTIFICATION Pages: 3

CC:

Urgent For Review Please Comment Please Reply Please Recycle

PLEASE REVIEW AND SEE IF YOU HAVE ALREADY RECEIVED THIS FORM. WE NEED A
P-TAX-401 POLLUTION CONTROL FACILITY TAX RETURN BACK IN THE MAIL FROM
YOU. THIS FORM IS DUE JUNE 1ST. PLEASE LET ME KNOW WHAT YOU FIND OUT. MY
NUMBER AGAIN IS 309-337-4267. THANKS AGAIN FOR YOU HELP.

TJF

APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT)
 POLLUTION CONTROL FACILITY
 AIR WATER

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
 2120 S. WASHINGTON ST., SPRINGFIELD, IL 62791-8271

This Agency is authorized to request this information under Illinois Revised Statutes, 1979, Chapter, 120, Section 502e-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.

File No.	File Received	Certification No.	Date
Sec. A APPLICANT	Company Name <i>ORIAN ROBINSON SWINE FARM</i>		
	Person Authorized to Receive Certification <i>BILLY ROBINSON</i>		Person to Contact for Additional Details <i>SAME</i>
	Street Address <i>22 WALK RD 1400N</i>		Street Address
	Municipality, State & Zip Code <i>GALESBURG, IL 62401</i>		
	Telephone Number <i>309 291-1600</i>		Telephone Number
	Location of Facility	Municipality	Township
	Quarter Section <i>1/4 SEC 30</i>	Township <i>TWA</i>	Range <i>R1E</i>
	County <i>KNOX</i>	Book Number	
Parcel ID No. (Parcel Number)		<i>09-30-100-002</i>	
Sec. B MANUFACTURING OPERATIONS	Nature of Operations Conducted at the Above Location <i>SWINE OPERATION - BREED TO FINISH CORN/SOYBEAN PRODUCTION</i>		
	Water Pollut. Control Construction Permit No.	Date Issued	
	NPDES PERMIT No.	Date Issued	Expiration Date
	Air Pollution Control Construction Permit No.	Date Issued	
Sec. C MANUFACTURING PROCESSES	Describe Pollution Control Process		
	Materials Used in Process		
Sec. D POLLUTION CONTROL FACILITY DESCRIPTION	Describe Pollution Abatement Control Facility <i>44' x 200' TYPALLY SLATED FINISHING - BUILDING WITH 8' DEEP TYP, covered with concrete slats and 4' concrete walls on top of slats around perimeter safeguard the perimeter from manure. No DISCHARGE. Manure is pumped/hauled to crop land.</i>		

RECEIVED
 DEC 29 2009

POLUTION CONTROL FACILITY	(1) Nature of Contaminants or Pollutants			
	Contaminant or Pollutant	Material Retained, Captured or Recovered		
		DESCRIPTION	DISPOSAL OR USE	
		SWINE MANURE - SWINE FINISHING	FERTILIZED BT CROPLAND	
	(2) Point(s) of Waste/Water Discharge <u>NONE</u>			
	Plans and Specifications Attached		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
	(3) Are contaminants (or residues) collected by this control facility?		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
	(4) Date installed: completed <u>1991</u> status of installation on date of application <u>DONE</u>			
	ACCOUNTING DATA	(5) a. FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:		\$ <u>69,000</u>
		b. NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY:		\$ <u>55,000</u>
c. PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY:		\$ <u>?</u>		
d. PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY:		\$ <u>?</u>		
e. PERCENTAGE CONTROL FACILITY BEARS TO WHOLE FACILITY VALUE:		% <u>70%</u>		
SIGNATURES	The following information is submitted in accordance with the Illinois Property Tax Code, as amended, and to the best of my knowledge, is true and correct. The facilities claimed herein are "pollution control facilities" as defined in Section 11-10 of the Illinois Property Tax Code.			
	Signature	Title		
INSTRUCTIONS	INSTRUCTIONS FOR COMPLETING AND FILING APPLICATION			
	General: Separate applications must be completed for each control facility claimed. Do not mix types (water and air). Where both air and water operations are involved, file two applications. If attachments are needed, record them consecutively on an index sheet.			
	Sec. A	Location: Section refers to location as listed in the tax records and the person to be contacted for further details or for the location of facilities. Define facility location by street address or legal description. A plot map location is required for facilities located outside of municipal boundaries. The property identification number is required.		
	Sec. B	Permits: Submit copies of all permits issued by local pollution control agencies. (e.g. MSD Construction Permit)		
	Sec. C	Process: Refer to manufacturing processes or materials on which pollution control facility is used.		
	Sec. D	Narrative description of the pollution control facility, including 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 defined facility and value of real property. Include an average analysis of the influent and effluent of the control facility stating the following: (a) <u>None</u> .		
	Sec. E	List air contaminants or water pollution substances released as effluents to the manufacturing processes. List also the final disposal of any air effluent removed from the manufacturing processes. Item (1) - Refer to pollutants and components released from the process by the pollution control facility. Item (2) - Refer to water pollution but can apply to water-carried wastes from air pollution control facilities. Submit drawings which identify (a) Point(s) of discharge to receiving stream, and (b) Sowers 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 realized 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 support a project approved prior to certification by this Agency.		
	Sec. F	Permit/planatory: Signatures must be a corporate authorized signature.		
		Submit to:	Attention:	
		Great EPA P.O. Box 15276 Springfield, IL 62784-0276	Donald E. Sutton Permit Section Division of Air Pollution Control	

STATE OF ILLINOIS

COUNTY OF SANGAMON

)
)
)
)
)

PROOF OF SERVICE

I, the undersigned attorney at law, hereby certify that on February 25, 2010, I served true and correct copies of an **APPEARANCE AND THE RECOMMENDATION**, upon the persons and by the methods as follows:

[1st Class U.S. Mail]

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

[1st Class U.S. Mail]

Brian Robinson
22 Knox Road
Galesburg, Illinois 61401

[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/ Vera Herst

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