

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Mircor Condos LLC)
(Property Identification Number) PCB 011-
13-21-15-200-004) (Tax Certification)
)

NOTICE

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

Mark D. Leffelman
2207 Chance Cove
Cedar Park, Texas 78613

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

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

DATED: June 14, 2011

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

Mircor Condos LLC)
(Property Identification Number) PCB 011-
13-21-15-200-004)) (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
 Vera Herst
 Assistant Counsel
 Division of Legal Counsel

DATED: June 14, 2011
 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

Mircor Condos LLC)
(Property Identification Number) PCB 011-
13-21-15-200-004)) (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 December 23, 2010, the Illinois EPA received a request from Mircor Condos LLC (log number TC-23-10, Exhibit A) for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to 35 Ill. Adm. Code 125.204.

- The applicant's address is:

Mircor Condos LLC
349 May Road
Sublette, Illinois 61367

- The proposed water pollution control facilities in this request are located at section 15, Township 19N, Range 10E of the 4th PM in Lee County, at the above street address and consist of the following:

Livestock waste management facilities consisting of two concrete manure pits approximately (201 ft. x 41 ft. each) with 8 concrete pump out pits approximately (5 ft. x 6 ft. x 8.75 ft. each) and the portion of concrete slotted flooring over the manure pits in buildings #1 and 2; two concrete manure pits approximately (226 ft. x 71 ft. x 8 ft. each) with 8 concrete pump out pits approximately (5ft. x 6 ft. x 8.75 ft. each) and the portion of concrete slotted flooring in building #4 and 5; one concrete manure pit approximately (412 ft. x 41 ft. x 8 ft.) with 8 concrete pump out pits approximately (5 ft. x 6 ft. x 8.75 ft. deep) and the portion of concrete slotted flooring over the manure pits in building #3.

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.

THIS FILING IS SUBMITTED ON RECYCLED PAPER

4. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2010), 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: June 14, 2011
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, Manager, Permit Section *AK*

Date: June 7, 2011

Re: Mircor Condos LLC - Sublette
Recommendation of Tax Certification
Log # TC-23-10
Property Identification # 13-21-15-200-004

RECEIVED
Division of Legal Counsel

JUN 08 2011

Environmental Protection
Agency

The Bureau of Water received a request on December 23, 2010 from Mircor Condos LLC 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:

Mircor Condos LLC
349 May Road
Sublette, IL 61367

Section 15, Township 19N, Range 10E of the 4th PM in Lee County.

Livestock waste management facilities consisting of two concrete manure pits approximately (201 ft. x 41 ft. x 8 ft. each) with 8 concrete pump out pits approximately (5 ft. x 6 ft. x 8.75 ft. each) and the portion of concrete slotted flooring over the manure pits in buildings #1 and 2; two concrete manure pits approximately (226 ft. x 71. x 8 ft. each) with 8 concrete pump out pits approximately (5 ft. x 6 ft. x 8.75 ft. each) and the portion of concrete slotted flooring in building #4 and 5; one concrete manure pit approximately (412 ft. x 41 ft. x 8 ft.) with 8 concrete pump out pits approximately (5 ft. x 6 ft. x 8.75 ft. deep) and the portion of concrete slotted flooring over the manure pits in building #3.

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 Blessman at 217/782-0610.

SAK:JTB:TC-23-10_Tax Cert Recommendation_23Dec10.docx

cc: Tax Cert File

Rockford • 4302 N. Main St., Rockford, IL 61103 • (815) 987-7760

Elgin • 595 S. State, Elgin, IL 60123 • (847) 608-3131

Bureau of Land - Peoria • 7620 N. University St., Peoria, IL 61614 • (309) 693-5462

Collinsville • 2009 Mall Street, Collinsville, IL 62234 • (618) 346-5120

Des Plaines • 9511 W. Harrison St., Des Plaines, IL 60016 • (847) 294-4000

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

Champaign • 2125 S. First St., Champaign, IL 61820 • (217) 278-5800

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

***** PCB 2011-095 *****

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

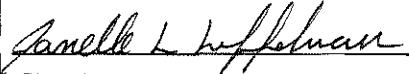
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
 P. O. Box 19276, Springfield, IL 62794-9276

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 MIRCOR CONDOS LLC			
	Person Authorized to Receive Certification Mark D. Leffelman		Person to Contact for Additional Details Janelle Leffelman	
	Street Address 2207 Chance Cove		Street Address 2207 Chance Cove	
	Municipality, State & Zip Code Cedar Park, Texas 78613		Municipality, State & Zip Code Cedar Park, Texas 78613	
	Telephone Number (512) 516-1629		Telephone Number (512) 516-1629	
	Location of Facility Quarter Section	Township 19	Range 10	Municipality Sublette
	Street Address 349 May Road		County Lee	Township 19
	Property Identification Number LF1030170000		Parcel Number 13-21-15-200-004	Book Number
	Sec. B MANUFACTURING OPERATIONS	Nature of Operations Conducted at the Above Location Swine Finishing Facility		
		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 The primary purpose of the control facility is to eliminate and prevent pollution. We have 5 buildings with waste storage structure under building, pit storage. Building 1 & 2 are 201 feet long 41feet wide and have 8 foot deep pits. Building 3 is 412 feet long 41 feet wide and has an 8 foot deep pit. Building 4 & 5 are 226 feet long 71 feet with 8 foot deep pits. All buildings are designed the same with 8 foot deep pits beneath slatted floors. Manure is contained in the pits until ground conditions are suitable for application. See attached documents.			

RECEIVED
 DEC 23 2010
 ILLINOIS ENVIRONMENTAL
 PROTECTION AGENCY
 BOW/WPC/PERMIT SECTION

Sec. F	(1) Nature of Contaminants or Pollutants		
CONTAMINANTS			Material Retained, Captured or Recovered
	Contaminant or Pollutant	DESCRIPTION	DISPOSAL OR USE
	(2) Point(s) of Waste Water Discharge		
	Plans and Specifications Attached		Yes <input type="checkbox"/> No <input type="checkbox"/>
	(3) Are contaminants (or residues) collected by the control facility?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
	(4) Date installation completed <u>06/17/98</u> status of installation on date of application <u>06/17/98</u>		
ACCOUNTING DATA	(5) a. FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:	\$ 1,530,000.00	
	b. NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY:	\$ 0.00	
	c. PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY:	\$ 0.00	
	d. PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY:	\$ 0.00	
	e. PERCENTAGE CONTROL FACILITY BEARS TO WHOLE FACILITY VALUE:	%	
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	 Signature		Member Title
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.		
INSTRUCTIONS	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 <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.	
	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

CONCRETE – ILLINOIS ENGINEERED

Labor and materials to form and pour 51'2" X 8'0" deep *engineered* pit including:

- 4,000 P.S.I. (6 bag mix) concrete is used for all pours.
- Design assumes 3000 pound soil bearing and 75 psf/ft hydrostatic (soil) load.

Footings

- 8" thick X 8'0" high reinforced exterior pit sidewalls and endwalls with reinforced footing.

Floor

- 4" Thick pit floor reinforced with 6 X 6 W2.9 wire mesh or reinforcement rod.

Walls

- Designed using 75 psf/ft as the hydrostatic (soil) load.
- Reinforced beam support columns with footings.
- Pit walls are reinforced with ½" grade 60 rebar spaced on 10" centers vertically and 12" centers horizontally.
- 6" X 20" Sidewalls poured above 8" X 8'0" pit sidewalls.
- Slat support ledge is recessed into 8" X 8'0" high wall or a one pour 8" and 6" sidewall is used to increase sidewall integrity.
- Stainless steel anchor bolts are provided for sidewall curtain openings.

The assumption was made that the facility will not lie in a flood plain.

Columns

- Poured in place, 14" diameter or 12" square concrete columns.
- Four pre-cut 1/2" rebar are held in place by three circular bent, 3/8" rebar evenly spaced in the column.

Pump-outs

- (8) 5'0" X 6'0" wide outside dimension chopper boxes poured with 9" sumps and 12° sloped tops to accept removable cover, constructed of PVC T&G planking, with a rubber gasket against the concrete wall.
- Pump-out horizontal rebar is pre-bent to fit around the pump-out eliminating joints in the rebar.

Bin Pads

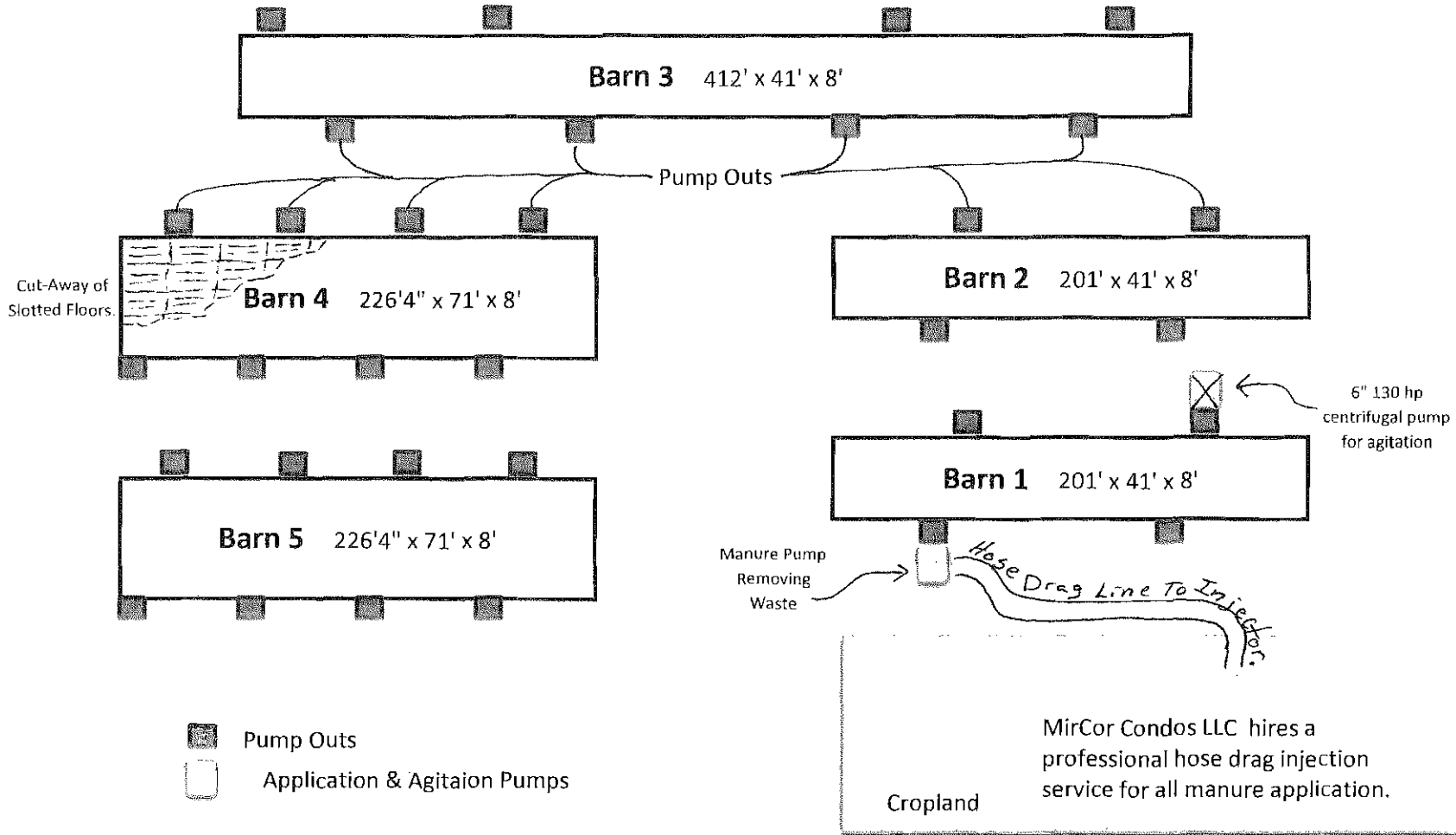
- (1) 11'0" X 31'0" reinforced bulk bin pad(s) with post hole footings and rebar 12" on center.

PRECAST CONCRETE

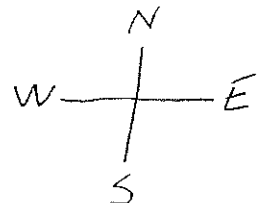
- Precast reinforced slat support beams are 8" wide X 10" tall.
- 4'0" X 10'0" - 4" thick gang slat poured with eight 2" bottom bars and an additional eight 3/8" top U.S. graded reinforcement bars.
- 5" Wide slat surfaces provide more openings for cleaner and drier floors.
- Slats are edged after removing from forms to reduce swine leg abrasions.
- Daily compression testing guarantees minimum 7000# slat strength.

MirCor Condos LLC
349 May Road
Sublette, Illinois 61367
1-512-516-1629

Wean to Finish Site

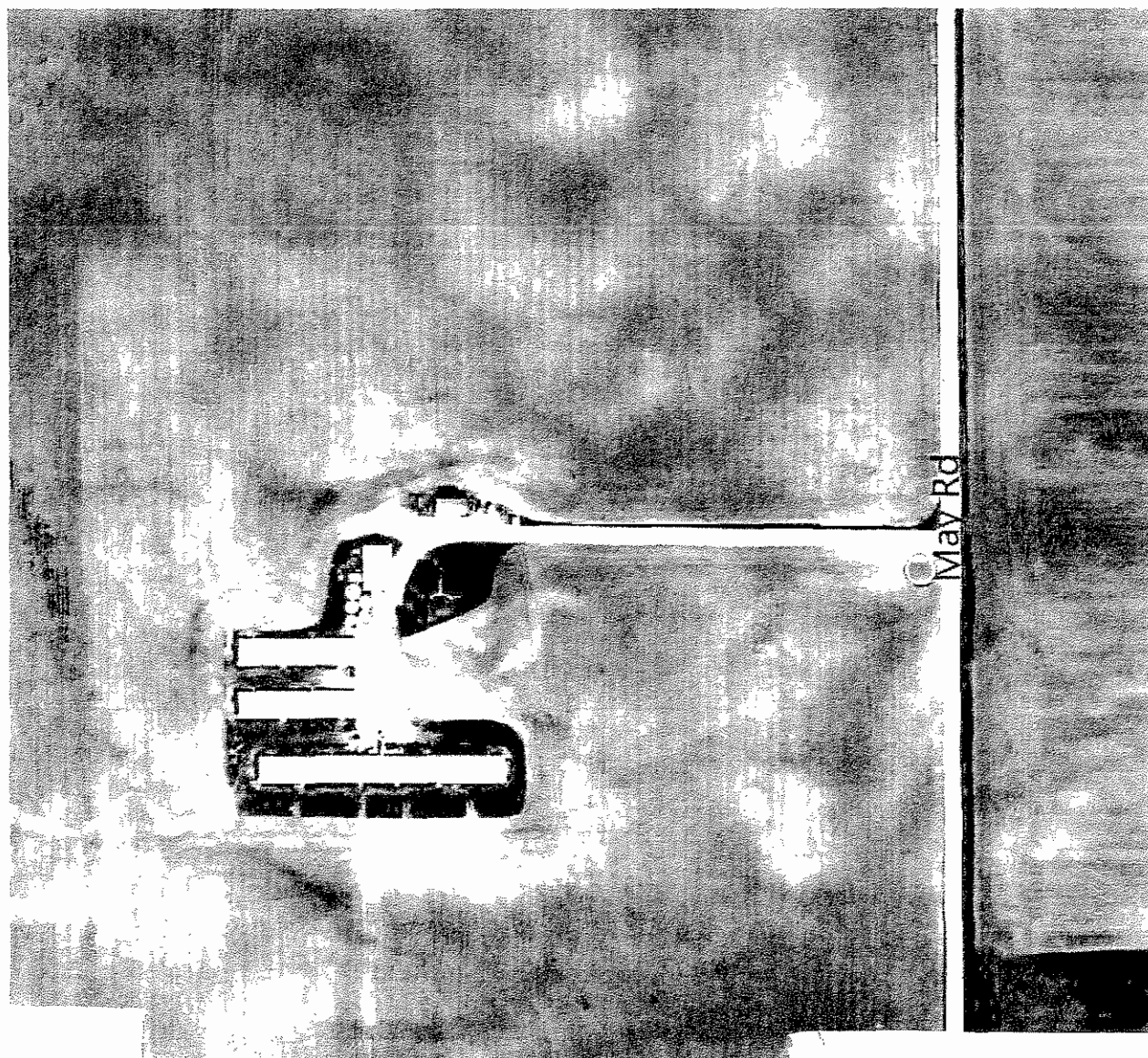
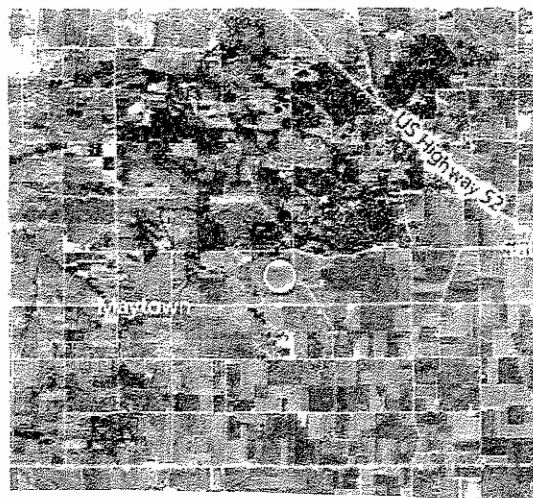


This document shows the following information. A sketch of the site, the flow of waste from the animals through the pollution controlled facilities to final disposal on cropland. Diagram includes; pump for manure application, manure pits, cut out of slotted floors, and agitation pump. All buildings on site are fully slatted. A 6" 130 hp Centrifugal pump is used for agitation. Also shown are the building dimensions. The pit walls are 8" thick concrete. Subtracting 16" from length and width will get the pit capacity. The wash water use is approximately 7500 to 8000 gallons.



349 May Rd, Sublette, IL 61367

This is a birds eye view of the MirCor
Condos LLC site. Barns 5 & 6 are not
pictured.





Rod R. Blagojevich, Governor • Chuck Hartke, Director

Bureau of Environmental Programs

State Fairgrounds • P.O. Box 19281 • Springfield, IL 62794-9281 • 217/785-2427 (voice/TDD) • Fax 217/524-4882
Pesticide Misuse Hotline 1-800-641-3934 (voice/TDD)

*LIVESTOCK WASTE PROGRAM
INITIAL NOTICE OF CONSTRUCTION PLAN COMPLETENESS
Non-Lagoon Livestock Waste Handling Facility*

Registrant:

MirCor Condos, LLC
Janelle & Mark Leffelman
1568 Maytown Road
Sublette, IL 61367

Facility Location:

Sublette
Facility ID#
LF1030170000

Date Issued: May 10, 2007

A Notice of Non-Lagoon Construction Plan Completeness is hereby granted to the above-designated registrant to construct two livestock waste handling facilities *as stated in the construction plan application submitted to the Department as follows:*

Construction of two livestock waste handling facilities that shall each have the following dimensions and capacity:

Maximum Length =	226	feet
Maximum Width =	71	feet
Maximum Depth =	8	feet
Total Design Capacity =	126,000	ft ³

Pursuant to 35 Illinois Administrative Code 506.304 (c), these structures shall include a perimeter foundation drain, which must include a sampling port to allow for quarterly sampling pursuant to 8 Illinois Administrative Code 900.511.

The construction plan for the aforementioned structures has been reviewed and deemed complete by the Illinois Department of Agriculture pursuant to the Livestock Management Facilities Act (Act), 510 Illinois Compiled Statutes 77/13.

Pursuant to 510 ILCS 77/13(g), an initial site inspection was conducted by a representative of the Department on March 13, 2007.

Please be advised that, pursuant to the Act and rule, the Department shall make additional site inspections during the construction and post-construction phase and shall require modifications when necessary to ensure the project shall be in compliance with the requirements of the regulation. **Please notify the Department at least 5 days prior to the commencement of construction.**

Further, pursuant to 510 ILCS 77/13(f), upon completion of construction but prior to the placing of the structures in service, the owner or operator shall certify to the Department that the structures have been constructed or modified in accordance with the requirements of the Act and rule and that the

information provided during the submittal process is correct. The Department, upon receipt of the completion of construction certification shall inspect the construction site to determine compliance with the construction standards of the Act and rule. Upon completion of this inspection, the Department shall send an official written notice to the owner or operator of the facilities, indicating that the structures have met the standards of the Act and rule and that they may be placed into service or identifying the remedial measures necessary to enable the structures to be in compliance.

Please be advised that this letter is not to be construed as a release from any other federal, state or local laws or regulations. If you have any questions or comments relative to this notification or if the Department may be of service to you, please feel free to contact the Department at **Livestock Waste Program, Illinois Department of Agriculture, Bureau of Environmental Programs, P.O. Box 19281, Springfield, IL 62794-9281, (217/785-2427).**

Sincerely,

ILLINOIS DEPARTMENT OF AGRICULTURE



Warren D. Goetsch, P.E.
Bureau Chief, Environmental Programs



Eric Behrens, P.E.
Engineer

cc: File
Tim Kluge, IEPA

LF103017epack

STATE OF ILLINOIS

COUNTY OF SANGAMON

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PROOF OF SERVICE

I, the undersigned attorney at law, hereby certify that on June 14, 2011, 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]

Mark D. Leffelman
2207 Chance Cove
Cedar Park, Texas 78613

[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)

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