

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Bacon Hill Farms, Inc.-Avon)
(Property Identification Number) PCB 013-
06-05-200-002) (Tax Certification
) Water)
)

NOTICE

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

Randal Leigh
5087 E. IL 9 Hwy
Avon, Illinois 61415

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.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

DATED: February 11, 2013

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

Bacon Hill Farms, Inc.-Avon)
(Property Identification Number) PCB 013-
06-05-200-002)) (Tax Certification
) Water)
)

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: February 11, 2013
 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

Bacon Hill Farms, Inc.-Avon)
(Property Identification Number) PCB 013-
06-05-200-002)) (Tax Certification
) Water)
)

)

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 25, 2012, the Illinois EPA received a request from Bacon Hill Farms, Inc. (log number TC-12-12, 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:

Bacon Hill Farms, Inc.
5087 E. IL 9 Hwy
Avon, Illinois 61415

3. The proposed water pollution control facilities in this request are located at Section 26, T7N, R1E of the 4th PM in Fulton County, at the above street address and consist of the following:

Livestock waste management facility consisting of a reinforced concrete manure pit (198' x 51' x 8') overlain by a concrete slatted floor, and four reinforced concrete pumpouts.

These pollution control facilities have the primary purpose of collecting, transporting, and storing livestock waste 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

THIS FILING IS SUBMITTED ON RECYCLED PAPER

requested tax certification.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

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

Dated: February 11, 2013
Illinois Environmental Protection Agency
1021 North Grand Ave. E.
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544

THIS FILING IS SUBMITTED ON RECYCLED PAPER



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY


1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

Memorandum

To: Connie Tonsor, Division of Legal Counsel

From: Al Keller, Manager, Permit Section 

Date: January 30, 2013

Re: Bacon Hill Farm, Inc. – Avon, IL
Recommendation of Tax Certification
Log # TC-12-12
Property Identification # 06-05-26-200-002

The Bureau of Water received a request on April 25th, 2012 from Randall Leigh 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:

Bacon Hill Farm, Inc.
5087 E. IL 9 Hwy
Avon, IL 61415

Section 26, T7N, R1E of the 4th P.M. in Fulton County.

Livestock waste management facility consists of a reinforced concrete manure pit (198' x 51' x 8') overlain by a concrete slatted floor, and four reinforced concrete pumpouts. Livestock waste is collected, transported, and stored by these facilities prior to application on cropland.

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 Yacine Anane at 217/782-0610.

SAK:YA:TC12_12TaxMemo

cc: Tax Cert File

Subject TC-12-12

Data Call with Randal Leigh

Reviewed by Yacine Anane

Date 1-8-2013

Mr. Leigh stated that
Floors, walls, pumpouts and the slatted floors
are all made of reinforced concrete.

Watershed Unit Tax Certification Review Sheet

Project Name: Bacon Hill Farm Inc.

Location: Avon, IL

Reviewer: Yacine Anane

Date:

Type: Agchem

Log number: TC-12-12

Livestock

Applicant: Randal Leigh

Contact: Randal Leigh

Phone: (309) 221-2073

Facility: Bacon Hill Farm Inc.
5087 E. IL 9 Hwy
Avon, IL 61415

Property ID: 06-05-26-200-002

County: Fulton

Legal Description:

Signature: Provided

S: SE 26, 7N, 1E

Title: Randal Leigh
Vice President

Date Control Devices installed:

Provided Fair cash Value:

May 2011

\$150,000

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:

Concrete pit located beneath slatted floors.
Facility is 198' x 51' and is 8' deep. 4 pumpouts
are used to empty the pits.

APPLICATION FOR CERTIFICATION (PROPERTY TAX TREATMENT)

POLLUTION CONTROL FACILITY

AIR WATER

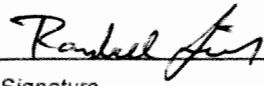
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
P. O. Box 19276, Springfield, IL 62794-9276

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.

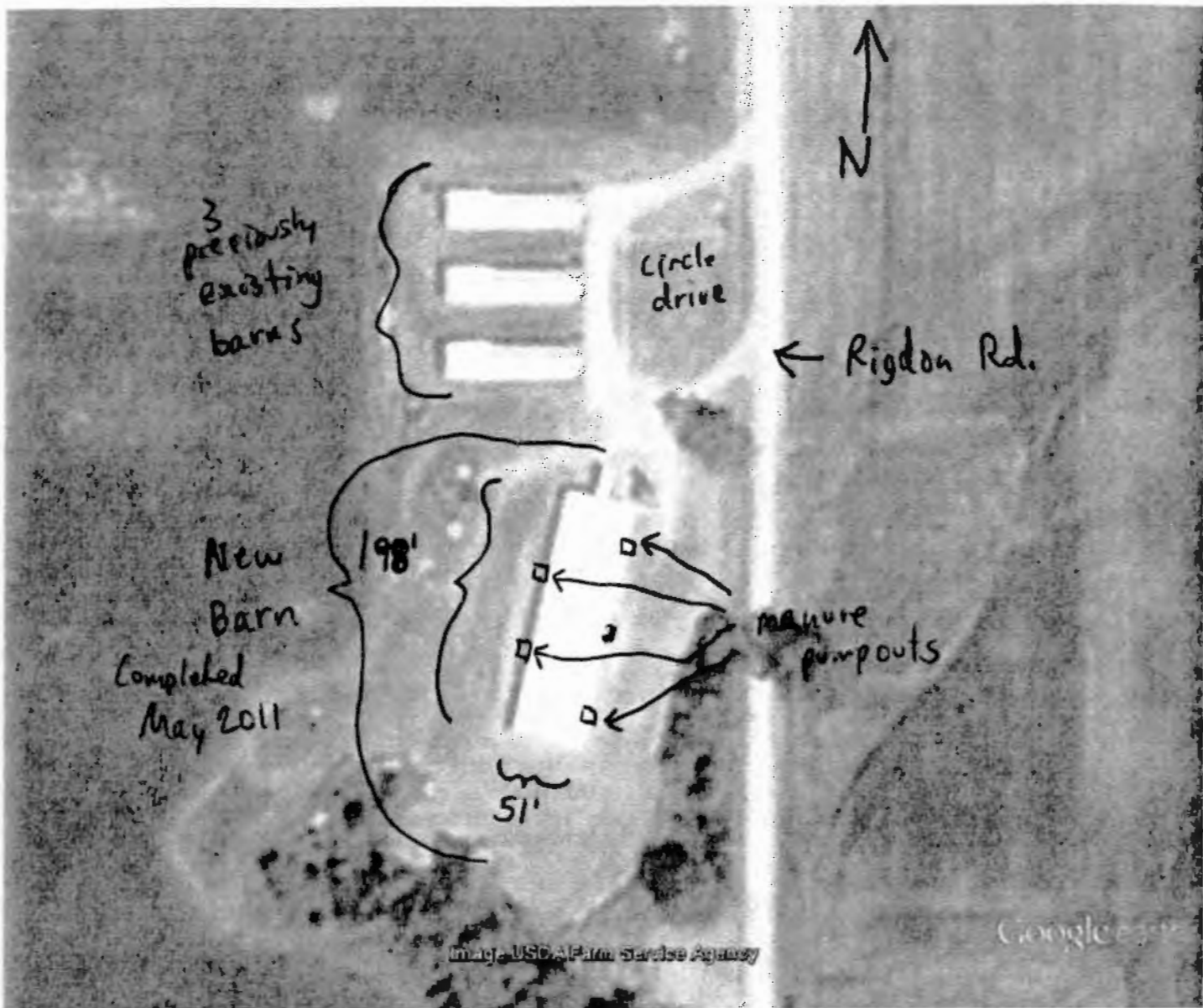
APR 25 2012

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
BO'WVPC/PERMIT SECTION

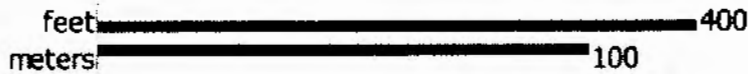
FOR AGENCY USE			
File No.	Date Received	Certification No.	Date
Sec. A APPLICANT	Company Name <i>Bacon Hill Farm, Inc.</i>		Person to Contact for Additional Details
	Person Authorized to Receive Certification <i>Randall Leigh</i>		<i>Same</i>
	Street Address <i>5087 E. IL 9 Hwy</i>		Street Address
	Municipality, State & Zip Code <i>Avon, IL 61415</i>		Municipality, State & Zip Code
	Telephone Number <i>309 221-2073</i>		Telephone Number
	Location of Facility	Municipality	Township
	Quarter Section <i>SE 1/4 of Sec. 26</i>	Township <i>7N</i>	Range <i>1E</i>
	Street Address <i>25500 N. Rigdon Rd.</i>	County <i>Fulton</i>	Book Number
	Property Identification Number <i>06-05-26-200-002</i>	Parcel Number	
Sec. B MANUFACTURING OPERATIONS	Nature of Operations Conducted at the Above Location <i>Agricultural Hog Production for finishing market hogs to be slaughtered</i>		
	Water Pollution Control Construction Permit No. <i>N/A</i>	Date Issued	
	NPDES PERMIT No. <i>N/A</i>	Date Issued	Expiration Date
	Air Pollution Control Construction Permit No. <i>N/A</i>	Date Issued	
	Air Pollution Control Operating Permit No. <i>N/A</i>	Date Issued	
Sec. C MANUFACTURING PROCESS	Describe Unit Process <i>10,100 sq.ft. hog finisher with slats covering a pit under the entire facility</i>		
	Materials Used in Process <i>Structure is a wood framed building on a concrete foundation and manure pit. Concrete gang slats cover the pit for a floor. Exterior is sheet metal. Interior walls are PPD vinyl covered plywood</i>		
Sec. D POLLUTION CONTROL FACILITY DESCRIPTION	Describe Pollution Abatement Control Facility <i>Concrete pit is located under the entire facility. It is 8 ft deep w/ steel reinforced walls, floor, pillars, beams. Concrete slabs over the top of the pit create the building floor. There are four manure pump outs (2 on each side East W.) for removing and pumping out the manure.</i>		

Sec. E POLLUTION CONTROL FACILITY - CONTAMINANTS ACCOUNTING DATA	(1) Nature of Contaminants or Pollutants		
			Material Retained, Captured or Recovered
	Contaminant or Pollutant	DESCRIPTION	DISPOSAL OR USE
	runoff pollutants runoff pollutants	liquid liquid manure (liquids and solids)	livestock waste is pumped from the pit and injected into the soil (weather permitting) in the spring and/or fall
	(2) Point(s) of Waste Water Discharge if pumps along E. and W. sides of building		
	Plans and Specifications Attached		Yes <input checked="" 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 5/2011 status of installation on date of application	Completed + in use
	(5)	a. FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:	\$ 150,000
		b. NET SALVAGE VALUE IF CONSIDERED REAL PROPERTY:	\$ 0
	c. PRODUCTIVE GROSS ANNUAL INCOME OF CONTROL FACILITY:	\$ 0	
	d. PRODUCTIVE NET ANNUAL INCOME OF CONTROL FACILITY:	\$ 0	
	e. PERCENTAGE CONTROL FACILITY BEARS TO WHOLE FACILITY VALUE:	% 60	
Sec. F SIGNATURE	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		vicepres. Title
Sec. G INSTRUCTIONS	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: Illinois EPA P.O. Box 19276 Springfield, IL 62794-9276	Attention: Al Keller Permit Section Division of Water Pollution Control	Attention: Donald E. Sutton Permit Section Division of Air Pollution Control

RECEIVED
APR 25 2012
ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY
BO/VW/PC/PERMIT SECTION



Google earth



~~RECEIVED~~

RECEIVED

APR 2 2013

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY
80 W WPC/FERMILION SECTION

STATE OF ILLINOIS

)

)

COUNTY OF SANGAMON

)

)

)

PROOF OF SERVICE

I, the undersigned attorney at law, hereby certify that on February 11, 2013, 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]

Randal Leigh
5087 E. IL 9 Hwy
Avon, Illinois 61415

[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