#### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

)

Michael Inness Farm – Avon (Property Identification Number 01-01-12-100-001)

) PCB 16) (Tax Certification)

### NOTICE

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

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

Michael Inness 5516 East Co. Highway 20 Avon, Illinois 61415

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 OF THE ILLINOIS</u> <u>ENVIRONMENTAL PROTECTION AGENCY</u>, a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: Joey Logart-Pugh

Assistant Counsel Division of Legal Counsel

DATED: February 17, 2016

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**

Michael Inness Farm - Avon (Property Identification Number 01-01-12-100-001)

) ) PCB 16-) (Tax Certification) )

### 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: Joey Logan-Pugh

Assistant Counsel Division of Legal Counsel

DATED: February 17, 2016

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**

Michael Inness Farm – Avon (Property Index Number 01-01-12-100-001) ) ) PCB 16-) (Tax Certification) )

### **<u>RECOMMENDATION OF THE ILLINOIS</u>** <u>ENVIRONMENTAL PROTECTION AGENCY</u>

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 ("Board"), 35 Ill. Adm. Code 125.204.

1. On November 9, 2015, the Illinois EPA received a request from Michael Inness

Farm (log number TC-29-15, 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 facility's address is:

Michael Inness Farm 5516 East Co. Highway 20 Avon, Illinois 61415

The following proposed water pollution control facilities in this request are located at Section 12, T8N, R1E of the 4th P.M. in Fulton County, at the above street address and consist of the following:

Livestock waste management facilities consisting of two concrete manure pits (approximately 190 ft. x 10 ft. x 6 ft. and 160 ft. x 50 ft. x 8 ft.) with slotted floors over the pits, and eight livestock waste pumpout pits (approximately 4 ft. x 4 ft. x 8 ft. or 4 ft. x 4 ft. x 6 ft.).

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.

3. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2014), and Section 125.200(a) of the Board's regulations,35 Ill. Adm. Code 125.200(a), define

"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.

- In order to receive preferential treatment in accordance with 35 ILCS 200/11-5, pollution control facilities must be certified as such by the Board 35 ILCS 200/11-20 (2014) and 35 Ill. Adm. Code 125.200(a).
- Upon receipt of a tax certification application, the Illinois EPA must file a recommendation regarding the application with the Board, in accordance with 35 Ill. Adm. Code 125.204(a).
- 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: \_

Joey Logan-Pugh Assistant Counsel Division of Legal Counsel

Dated: February 10, 2016 Illinois Environmental Protection Agency 1021 North Grand Ave. East P.O. Box 19276 Springfield, Illinois 62794-9276 217/782-5544



### ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFRED, ILLINOIS 62794-9276 • (217) 782-3397 BRUCE RAUNER, GOVERNOR LISA BONNETT, DIRECTOR

# Memorandum

To: Charles Gunnarson, Division of Legal Counsel

Al Keller, Manager, Permit Section From:

Date: February 2, 2016

Re: Michael Inness Farm - Avon Recommendation of Tax Certification Log # TC-29-15 Property Identification #01-01-12-100-001 and #01-01-12-200-001

The Bureau of Water received a request on November 9, 2015 from Michael Inness for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to 35 III. Adm. Code 125.204. We offer the following recommendation.

The water pollution control facilities in this request include the following:

Michael Inness Farm 5516 East Co Hwy 20 Avon, IL

Section 12, T8N, R1E of the 4th PM in Fulton County.

The livestock waste handling facilities consist of six (6) concrete manure pits (140 ft. x 60 ft. x 8 ft., 200 ft. x 40 ft. x 6 ft., 160 ft. x 50 ft. x 8 ft., 100 ft. x 40 ft. x 8 ft., 190 ft. x 10 ft. x 6 ft., and 160 ft. x 50 ft. x 8 ft.), and the slotted concrete portion of the floor over each manure pit that capture and contain waste generated in the barns above. Each concrete manure pit has four (4) 4 ft. x 4 ft. pumpout pits to allow manure removal from the manure pits. The facility collects, transports and stores livestock waste prior to cropland application.

The facility is 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 Wei Han at 217/782-0610.

SAK:WH:Tax Cert Recommendation.docx

cc: Tax Cert File Watershed Unit Tax Certification Review Sheet

Project Name: Michael Inness Farm	
	Date: January 27, 2016
Reviewer: WH	Type: Agchem
	Livestock
Log number: TC-29-15	
	Contact: Michael H. Inness
Applicant: Michael H. Inness	5516 East Co Hwy 20
5516 East Co Hwy 20	Avon, IL 61415
Avon, IL 61415	Phone: 309-368-3263
Facility: Michael Inness Farm	Property ID: 010112200001, 010112100001
5516 East Co Hwy 20	
Avon, IL 61415	County: Fulton
Legal Description:	Signature: Michael H. Inness
Section: 12 Twp: 8N R: 1E PM: 4th	
Sector 22 mp. or n 22 mm. th	Title: Owner
Date Control Devices installed: 1983	
bate control between instance. 1985	Provided Fair cash Value: \$1,000,000
Location: Avon, IL	
Wastes: 🔀 Livestock waste is applied to cropland.	
The state of the s	

Agrichemical rinsate and spillage is recycled through the facility and/or land applied. Other:

#### **Physical Description of Pollution Control Devices:**

The livestock waste handling facility consists of six (6) deep concrete manure pits, and the slotted concrete portion of the floor over the manure pit that capture and contain waste generated in the barns above. Dimentions of each pit are listed below:

Building 1: 140 ft. x 60 ft. x 8 ft. Building 2: 200 ft. x 40 ft. x 6 ft. Building 3: 160 ft. x 50 ft. x 8 ft. Building 4: 100 ft. x 40 ft. x 8 ft. Building 5: 190 ft. x 10 ft. x 6 ft. Building 6: 160 ft. x 50 ft. x 8 ft.

Each pit has four (4) 4 ft. x 4 ft. x 8 ft. deep or 4 ft. x 4 ft. x 6 ft. deep pumpout pits to allow manure removal from the manure pits. The facility collects, transports and stores livestock waste prior to cropland application.

12/17/2015: Michael Inness called about the application. The number and dimensions of the underground pit is provided over the phone along with cash value of the property.

12/22/2015: Received facility location and plot maps and the tax bills from Michael Inness.

01/27/2016: WH called Michael Inness regarding the construction material of the pits. Mr. Inness confirmed that all pits are constructed with concrete, and have concrete slotted floors and pumpouts.

Recommended Action: Issue tax certification.

taxcert review sheet

Electronic	Filing - Received, Cler	rk's Office :	: 02/17/2016 - * * * PI	CB 2016-083 * * * 7C-29-15
			tal Protection	
1021	North Grand Avenue East	P.O. Box 192	76 • Springfield • Illinois • 6	2794-9276
			Property Tax Treatment)	
	Poll	ution Contro	ol Facility	
			FOR AGENCY USE O	NLY
and with one of the		File Number:		Date Rec'd
Illinois EPA. Separate ap	or any application for certification		reatment for a pollution control fac cility claimed. Do not mix types (a	
If attachments are neede	ed, record them consecutively on	an index sheet.		
You may complete this	form online, save a copy local	lv. print. sign a	nd submit it to:	
		A D 1	linois EPA Attention: Al Keller, Permit Sec Division of Water Pollution Cont 021 North Grand Avenue East Springfield, IL 62794-9276	trol
I. Applicant Infor	mation:			
Сотрапу Name:	Michael H Inness	101		
Person Authorized to Receive Certification	Michael H Inness		Person to Contact for Additional Details same	3
Street Address:	5516 East Co Hwy 20		Street Address:	
City:	Avon	State: <u>IL</u>	City:	State:
Zip:		093441226	Transfer and the second	Phone:
Email Address:	Inness@grics.net		Email Address:	
II. Facility Information	ation:			
Facility Location: Qua	arter Section: 12 Tow	nship: <u>8N</u>	Range: 1E	
	nicipality: 1E		Township: Union	The second
	tion is requested for facilities l	ocated outside	And a second sec	
Address: 5516 E Col				
State:IL Zip Code		ulton	Book Number:	<u>.</u>
Property Index Numb			to identify a name of real area	a articles and and
taxation purposes.	dex number is the numerical i	reference used	to identify a parcel of real prop	beny for assessment and
Manufacturing Oper	ations Information:			
	Conducted at the Above Loca	tion:		
Livestock Production				- Hard I
Permit Information:			<u> </u>	
	armit Number:		Date Issued:	
NPDES Permit Numb	ermit Number:		Date Issued:	Exp. Date:
				LVh. Date
	rmit Number:			Evo Data:
APC Operating Permi Note: Submit copies of		y local pollution	Date Issued: n control agencies. (e.g. MSD	Exp. Date: Construction Permit)

This Agency is authorized to request this information under 415 ILCS 5/4(b)(2012). Disclosure of this information is voluntary and no penalties will result from the failure to provide the information. However, the absence of the information could prevent your application from being processed or could result in denial of your application.

#### Manufacturing Process Information:

Please provide information on the manufacturing process and materials on which pollution control facility is used, including each major piece of equipment associated with the pollution control facility (or low sulfur dioxide emission coal fueled device). Description of the Process:

manure containment

Materials Used in the Process:

concrete manure collection and holding facilities

#### **Pollution Control Facility Information:**

Please provide a narrative description of the pollution control facility (or low sulfur dioxide emission coal fueled device), and an explanation of why its primary purpose is to eliminate, prevent or reduce pollution. State the type of control facility, as well as a narrative description and a process flow diagram describing the pollution control facility. Include an average analysis of the influent and effluent of the control facility stating the collection efficiency, if applicable.

Describe the Pollution Control Facility (or Low Sulfur Dioxide Emission Coal Fueled Device):

Concrete manure containment facilities used to collect and hold the effluent untill which time it can be applied to the soil as ferti

Describe the Primary Purpose of the Pollution Control Facility (or Low Sulfur Dioxide Emission Coal Fueled Device):

Collect and hold manure

Identify the statute or regulation (federal or state), or local ordinance, if any, requiring the installation of the subject pollution control facility (or low sulfur dioxide emission coal fueled device).

Nature of Contaminants or Pollutants:

List air contaminants or water pollution substances released as effluents to the manufacturing processes. Also list the final disposal of any contaminants removed from the manufacturing processes.

	Material Retained, Captured or Recovered						
Contaminant or Pollutant	Description	Disposal or Use					
livestock manure		Fertilizer					
	The second s						

Note: Contaminant or pollutant means that which is removed from the process by the pollution control facility.

Point(s) of Waste Water Discharge:
Identify the location of the discharge to the receiving stream. This will typically refer to a source of water pollution but can include water-carried wastes from air pollution control facilities.
Plans and Specifications Attached 🗌 Yes 📝 No
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.
Are contaminants (or residues) collected by the control facility?
Note: If the collected contaminants are disposed of other than as wastes, state the disposition of the materials, and the value dollars reclaimed by the sale or reuse of the collected substances. State the cost of reclamation and related expense.
Project Status:
Date Installation Completed: 1983 to present
Provide the date the pollution control facility was first placed into service and operated. If not, explain.
Began raising livestock at this facility in 1983 and have added numerous facilities through out the years.
Status of installation on date of application:
Producing livestock for food every day.

#### **III. Verification and 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.

Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony. (415 ILCS 5/44(h))

Michael H Inness

Printed Name:

Owner

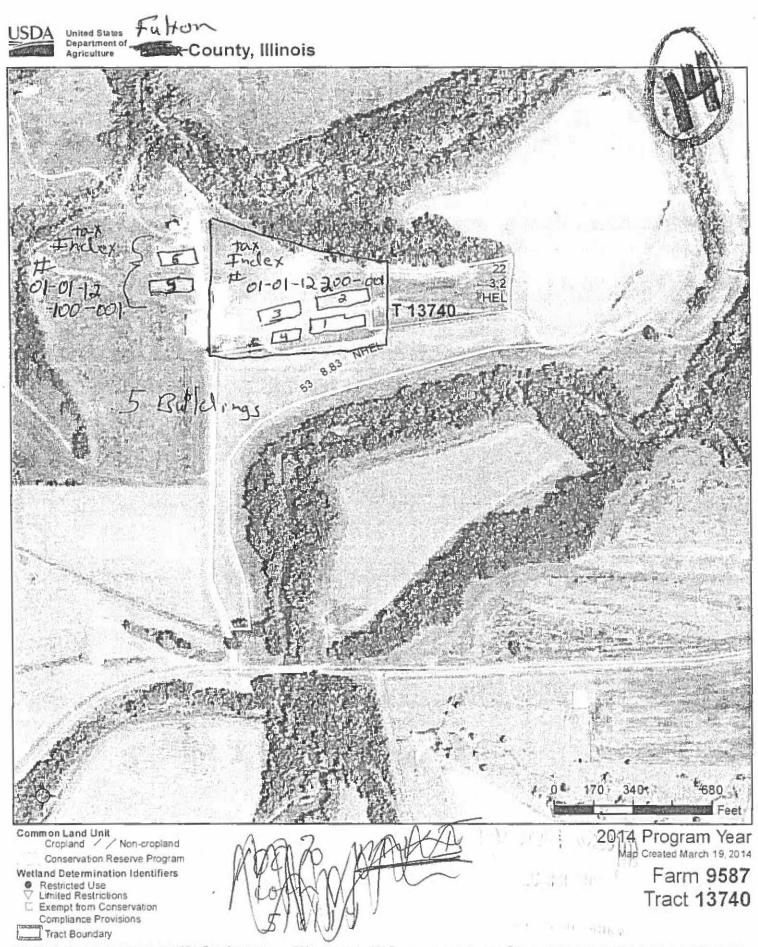
Title:

Date:

For incorporated entities, signature should be from an authorized corporate representative.

Signature:

Electronic Filing - Received, Clerk's Office : 02/17/2016 - \* \* \* PCB 2016-083 Michael Inness 309-368-3263 5 Livestock Buildings 140 × 60' × 8' Building / manure pit 200' x 40' x 6' Building 2 manure pit 160 x 50 x8 Building 3 manine pit 100' x 40' x 8' Manure pit Building 4 190'x 10' x 6' Building 5 manure pit 160' x 50' x 8' Building6 Mannie pit Goes with my application for Certification (Properly Jax Treatment) - Pollution Control Facility HAMMELT. S. I. SCHLA į,



United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership, rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland Identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

Fulton Co







TOMPKINS STATE BANK





Abingdon, Illinois 61410

PENSION PENSION PENSION PENSION	00 Prior Y Rate 1,11 0,46 0,59 0,61 0,01 0,19	ear 46 26 62 03	Prior Amc \$1,178 \$489 \$630	3.81 3.24	Current Rate 1.0183 0.5064	TAX CODE 01003 Current Amount \$1,093.05 \$543.57	TIF BASE () 1977 EQUALIZED SAF BASE () STATE FACTOR
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PENSIÓN	1.11 0.46 0.59 0.61 0.01 0.19	46 26 62 03	\$1,178 \$489 \$630	3.81 9.24	1.0183 0.5064	\$1,093.05	SAF BASE
PENSIÓN	0.46 0.59 0.61 0.01 0.19	26 62 03	\$489 \$630	9.24	0.5064		and the second se
PENSION	0.00 4.88 0.54 0.02 0.44	49 00 75 61 22	\$206 \$0 \$5,169 \$577 \$23	5.45 4.32 5.13 5.00 9.02 7.55 3.48	0.5974 0.6083 0.0106 0.1942 0.0000 4.9091 0.5409 0.0235 0.4437	\$641.25 \$652.95 \$11.38 \$208.45 \$0.00 \$5,269.43 \$580.61 \$25.22 \$476.27	1.000 FAIR CASH VALUE 32.16 TOTAL ACRES 340.41 LAND VALUE 644 BUILDING VALUE 10.08 HOME IMPROVEMENT EQUALIZED VALUE 10.726 x STATE MULTIPLIER 10.000 EQUALIZED VALUE 10.726 vALUE 0000 EQUALIZED VALUE 10.726 vALUE 0000 SAF EXEMPTION vETERAN FREE2E
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IF YOU FEEL THAT YOU HAVE RECEIVED THIS BILL IN ERROR DUE TO A TRANSFER OF THIS PROPERTY, PLEASE REMEMBER THE TAX LIABILITY IS THAT			July 18, 2014			mber 2, 2014	- RET VET HOMESTEAD
		1ST INST	ALLMEN		2ND INSTALLME		+ HISTORICAL FREEZE
		COSTS			COSTS		• FARM LAND
		Coara	[	INTEREST	00313	INTEREST	14.39
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INDEX NUMBER 01-01-12-200-001	BILL NUMBER 2014-000131		11 2014 PAYAB			E 2015	TAX CODE 01003	TIF BASE
01-01-12-200-001	2014-000131	_						
Taxing Body		Prior Y Rate		Prior Year Amount		Current Rate	Current Amount	1977 EQUALIZED
								SAF BASE
FULTON COUNTY FULTON COUNTY	PENSION	1.01	Contraction (Second	\$417.09 \$207.42		1.0309 0.5379	\$422.77 \$220.60	STATE FACTOR
LONDON MILLS FIRE DIST			0.5064 \$207.42 0.5974 \$244.70			0.5969	\$244.79	1.0
CARL SANDBURG JR COLLEGE 518		0.60		\$249.16		0.6093	\$249.87	
CARL SANDBURG JR COLLEGE 518 UNIT 176 AVON BOND	PENSION	0.01		\$4.34 \$79.54		0.0100	\$4.10 \$79.97	TOTAL ACRES
UNIT 176 AVON BOND	PENSION	0.00		\$0.00		0.0000	\$0.00	LAND VALUE
ABINGDON/AVON DIST # 276 UNION TOWNSHIP		4.90 0.54	E	\$2,010.77 \$221.55		4.9307 0.5423	\$2,022.08 \$222.40	+ BUILDING VALUE
UNION TOWNSHIP	PENSION	0.04		\$9.63		0.0308	\$12.63	HOME IMPROVEMENT
UNION TOWNSHIP ROAD		0.44	37	\$181.74		0.4428	\$181.59	
								= ASSESSED VALUE
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YOU FEEL THAT YOU HAVE RECEIVED THIS E			1ST DUE			IND DUE DATE		
TRANSFER OF THIS PROPERTY, PLEASE REMEMBER THE TAX LIABILITY IS THAT			June 1, 2015			September 1, 2015		· RET VET HOMESTEAD
HE OWNER OF RECORD AS OF JANUARY 1ST OF THE TAX YEAR. HOWEVER, THER ARRANGEMENTS HAVE BEEN MADE SUCH AS PRO-RATION TO THE NEW			IST INSTALLMENT \$1,830.40			2ND INSTALLMENT \$1,830.40		· HISTORICAL FREEZE
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mer's Name		7						= CURRENT TAX
INNESS, MICHAEL H					1	•		\$3.660
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SECT: 12 TWP: 08 RANGE: 01 CEN S	2EC 12 NO							\$0
68.56 TO POB NE 223.67 N321.67 SE			AMOUNT	AMOUNT COLLECTED		AMOUNT COLLECTED		DRAINAGE S
NE 551.85 S708.48 SW436.55 NE 45								= TOTAL TAX DUE
	8250 B		1		1			\$3,660

1.00

STATE OF ILLINOIS	)
COUNTY OF SANGAMON	) )

#### **CERTIFICATE OF SERVICE**

I, the undersigned attorney at law, hereby certify that on February 17, 2016, I served true and correct copies of an <u>APPEARANCE AND THE RECOMMENDATION</u>, upon the persons and by the methods as follows:

[1st Class U.S. Mail, With Sufficient Postage Attached]

Steve Santarelli Illinois Department of Revenue 101 West Jefferson P.O. Box 19033 Springfield, Illinois 62794 Michael Inness 5516 East Co. Highway 20 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/ Joey Logan-Pugh 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