#### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Doug Temple	)
(Property Identification Number	) PCB 19-
07-26-400-006)	) (Tax Certification)

### NOTICE

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

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

Doug Temple 13349 Frog Pond Road Fulton, Illinois 61252

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution
Control Board an APPEARANCE and RECOMMENDATION OF THE ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY, a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Jacob H. Smith Assistant Counsel

Division of Legal Counsel

DATED: August 15, 2018

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

Doug Temple	)
(Property Identification Number	) PCB 19-
07-26-400-006)	) (Tax Certification)
	N. T.

### **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: Jagob H. Smith

Assistant Counsel

Division of Legal Counsel

DATED: August 15, 2018

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

Doug Temple	)
(Property Identification Number	) PCB 19-
07-26-400-006)	) (Tax Certification)
	1

# RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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.

- On December 26, 2017, the Illinois EPA received a request from Doug Temple
  (log number TC-139038, 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: Doug Temple

13349 Frog Pond Road Fulton, IL 61252

The proposed water pollution control facilities in this request are located in the SE ¼ of Section 26, T21N, R3E of the 4th P.M. in Whiteside County, at the above street address and consist of the following:

The livestock waste handling facilities consists of one concrete manure pit (approximately 61 ft. x 72 ft. x 8 ft. deep) with two concrete manure pump out pits (approximately 6 ft. x 6 ft. each) and the portion of plastic slotted flooring over the manure pit.

This livestock waste management facility is used to collect, transport, and/or store livestock waste prior to cropland application, and are further described in Exhibit A.

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: eliminating, preventing, or reducing air or water pollution ...or 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 tax treatment as pursuant to 35 ILCS 200/11-5
   (2014), 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 on the application with the Board, 35 Ill Adm. Code 125.204(a).
- 6. Based on the information in the application and the purpose of the facility, 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: Jacob H. Smith
Assistant Counsel

Division of Legal Counsel

Dated: August 15, 2018

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) 782-3397 BRUCE RAUNER, GOVERNOR **ALEC MESSINA, DIRECTOR** 

# Memorandum

To:

Charles Gunnarson, Division of Legal Counsel

Darin LeCrone, Manager, Industrial Unit, Permit Section

Date:

AUG 0 7 2018

Re:

Doug Temple - Fulton

Recommendation of Tax Certification

Log # TC-139038

BOW ID: W1958060005

Property Identification # 07-26-400-006

The Bureau of Water received a request on December 26, 2017 from Doug Temple 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:

Doug Temple 13349 Frog Pond Road Fulton, IL 61252

Section 26, Township 21N, Range 3E of the 4th PM in Whiteside County.

Livestock waste management facilities consisting of one concrete manure pit (approximately 61 ft. x 72 ft. x 8 ft. deep) with 2 concrete manure pump out pits (approximately 6 ft. x 6 ft. each) and the portion of plastic slotted flooring 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 217/782-0610.

DEL:TJF:TC-139038.docx

cc:

Tax Cert File

Project Name:	Dovs Temple	Location:	Fulton
Reviewer:	Thurston Faught	Date:	7/27/17
Log No.:	TC-139038	Туре:	☐ Agchem ★Livestock
Applicant:	Doug Temple	Contact:	applicant
	13349 From Pont Rd.	Phone:	309 230 7819
	Fulton, EL 61252 309-230-7819		
Facility:	some as applicant	Property ID:	07-26-400-006
Legal Description:	Section 26 TZIN R3E of Utnpm	County:	whiteside
		Provided	
Date Control Devices Installed:	2   2013	Fair Cash Value:	\$ 200,000
Signature:	signify Day Temple	Title:	ower
Physical Description	Livestock waste is applied to cropland.  Agrichemical rinsate and spillage is recycled through the  Other:  on of Pollution Control Devices:	facility and/or	land applied.
are concr	and 2 concrete pumpouts canch =		deep) w/ plastic stats
	described in "Describe Pollution At application and shown on plan should plushe shats indicated in 7/27/18 consil		
MANUAL +	the shown in "Waste Flow Diagra	TRUE .	Ived 7/27/19.
Other:		^	7.1
Other: Plastic	Slats confirmed in 7/27/18 email for	in Dorg	lenite

# 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 Statues, 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.

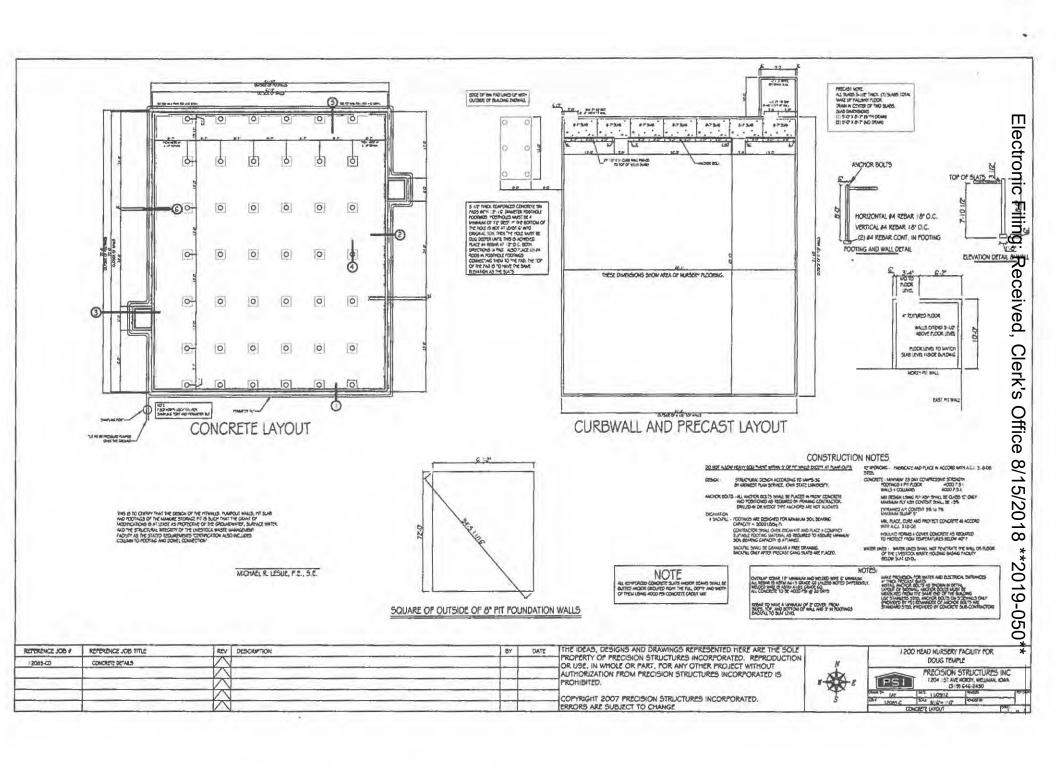
	FOR AGENCY USE			
le No.	Date Received Ce	rtification No.		Date
Sec. A	Company Name			
	Person Authorized to Receive Certification  Ocus Temple  Street Address		Person to Contact for Court Te	r Additional Details سیاد
APPLICANT	Municipality, State & Zip Code  Fulfor TL (11252  Telephone Number	٨	13349 Francisco	ZIP Code
	200 230 7819 Location of Facility		369 236 funicipality	
	26 21 Street Address 13349 Free Pap 2d. Property Identification Number	3	County White side Parcel Number	Book Number
Sec. B	Nature of Operations Conducted at the Above Lo		07-26-6	100-006
	Swine Feeding Facility			
MANUFACTURING OPERATIONS	Water Pollution Control Construction Permit No.	- [	Pate Issued	
JFACT	NPDES PERMIT No.		Pate Issued	Expiration Date
MAN				
	Air Pollution Control Construction Permit No.		Date Issued	
	Air Pollution Control Operating Permit No.	ľ	Date Issued	
Sec. C	Describe Unit Process		-	
NUFACTURING PROCESS	Materials Used in Process		D	DEC 26 2017
MANUF				SWIWSIIFAS
FACILITY DESCRIPTION O	Describe Pollution Abatement Control Facility All waste is captured int is G1'-2"x 72' x 8' d Build is located in Mississippi 1	400		1
POLLUTIC FACILITY (	from entering river. It als contening river. It als	o protec	ts ground	PECEN

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

Tax Certification for Pollution Control Facilities Page 1 of 2 8/00 JAN 0.2 2018
BOWMPC/PERMIT SECTION

Sec. E	(1) Na	ature of Contaminants or Poll	utants	- Friends		
	-	Material Retained, Captured or Recovered			red	
NTS	Conta	minant or Pollutant	DESCRIPTION		DISPOSAL OR	
Z.		wire manuse			polist as	
TAM						
18						
POLLUTION CONTROL FACILITY – ACCOUNTING DATA.				-		
AC.	(2) De	int(s) of Waste Water Discha	2000	J		
9	-	None	nge	7000		
E		VONE	Plans and Specifications	s Attached	Yes 🗆	No 🗆
8	(3)	Are contaminants (or residue	es) collected by the control facility?		Yes 🗆	No [28
NO.	(4)	Date installation completed	status of installation o	n date of a		
54	(5)	a. FAIR CASH VALUE IF CO	NSIDERED REAL PROPERTY:		\$ 200,	
P. P.	(5)		CONSIDERED REAL PROPERTY:			
SE SE	-+		NUAL INCOME OF CONTROL FACILITY:		30,	000
3	$\vdash$			-	1000	0
3			AL INCOME OF CONTROL FACILITY:		\$ 2400	00
•		e. PERCENTAGE CONTROL	FACILITY BEARS TO WHOLE FACILITY	VALUE:	% 55	
SIGNATURE	Illinois	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.				
co	Signa	ture	Title			
Sec. G			RUCTIONS FOR COMPILING AND FILING APP	PLICATION		<del>—</del>
	water o	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)				Permit)	
	Sec. C	Refers to manufacturing proces	ses or materials on which pollution control facility	y 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 property. Include an average analysis of the influent and effluent of the control facility stating the collection efficiency.				
INSTRUCTIONS	Sec. E	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 mu	st 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. So Permit Section Division of A		

JAN 0 2 2018



## Faught, Thaddeus

From:

Doug Temple <douggtemple@gmail.com>

Sent:

Friday, July 27, 2018 12:59 PM

To:

Faught, Thaddeus

Subject:

[External] Fwd: Perimeter drain drawings

Attachments:

TEMPLE-12085-C DRAIN LAYOUT.pdf; manure flow.pdf

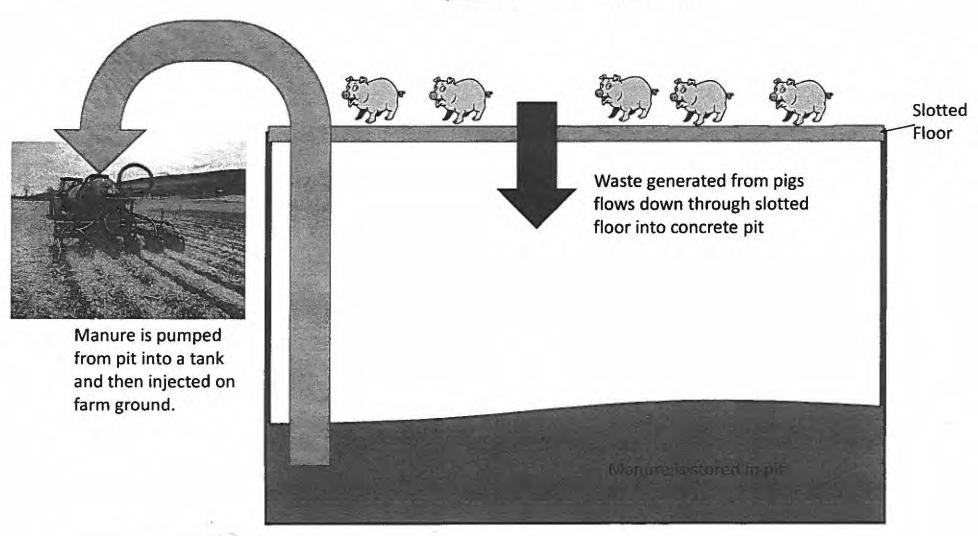
Thaddeus,

Here are the files we discussed earlier today. Please let me know if you need additional information.

Thank your for time,

Doug Temple

# WASTE FLOW DIAGRAM



SWIWSHEAS

Electronic Filing: Received, Clerk's Office 8/15/2018 \*\*2019-050\*\* d PRECAST NOTE ALL SLABS 5- 1/2" THICK (7) SLABS TOTAL MAKE UP HALLWAY FLOOR DRAIN IN CENTER OF TWO SLABS. 5LAB DIMENSIONS: (2) 5'-0" X 8-7" (WITH DRAIN) (5) 5'-0" X 8-7" (NO DRAIN) 0 OF E 0 0 0 ANCHOR BOLTS TOP OF SLATS M 60 0 0 0 HORIZONTAL #4 REBAR 18" O.C. VERTICAL #4 REBAR 18 O.C. 0 .(2) #4 REBAR CONT. IN FOOTING 71-0 FOOTING AND WALL DETAIL OUTSIDE OF IN 0 0 0 ELEVATION DETAIL & WALL 3'-4' FLOOR LEVEL 0 0 0 3 4" TEXTURED FLOOR WALLS EXTEND 3 1/2" ABOVE PLOOR LEVEL 0 0 0 FLOOR LEVEL TO MATCH SLAB LEVEL INSIDE BUILDING NORTH PIT WALL 0 0 0 EAST PIT WALL FIELD VERTY LOCATION FOR SAMPLYS FORT AND PERWETER TILE CONCRETE THE TO SE PRESSURE THUM DIVER THE GROUN CONSTRUCTION NOTES PIT WALLS EXCEPT AT PUMP OUTS REINFORCING - FABRICATE AND PLACE IN ACCORD WITH A.C.I. 318-08 NG TO MAPS 36 CONCRETE - MINIMUM 28 DAY COMPRESSIVE STRENGTH WA STATE UNIVERSITY POOTINGS & PIT FLOOR WALLS & COLUMNS 4000 P.5.I. PLACED IN FRESH CONCRETE MIX DESIGN USING FLY ASH SHALL BE CLASS YO ONLY MAXIMUV FLY ASH CONTENT SHALL BE 15% D BY FRAMING CONTRACTOR, NCHORS ARE NOT ALLOWED ENTRAINED AIR CONTENT 5% to 7% MAXIMUM SLUMP 5" THIS IS TO CERTIFY THAT THE DESIGN OF THE PITWALLS, PUMPOUT WALLS, AND FOOTINGS OF THE MANURE STORAGE PIT IS SUCH THAT THE GRANT OLYMPIUM SOIL BEARING MODIFICATIONS IS AT LEAST AS PROTECTIVE OF THE GROUNDWATER, SURP MIX. PLACE, CURE AND PROTECT CONCRETE IN ACCORD WITH A C.I. 318-08 AND THE STRUCTURAL INTEGRITY OF THE LIVESTOCK WASTE MANAGEMENT AVATE AND PLACE & COMPACT FACILITY AS THE STATED REQUIREMENTS "CERTIFICATION ALSO INCLUDES" & REQUIRED TO ASSURE MINIMUM COLUMN TO FOOTING AND DOWEL CONNECTION" INSULATE FORMS & COVER CONCRETE AS REQUIRED TO PROTECT FROM TEMPERATURES BELOW 40° F WATER LINES - WATER LINES SHALL NOT PENETRATE THE WALL OR FLOOR OF THE LIVESTOCK WASTE HOLDING BASING FACILITY FREE DRAINING. GAYS STATS ARE PLACED. BELOW SLAT LEVEL. NOTES: MICHAI MAKE PROVISION FOR WATER AND ELECTRICAL ENTRANCES
4" THICK PRECAST SLATS
HISTALL ANCHOR BOXIS AS SHOWN IN DETAIL
LAYDJUT OF SIDEWALL ANCHOR BOXIS MUST BE
MASSIRED FROM THE SAME PUT OF THE BUILDING
USE STANLESS STEEL ANCHOR BOXIS ON SIDEWALLS ONLY
PROVIDED BY PSID, EXAMINDED OF ANCHOR DOXIS ARE
STANDARD STEEL (PROVIDED BY CONCRETE SUB-CONTRACTOR) I MINIMUW AND WELDED WIRE GOMINIMUM GOS GRADE GO UNLESS NOTED DIFFERENTLY. MAI 85 GRADE GO. 4000 PSI @ 28 DAYS SWIWSIIFAS NIMUM OF 2" COVER FROM FLOM OF WALL AND 3" IN FOOTINGS VEL DESCRIPLE REFERENCE JOB TITLE REV 1200 HEAD NURSERY FACILITY FOR ION DOUG TEMPLE 12085-CD CONCRETE DETAILS PRECISION STRUCTURES INC 1204 15T AVE NORTH, WELLMAN, IOWA (319) 646-2430

5CME 3/16'= 1'-0"

CONCRETE LAYOUT

12085-0

Faught, Thaddeus	
From: Sent: To: Subject:	Doug Temple <douggtemple@gmail.com> Friday, July 27, 2018 4:42 PM Faught, Thaddeus Re: [External] Fwd: Perimeter drain drawings</douggtemple@gmail.com>
Yes they are plastic	
On Fri, Jul 27, 2018, 1:26 Thanks Doug. That looks like pretty m	SPM Faught, Thaddeus < Thaddeus.Faught@illinois.gov > wrote:  nuch what we need.
I see the "note" about '	though, but where does it mention plastic slats?  "All reinforced concrete slats and/or beams"
But I realize that may be Can you please verify the	e a general note about any concrete.  hat all slats are plastic?
Thanks, Thaddeus Faught, P.E. Illinois EPA 217-782-3362	7/27/18: Spoke u/ Dovg temple Dovg Confirmed structure was installed February 2013.

From: Doug Temple [mailto:douggtemple@gmail.com]

Sent: Friday, July 27, 2018 12:59 PM

**To:** Faught, Thaddeus < Thaddeus.Faught@Illinois.gov> **Subject:** (External) Fwd: Perimeter drain drawings

	)
STATE OF ILLINOIS	ý
COUNTY OF SANGAMON	)
	)

### **CERTIFICATE OF SERVICE**

I, the undersigned attorney at law, hereby certify that I have served on the date of August 15, 2018, the attached <u>APPEARANCE</u> and <u>RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL</u>

<u>PROTECTION AGENCY</u>, upon the following persons by causing to be mailed a true copy thereof in an envelope duly addressed, bearing proper first class postage, and deposited in the United States mail at Springfield, Illinois:

Steve Santarelli Illinois Department of Revenue 101 West Jefferson P.O. Box 19033 Springfield, Illinois 62794 Doug Temple 13349 Frog Pond Road Fulton, Illinois 61252

#### [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/ Jacob H. Smith 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