

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Derek Menold)
(Property Identification Number) PCB No.
07-33-400-004) (Tax Certification)
)

NOTICE

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, copies of which are herewith served upon you.


Derek Menold
13100 W. County Line Rd.
Princeville, Illinois 61559

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

Copies also provided electronically as follows:

Illinois Department of Revenue
via email at REV.PropTaxApp@illinois.gov
101 West Jefferson
P.O. Box 19033
Springfield, Illinois 62794

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: 
Christine M. Zeivel
Assistant Counsel
Division of Legal Counsel

DATED: February 20, 2019

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

Derek Menold)
(Property Identification Number) **PCB No.**
07-33-400-004)) **(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: 

Christine M. Zeivel
Assistant Counsel
Division of Legal Counsel

DATED: February 20, 2019

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

Derek Menold)
(Property Identification Number) PCB No.
07-33-400-004) (Tax Certification)
)

**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.

1. On November 15, 2018 the Illinois EPA received a request from Derek Menold (log number TC-140602, Exhibit A) for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to 35 Ill. Adm. Code 125.204. A correction to the legal description of the property was received from the applicant on January 25, 2019.
2. The facility's address is: Derek Menold
219 Township Rd. 900E
Princeville, IL 61559

The proposed water pollution control facilities in this request are located at the SE ¼ of Section 33, T12N, R6E of the 4th P.M. in Stark County, at the above street address and consist of the following:

Livestock waste handling facilities consisting of one concrete manure pit (approximately 281 ft. x 71 ft. x 8 ft.), the concrete slatted portion of the floor over the manure pit that captures and contains waste generated in the barn above, four (4) pumpout pits (approximately 6 ft. x 6 ft. x 8 ft. deep each) to allow manure removal from the manure pit, and an HDPE perimeter drainage tile (approximately 756 ft. x 4 in.) located around the footing of the manure pit to prevent flotation of the pit.

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

3. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2018), 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.

4. In order to receive preferential tax treatment as pursuant to 35 ILCS 200/11-5 (2018), pollution control facilities must be certified as such by the Board, 35 ILCS 200/11-20 (2018) and 35 Ill. Adm. Code 125.200(a).
5. 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: 
Christine M. Zeivel
Assistant Counsel
Division of Legal Counsel

Dated: February 20, 2019
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, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

JB PRITZKER, GOVERNOR

JOHN J. KIM, ACTING DIRECTOR

Memorandum

To: Charles Gunnarson, Division of Legal Counsel

From: Darin E. LeCrone, Manager, Industrial Unit, Permit Section *DEL*

Date: FEB 13 2019

Re: Derek Menold – Princeville
Recommendation of Tax Certification - Revised
Log # TC-140602
Property Index# 07-33-400-004

The Bureau of Water received a request on November 15, 2018 from Derek Menold for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to 35 Ill. Adm. Code 125.204. A correction on the section number for the legal description of the property was received from the applicant on January 25, 2019. We offer the following revised recommendation.

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

Derek Menold
219 Township Rd. 900E
Princeville, IL 61559

SE ¼ of Section 33, T12N, R6E of the 4th PM in Stark County

The livestock waste handling facilities consisting of one (1) concrete manure pit (approximately 281 ft. x 71 ft. x 8 ft.), the concrete slatted portion of the floor over the manure pit that capture and contain waste generated in the barn above, four (4) pumpout pits (approximately 6 ft. x 6 ft. x 8 ft. each) to allow manure removal from the manure pit, and an HDPE perimeter drainage tile (approximately 756 ft. x 4 in.) located around the footing of manure pit to prevent flotation of the pit. 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.

DEL:WH:Tax Cert Recommendation.docx

cc: Tax Cert File

Watershed Unit Tax Certification Review Sheet

Project Name: Derek Menold

Date: January 25, 2019

Type: Agchem
 Livestock

Reviewer: WH

Contact: Same

Log number: TC-140602

Applicant: Derek Menold
13100 W. County Line Rd.
Princeville, IL 61559

Phone: 309-635-4209

Property Index#: 07-33-400-004

Facility: Derek Menold
219 Township Rd. 900E
Princeville, IL 61559

Parcel#:

County: Stark

Legal Description:

SE ¼ of Section: 33 Twp: 12N R: 6E PM: 4th

Signature: Derek Menold

Title: Owner

Date Control Devices installed: August 2018

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:

The livestock waste handling facilities consist of one (1) concrete manure pit (approximately 281 ft. x 71 ft. x 8 ft.) and the concrete slatted portion of the floor over the manure pit that capture and contain waste generated in the barn above. The concrete manure pit has four (4) pumpout pits (approximately 6 ft. x 6 ft. x 8 ft. each) to allow manure removal from the manure pit. HDPE perimeter drainage tile (approximately 756 ft. x 4 in.) is located around the footing of the manure pit to prevent flotation of the pit. The facility collects, transports and stores livestock waste prior to cropland application.

Pollution control facilities requested by the applicant through Description of Pollution Control Facilities, Section 2 of the application form and the attachments:

One (1) concrete manure pit (281 ft. x 71 ft. x 8ft.)

Concrete slatted floor;

Four (4) pumpout pits for the manure pit (approximately 6 ft. x 6 ft. x 8 ft. each)

HDPE perimeter drainage tile (approximately 756 ft. x 4 in.)

A process flow diagram with narrative is provided by the attachment of the application.

Recommended Action: Issue tax certification.

Han, Wei

From: Jake Nims <jnims@fwieng.com>
Sent: Friday, January 25, 2019 9:12 AM
To: Han, Wei
Cc: 'Derek.Menold'
Subject: [External] Derek Menold project
Attachments: Derek Menold revised pollution control app page 1 1-25-19.pdf

Mr. Han,

It was brought to my attention this morning that the previously submitted tax abatement application for Derek Menold contained an administrative clerical error. Please note that the section number of the legal description has been revised.

No other changes to the previously approved application have been made.

I apologize for the inconvenience. Please let me know if you have any questions.

Jake Nims
Frank & West Environmental Engineers, Inc.
1032 S. 2nd St.
Springfield, IL 62704
(217) 679-7361 office
(217) 679-8362 fax
(309) 530-2894 cell



Illinois Environmental Protection Agency

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JAN 25 2019

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Application for Certification (Property Tax Treatment) Pollution Control Facility

**IEPA
BOWWPC/PERMIT SECTION**

FOR AGENCY USE ONLY	
File Number: _____	Date Rec'd: _____
Certification Number: _____	Date: _____

Facility Type (check one): Air Water

This form is to be used for any application for certification of property tax treatment for a pollution control facility for air or water from the Illinois EPA.

You must have Adobe Acrobat Reader 10 or above installed to use the features on this form.

You may complete this form online, save a copy locally, print, sign and submit it to:

Illinois EPA
Attention: Al Keller, Permit Section
Division of Water Pollution Control
1021 North Grand Avenue East, P.O. Box 19276
Springfield, IL 62794-9276

I. Applicant Information:

Company Name: <u>Derek Menold</u>		
Person Authorized to Receive Certification: <u>Derek Menold</u>	Person to Contact for Additional Details: <u>Same</u>	
Street Address: <u>13100 W. County Line Rd.</u>	Street Address: _____	
City: <u>Princeville</u> State: <u>IL</u>	City: _____ State: _____	
Zip: <u>61559</u> Phone: <u>309-635-4209</u>	Zip: _____ Phone: _____	
Email Address: _____	Email Address: _____	

II. Facility Information:

Facility Location: Quarter Section: SE Township: 12-North Range: 6-East
Municipality: Section 33 Township: _____

Address: _____ City: _____
State: _____ Zip Code: _____ County: Stark Book Number: _____
Property Index Number: _____

Note: The Property Index Number is the numerical reference used to identify a parcel of real property for assessment and taxation purposes.

Manufacturing Operations Information:

Nature of Operations Conducted at the Above Location:

The structure is a swine finishing building where swine are housed on concrete slats with a below ground concrete pit used as waste storage.

Permit Information:

WPC Construction Permit Number: _____	<u>N/A</u>	Date Issued: _____	
NPDES Permit Number: _____	<u>N/A</u>	Date Issued: _____	Exp. Date: _____
APC Construction Permit Number: _____	<u>N/A</u>	Date Issued: _____	
APC Operating Permit Number: _____	<u>N/A</u>	Date Issued: _____	Exp. Date: _____

Note: Submit copies of all relevant permits issued by local pollution control agencies. (e.g. MSD 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.



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

From: Darin E. LeCrone, Manager, Industrial Unit, Permit Section *DSL*

Date: January 3, 2019

Re: Derek Menold – Princeville
Recommendation of Tax Certification
Log # TC-140602
Property Index# 07-33-400-004

The Bureau of Water received a request on November 15, 2018 from Derek Menold for an Illinois EPA recommendation regarding the tax certification of water pollution control facilities pursuant to 35 Ill. Adm. Code 125.204. We offer the following recommendation.

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

Derek Menold
219 Township Rd. 900E
Princeville, IL 61559

SE ¼ of Section 27, T12N, R6E of the 4th PM in Stark County

The livestock waste handling facilities consisting of one (1) concrete manure pit (approximately 281 ft. x 71 ft. x 8 ft.), the concrete slatted portion of the floor over the manure pit that capture and contain waste generated in the barn above, four (4) pumpout pits (approximately 6 ft. x 6 ft. x 8 ft. each) to allow manure removal from the manure pit, and an HDPE perimeter drainage tile (approximately 756 ft. x 4 in.) located around the footing of manure pit to prevent flotation of the pit. 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.

DEL:WH:Tax Cert Recommendation.docx

cc: Tax Cert File



Illinois Environmental Protection Agency

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Application for Certification (Property Tax Treatment) Pollution Control Facility

IEPA
BOWWPC/PERMIT SECTION

FOR AGENCY USE ONLY

File Number: _____	Date Rec'd: _____
Certification Number: _____	Date: _____

Facility Type (check one): Air Water

This form is to be used for any application for certification of property tax treatment for a pollution control facility for air or water from the Illinois EPA.

You must have Adobe Acrobat Reader 10 or above installed to use the features on this form.

You may complete this form online, save a copy locally, print, sign and submit it to:

Illinois EPA
Attention: Al Keller, Permit Section
Division of Water Pollution Control
1021 North Grand Avenue East, P.O. Box 19276
Springfield, IL 62794-9276

I. Applicant Information:

Company Name: <u>Derek Menold</u>	Person to Contact _____
Person Authorized to Receive Certification: <u>Derek Menold</u>	for Additional Details: <u>Same</u>
Street Address: <u>13100 W. County Line Rd.</u>	Street Address: _____
City: <u>Princeville</u> State: <u>IL</u>	City: _____ State: _____
Zip: <u>61559</u> Phone: <u>309-635-4209</u>	Zip: _____ Phone: _____
Email Address: _____	Email Address: _____

II. Facility Information:

Facility Location: Quarter Section: SE Township: 12-North Range: 6-East
Municipality: Section 27 Township: Essex

Address: 219 Township Road 900E City: Princeville
State: IL Zip Code: 61559 County: Stark Book Number: _____
Property Index Number: 07-33-400-004

Note: The Property Index Number is the numerical reference used to identify a parcel of real property for assessment and taxation purposes.

Manufacturing Operations Information:

Nature of Operations Conducted at the Above Location:

The structure is a swine finishing building where swine are housed on concrete slats with a below ground concrete pit used as waste storage.

Permit Information:

WPC Construction Permit Number: _____	N/A	Date Issued: _____	
NPDES Permit Number: _____	N/A	Date Issued: _____	Exp. Date: _____
APC Construction Permit Number: _____	N/A	Date Issued: _____	
APC Operating Permit Number: _____	N/A	Date Issued: _____	Exp. Date: _____

Note: Submit copies of all relevant permits issued by local pollution control agencies. (e.g. MSD 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:

Not applicable

Materials Used in the Process:

Not applicable

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.

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

A concrete pit with dimensions of 281'4" x 71'2" x 8' deep is used to store livestock waste until the appropriate time to apply the manure to agricultural fields at agronomic rates. The building has four (4) 6' x 6' x 8' concrete pumpouts, 756' of 4" HDPE perforated tile around the perimeter of the footings, and 19,600 ft² of precast concrete slats.

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

The primary purpose of the pits is to have a years worth of livestock manure storage to allow flexibility for application to agricultural fields when conditions are ideal.

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).

Not applicable

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.

Contaminant or Pollutant	Material Retained, Captured or Recovered	
	Description	Disposal or Use
Livestock Manure	Stored in below ground concrete pit	Field applied at agronomic rates

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



Illinois Environmental Protection Agency

Point(s) of ~~Water~~ 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.
1021 North Grand Avenue East P.O. Box 19278 Springfield Illinois 62704-0278 (217) 782-3397

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? Yes No

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: 8/10/18

Provide the date the pollution control facility was first placed into service and operated. If not, explain.

8/24/2018

Status of installation on date of application: Complete

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))

Derek M. Menold

Printed Name:

Owner

Title:

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

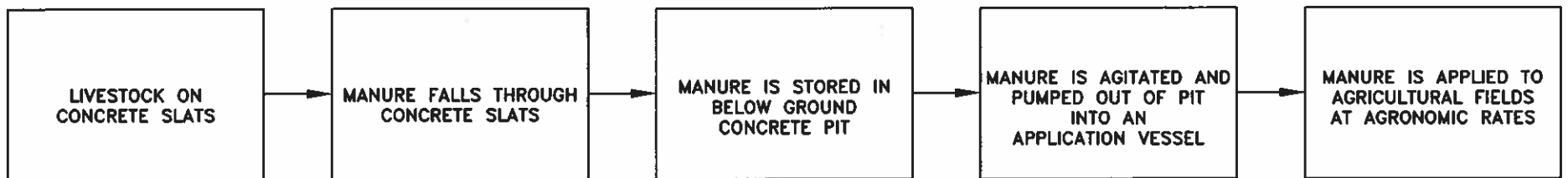
Derek M. Menold

Signature:

11/12/2018

Date:

POLLUTION CONTROL FACILITY
PROCESS FLOW DIAGRAM





Frank & West
Environmental Engineers, Inc.

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IEPA
BOW/WPC/PERMIT SECTION

June 5, 2018

Al Keller
Permit Section
Division of Water Pollution Control
Illinois EPA
P.O. Box 19276
Springfield, Illinois 62794-9276

RE: Derek Menold facility

Dear Mr. Keller:

Frank & West is submitting an application for certification of property tax treatment for pollution control facility on behalf of the Derek Menold facility.

If you have any further questions or comments regarding the Derek Menold non-lagoon livestock waste handling facility, please advise.

FRANK & WEST
ENVIRONMENTAL ENGINEERS, INC.

Jacob Nims
Agricultural Engineer

Attachment: Application for Certification

STATE OF ILLINOIS

COUNTY OF SANGAMON

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CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that I have served on the date of February 20, 2019, the attached **NOTICE, APPEARANCE and RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**, 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:

Derek Menold
13100 W. County Line Rd
Princeville, Illinois 61559

Copies also provided electronically as follows:

Illinois Department of Revenue
via email at REV.PropTaxApp@illinois.gov
101 West Jefferson
P.O. Box 19033
Springfield, Illinois 62794

[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/ Christine M. Zeivel
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