

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Newcomer Farms – Lanark)
(Property Identification Number) PCB 16-
07-09-13-300-001)) (Tax Certification)
)
)

NOTICE

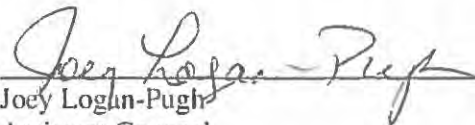
Steve Santarelli
Illinois Department of Revenue
101 West Jefferson
Post Office Box 19033
Springfield, Illinois 62794

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

John Newcomer
26589 US Highway 52
Lanark, Illinois 61046

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: 
Joey Logan-Pugh
Assistant Counsel
Division of Legal Counsel

DATED: January 12, 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

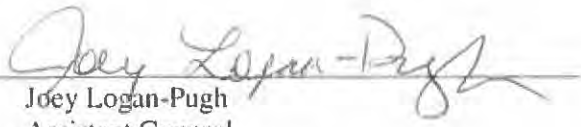
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A P P E A R A N C E

The undersigned, as one of its attorneys, hereby enters an APPEARANCE on behalf of Respondent,
Illinois Environmental Protection Agency.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: 
Joey Logan-Pugh
Assistant Counsel
Division of Legal Counsel

DATED: January 12, 2016

Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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**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 April 13, 2015, the Illinois EPA received a request from Newcomer Farms (log number TC-09-15, 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: Newcomer Farms
9542 Beede Road
Lanark, Illinois 61046

The following proposed water pollution control facilities in this request are located at Section 13, T24N, R5E of the 4th P.M. in Carroll County, at the above street address and consist of the following:

Livestock waste management facilities consisting of one concrete manure pit (approximately 51 ft. x 391 ft. x 8 ft.) with slotted floors over the pit, and ten livestock waste pumpout pits (approximately 5 ft. x 6 ft. by 8.5 ft.) built into the concrete manure pit.

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.

4. 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.

5. 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).
6. 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).
7. 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: January 12, 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, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829
BRUCE RAUNER, GOVERNOR LISA BONNETT, DIRECTOR

Memorandum

To: Charles Gunnarson, Division of Legal Counsel

From: Al Keller, Manager, Permit Section *Al Keller to Dept Head*

Date: December 31, 2015

Re: Newcomer Farms - Lanark
Recommendation of Tax Certification
Log # TC-09-15
Property Identification # 07-09-13-300-001

The Bureau of Water received a request on April 13, 2015 from John C. Newcomer 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:

Newcomer Farms
9542 Beede Road
Lanark, IL

SW ¼ of Section 13, T24N, R5E of the 4th PM in Carroll County.

Livestock waste handling facilities consist of one (1) approximately 51 ft. x 391 ft. x 8 ft. concrete manure pit, and the slotted concrete portion of the floor over the pit that capture and contain livestock waste. The pit has ten (10) 5 ft. x 6 ft. x 8.5 ft. livestock waste pumpout pits built into the structure to allow removal from the pits. The facility collects, transports and stores livestock waste 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 Wei Han at 217/782-0610.

SAK:WH:Tax Cert Recommendation.docx

cc: Tax Cert File

Watershed Unit Tax Certification Review Sheet

Project Name: Newcomer Farms

Date: December 31, 2015

Reviewer: WH

Type: Agchem
 Livestock

Log number: TC-09-15

Applicant: John C. Newcomer
26589 US HWY 52
Lanark, IL 61046

Contact: John C. Newcomer
26589 US HWY 52
Lanark, IL 61046
Phone: 815-716-0542

Facility: Newcomer Farms
9542 Beede Road
Lanark, IL

Property ID: 07-09-13-300-001
County: Carroll

Legal Description:
Section: SW13 Twp: 24N R: 5E PM: 4th

Signature: John C. Newcomer

Title: Owner

Date Control Devices installed: 9/10/2014

Provided Fair cash Value: \$363,962

Location: Lanark, IL

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:

Livestock waste handling facilities consist of one (1) approximately 51 ft. x 391 ft. x 8 ft. concrete manure pit, and the slotted concrete portion of the floor over the pit that capture and contain livestock waste. The pit has ten (10) 5 ft. x 6 ft. x 8.5 ft. livestock waste pumpout pits built into the structure to allow removal from the pits. The facility collects, transports and stores livestock waste prior to cropland application.

06/19/2015: The section number was missed from the application form. WH called John Newcomer and he provided the section number 13.

06/19/2015: WH called John Newcomer to verify the Section and Township number. the Section and Township numbers are coreect by John Nwecommer.

Recommended Action: Issue tax certification.

TC-09-15

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

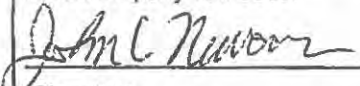
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
 P. O. Box 19276, Springfield, IL 62794-9276

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.

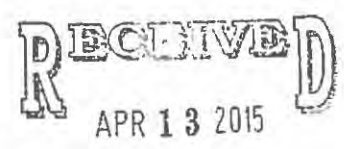
FOR AGENCY USE

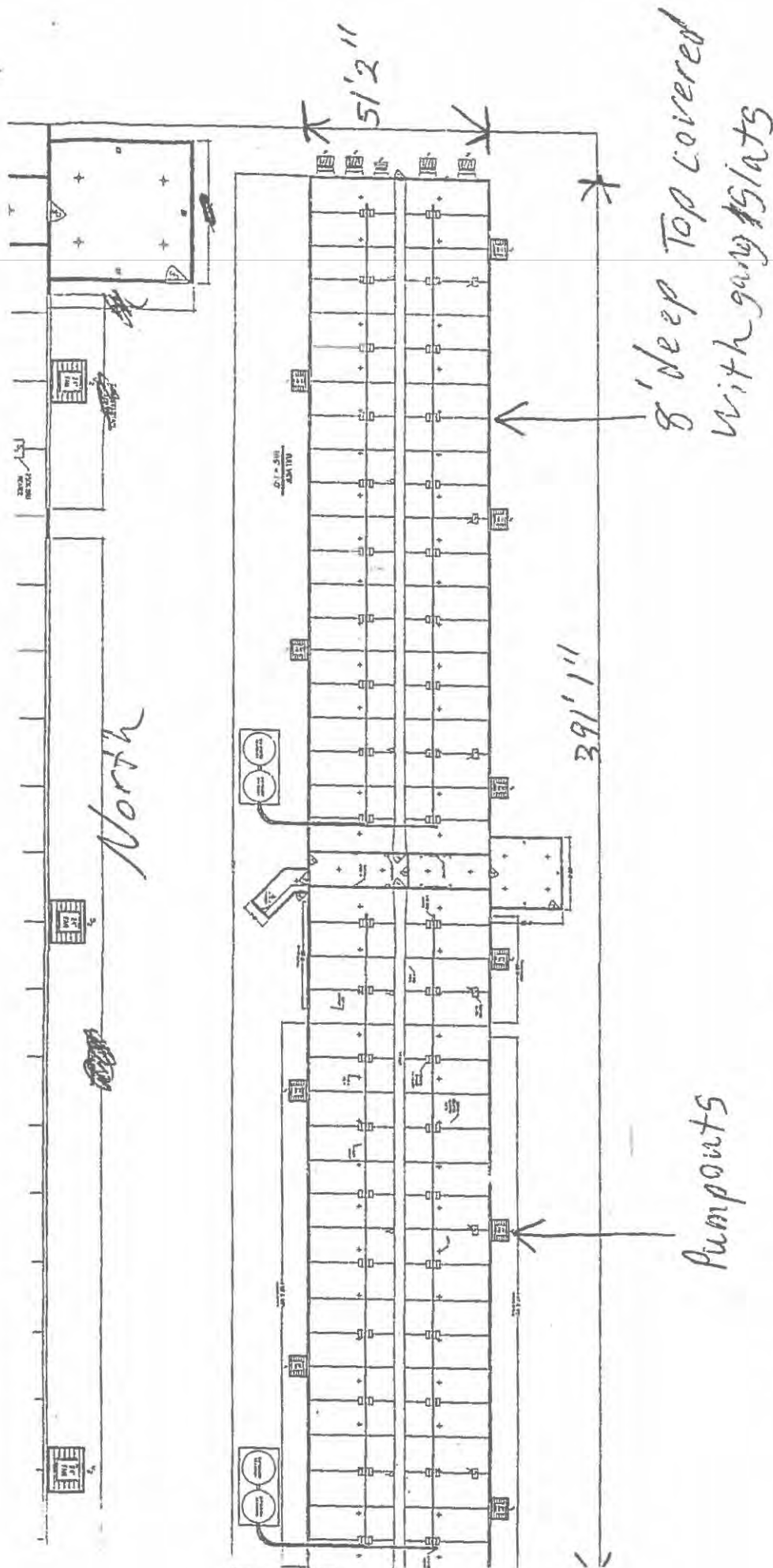
File No.	Date Received	Certification No.	Date	
Sec. A APPLICANT	Company Name Newcomer Farms - John C Newcomer			
	Person Authorized to Receive Certification John C Newcomer		Person to Contact for Additional Details John C Newcomer	
	Street Address 26589 US HWY 52		Street Address 26589 US HWY 52	
	Municipality, State & Zip Code Lanark IL 61046		Municipality, State & Zip Code Lanark IL 61046	
	Telephone Number (815) 716-0542		Telephone Number (815) 716-0542	
	Location of Facility Quarter Section Township Range SW Salem 5E		Municipality Township Lanark Salem	
	Street Address 9542 Beede Rd. Lanark, IL		County Book Number Carroll	
	Property Identification Number 07-09-13-300-001		Parcel Number	
	Sec. B MANUFACTURING OPERATIONS	Nature of Operations Conducted at the Above Location 2400 Head 8ft deep pit wean to finish swine building.		
		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 51'2"x391'1"x8' concrete deep pit covered entirely with 8'x10' gang slats, located under the swine finishing barn for manure storage. 10-5'x6'x8'6" deep pump-outs built into the structure for wanure removal. All swine manure falls through the slats on top of the pit where the manure is stored until after harvest and properly applied to crop land in accordance with a manure managment plan to replace comercial fertilizer. needed for the up coming production year. The deep pit makes this finishing site a -0- discharge facility.			

POLLUTION CONTROL FACILITY - CONTAMINANTS	Sec. E (1) Nature of Contaminants or Pollutants		
			Material Retained, Captured or Recovered
	Contaminant or Pollutant	DESCRIPTION	DISPOSAL OR USE
	Swine Manure	catch and store manure	apply to crop after storage period
ACCOUNTING DATA	(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>09/10/14</u> status of installation on date of application <u>09/10/14</u>	
	(5)	a. FAIR CASH VALUE IF CONSIDERED REAL PROPERTY:	\$ 363,962.95
		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:	% 64	

SIGNATURE	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	Owner Title

INSTRUCTIONS	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.		
	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 <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





grass waterway 400' to west
waterway flows South 1/4 mi
where it starts a small stream

APR 13 2015
BOWWPC/PERMIT SECTION

STATE OF ILLINOIS

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)
)
)

COUNTY OF SANGAMON

PROOF OF SERVICE

I, the undersigned attorney at law, hereby certify that on January 12, 2016, 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
P.O. Box 19033
Springfield, Illinois 62794

[1st Class U.S. Mail]

John Newcomer
26589 US Highway 52
Lanark, Illinois 61046

[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)

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