

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Ronald Mueller Jr.
(Property Identification Number
11-33-200-013)

)
) PCB 16- 87
) (Tax Certification)
)

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CLERK'S OFFICE

FEB 25 2016

STATE OF ILLINOIS
Pollution Control Board

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



ORIGINAL

Ron Mueller
41583 E 2300 N
Cropsey, Illinois 61731

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

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

DATED: February 23, 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

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Pollution Control Board

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

DATED: February 23, 2016

Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
(217)782-5544

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Ronald Mueller Jr.
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STATE OF ILLINOIS
Pollution Control Board

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 August 10, 2015 the Illinois EPA received a request from Ron Mueller (log number TC-23-15, 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: Ronald Mueller Jr.
20828 N. 3850 E.
Anchor, IL 61720

The proposed water pollution control facilities in this request are located at Section S33, T25N, R6E of the 3rd P.M. in McLean County, at the above street address and consist of the following:

Livestock waste management facilities consisting of one concrete manure pit (approximately 191 ft. x 102 ft. x 8 ft. deep) with six concrete pumpout pits to allow for waste removal (approximately 5 ft. x. 5 ft. x. 8 ft.), slotted floors over the pit that collect livestock waste, and a 6 inch PVC perimeter tile drain (approximately 600 ft. in length) that runs the perimeter of the building.

These livestock waste management facilities are used to contain 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 (2014), and Section 125.200(a) of the Board's regulations, 35 Ill. Adm. Code 125.200(a), define

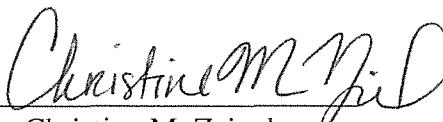
“pollution control facilities” as:

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.

4. 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).
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 23, 2016
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) 782-2829

BRUCE RAUNER, GOVERNOR

LISA BONNETT, DIRECTOR

EXHIBIT A

Memorandum

To: Charles Gunnarson, Division of Legal Counsel

From: Al Keller, Manager, Permit Section *AK*

Date: January 26, 2016

Re: Ronald Mueller Jr.
41583 E 2300 N
Cropsey, IL 61731
Recommendation of Tax Certification
Log # TC-23-15
Property ID # 11-33-200-013

The Bureau of Water received a request on August 10, 2015 from Ronald Mueller Jr. 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:

Ronald Mueller Jr.
20828 N 3850 E
Anchor, IL 61720

Section 33, T25N, R6E of the 3rd PM in McLean County

Livestock waste management facilities consist of one concrete manure pit (approximately 191 ft. x 102 ft. x 8 ft. deep), six concrete pump out ports (approximately 5 ft. x 5 ft. x 8 ft. deep), perimeter tile drain (6 in. diameter and approximately 600 feet in length), and slotted floors over the pit to collect swine waste. These livestock waste management facilities are used to collect, transport, and/or store 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 Jenny Larsen at 217/782-0610.

SAK:JML:Tax Certs\Livestock\LogTC-23-15.docx

cc: Tax Cert File
4302 N. Main St., Rockford, IL 61103 (815)987-7760
595 S. State, Elgin, IL 60123 (847)608-3131
2125 S. First St., Champaign, IL 61820 (217)278-5800
2009 Mall St., Collinsville, IL 62234 (618)346-5120

9511 Harrison St., Des Plaines, IL 60016 (847)294-4000
5407 N. University St., Arbor 113, Peoria, IL 61614 (309)693-5462
2309 W. Main St., Suite 116, Marion, IL 62959 (618)993-7200
100 W. Randolph, Suite 11-300, Chicago, IL 60601 (312)814-6026

Watershed Unit Tax Certification Review Sheet

Project Name: Ronald Mueller Jr.

Location: Anchor, IL

Reviewer: Jenny Larsen

Date: 09/02/2015

Log number: TC-23-15

Type: Agchem
 Livestock

Applicant:
Ron Mueller
41583 E 2300 N
Cropsey, IL 61731

Contact: Ron Mueller

Phone: (309)377-2049

Facility:
20828 N 3850 E.
Anchor, IL 61720

Property ID: 11-33-200-013

County: McLean

Legal Description:
S: 33 T: 25N R: 6E PM: 3rd

Signature: Ronald Mueller Jr.

Title: Owner

Date Control Devices installed: 06/14/2012

Provided Fair cash Value:
\$188,450

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:

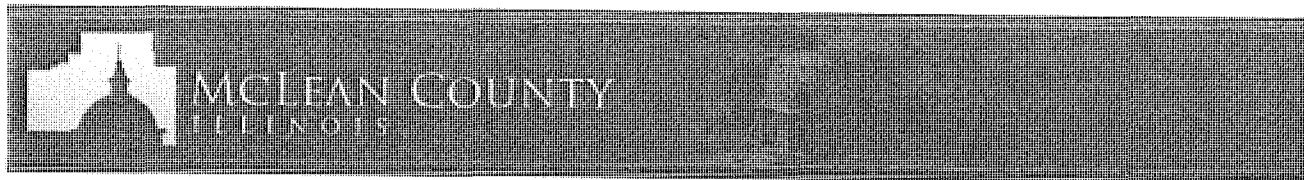
This facility consists of one concrete manure pit (191 ft. x 102 ft. x 8 ft. deep) and slotted floors over the pit to collect swine waste.

09/03/2015 – Spoke with Ron Mueller and he confirmed that he only wishes to have the manure pit, slotted floors, perimeter drain, and pump out ports certified as pollution control devices. There are six (6) concrete pump out ports (5 ft. x 5 ft. x 8 ft. deep). The perimeter tile drain is a 6" PVC pipe that runs the perimeter of the building (approximately 600 ft. in length). Ron confirmed that the fair cash value for these pollution control devices is \$188,450.

I found the legal description for this facility in the parcel information section of the Mclean County assessor's website. See attached.

The primary purpose for these structures is to contain livestock waste thereby preventing contaminated water runoff.

Recommended Action: Permit the above mentioned structures.



Information for Parcel 11-33-200-013, Tax Year 2014

Generated 09/02/15 at 19:05:07

Property Information

Tax Year 2014	Tax Code 0902
Township CROPSEY	Neighborhood
Property Class 0011-Farm improved with Bldgs	Land Use
Tax Status Taxable	Lot Size
Net Taxable Value 276,027	Tax Rate 8.079180
Total Tax \$22,300.72	Site Address
Owner Name and Address MUELLER, RONALD J JR. 41583 E 2300 NORTH RD CROPSEY, IL	Mailing Name and Address MUELLER, RONALD J JR. 41583 E 2300 NORTH RD CROPSEY, IL
Legal Description SEC 33-25-6E SEC 33-25-6E W 1/2 NE (EX N1650' E528' & PT FOR RD & N700, OF THE W 400, NW)	

Payments

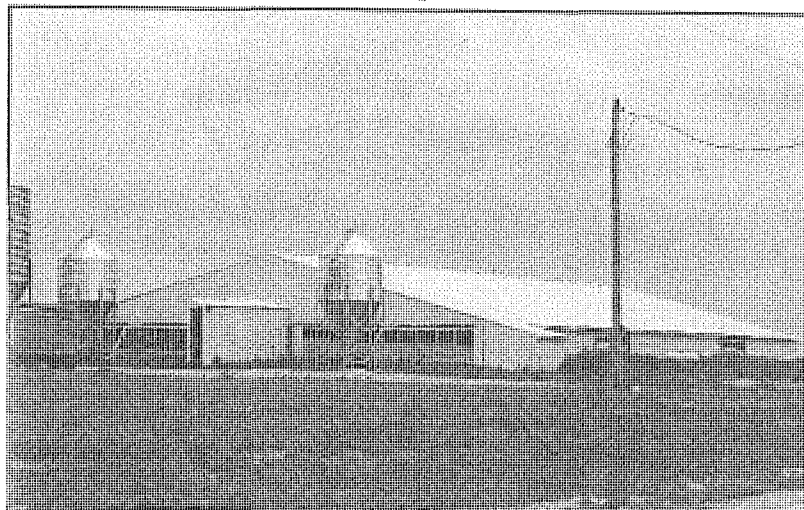
Installment	Date Due	Tax Billed*	Penalty Billed	Cost Billed	Drainage Billed	Total Billed	Amount Paid	Total Unpaid
First	06/01/2015	\$11,150.36	\$0.00	\$0.00	\$0.00	\$11,150.36	\$11,150.36	\$0.00
Second	09/01/2015	\$11,150.36	\$167.26	\$0.00	\$0.00	\$11,317.62	\$0.00	\$11,317.62
Total		\$22,300.72	\$167.26	\$0.00	\$0.00	\$22,467.98	\$11,150.36	\$11,317.62

* Please use \$22,300.72 for income tax purposes.

Payment Detail

Installment	Receipt Number	Date Paid	Paid By	Amount
First	2014045148	06/09/2015	MUELLER, RONALD J JR.	\$11,150.36
Total				\$11,150.36

Images





Illinois Environmental Protection Agency

7C-23-15

1021 North Grand Avenue East • P.O. Box 19276 • Springfield • Illinois • 62794-9276

Application for Certification (Property Tax Treatment) Pollution Control Facility

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. Separate applications must be completed for each control facility claimed. Do not mix types (air and water). Where both air and water operations are related, file two applications.

RECEIVED
STATE OF ILLINOIS

If attachments are needed, record them consecutively on an index sheet.

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

AUG 10 2015

Illinois EPA
Attention: Ray E. Pilapil, Permit Section
Division of Air Pollution Control
1021 North Grand Avenue East, P.O. Box 19276
Springfield, IL 62794-9276

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

Environmental Protection Agency
BUREAU OF AIR

I. Applicant Information:

Company Name: Ronald Mueller Jr.

Person Authorized to Receive Certification: Ron Mueller Person to Contact for Additional Details: Ron Mueller

Street Address: 41583 E 2300 N Street Address: _____

City: Cropsey State: IL City: _____ State: _____

Zip: 61731 Phone: 309-377-2049 Zip: _____ Phone: _____

Email Address: rmueller7@gmail.com Email Address: _____

II. Facility Information:

Facility Location: Quarter Section: NE Township: 25N Range: 6E

Municipality: _____ Township: Cropsey

Note: A plat map location is requested for facilities located outside of municipal boundaries.

Address: 20828 N 3850 E City: Anchor

State: IL Zip Code: 61720 County: McLean Book Number: _____

Property Index Number: 11-33-200-013

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:

This is a hog element stated facility with a cement pit to store manure

Permit Information:

WPC Construction Permit Number: NA Date Issued: _____

NPDES Permit Number: NA Date Issued: _____ Exp. Date: _____

APC Construction Permit Number: NA Date Issued: _____

APC Operating Permit Number: NA 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.

IL 532-0222
APC 151 9/2014

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:

Materials Used in the Process:

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):

A concrete pit with dimensions length 191 ft x width 102 feet x Depth 8 ft with maximum capacity of 151,000 ft³ to hold livestock waste until appropriate time to apply to crops

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

To hold waste from hogs

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.

Contaminant or Pollutant	Material Retained, Captured or Recovered	
	Description	Disposal or Use
livestock manure	store in below ground pit	

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? 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: 6-24-12

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

see sheet

Status of installation on date of application:

May place into use

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))

Ronald Mueller Jr. 8-5-15
Printed Name: Title:

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

Ronald Mueller Jr. 8-5-15
Signature: Date:



Project State

Bureau of Environmental Programs

State Fairgrounds • P.O. Box 19281 • Springfield, IL 62794-9281 • 217/785-2427 (voice/TDD) • Fax 217/524-4882
Pesticide Misuse Hotline 1-800-641-3934 (voice/TDD)

**LIVESTOCK WASTE PROGRAM
FINAL NOTICE OF CONSTRUCTION PLAN COMPLETION
Non-Lagoon Livestock Waste Handling Facility**

Registrant:

Mueller Jr., Ron
Ron Mueller, Jr.
41583 E. 2300 North Rd.
Cropsey, IL 61731

Facility Location:

Anchor, IL

Facility ID#:

LF1130130001

Date Issued: July 24, 2012

The Department has received a certification notice from the owner or operator relative to the completion of construction of a non-lagoon livestock waste handling structure at the aforementioned facility. The certification indicates that the waste handling structure has been constructed or modified in accordance with the requirements of the Livestock Management Facilities Act (Act) (510 ILCS 77/1 et seq.) and rules and that the information provided during the registration process is correct.

On 4/24/2012, Department representatives conducted a final inspection at the facility pursuant to the Livestock Management Facilities Act (510 ILCS 77/13 (g)). No deviations from the construction plan were noted during the inspection. Inspections of the facility were also conducted prior to and during the construction phase of the project.

Pursuant to the Section 13 of the Livestock Management Facilities Act, the construction plan and certification requirements of the Act have been met. The owner or operator of the livestock waste handling facility may proceed to place the structure into service.

Pursuant to 35 Illinois Administrative Code 506.304 (c), this structure was required to install a perimeter foundation drain that included a sampling port to allow for quarterly sampling pursuant to 8 Illinois Administrative Code 900.511. The samples must be analyzed for the following items: nitrate-nitrogen, phosphate-phosphorus, chloride, sulfate and ammonia-nitrogen. **The quarterly sampling period assigned to your facility is as follows: January, April, July and October.** Please be advised that sample results must be submitted to the Department within 30 days after sample collection and must contain a discussion relative to the significance of the results.

If you have any questions or comments, please feel free to contact us at 217/785-2427.

Sincerely,

ILLINOIS DEPARTMENT OF AGRICULTURE

Warren D. Goetsch, P.E.
Bureau Chief, Environmental Programs

Brad A. Beaver, Manager
Livestock Management Facilities Program

cc: file

Bruce Yurdin, IEPA

LF1130130001 cpfinal



Bureau of Environmental Programs

State Fairgrounds • P.O. Box 19281 • Springfield, IL 62794-9281 • 217/785-2427 (voice/TDD) • Fax 217/524-4882
Pesticide Misuse Hotline 1-800-641-3934 (voice/TDD)

**LIVESTOCK WASTE PROGRAM
INITIAL NOTICE OF CONSTRUCTION PLAN COMPLETENESS
Non-Lagoon Livestock Waste Handling Facility**

Registrant:
Ron Mueller, Jr.
41583 East 2300 North Road
Cropsey, IL 61731

Facility Location:
Anchor

Facility ID#
LF1130130001

Date Issued: November 23, 2011

A Notice of Non-Lagoon Construction Plan Completeness is hereby granted to the above-designated registrant to construct a single livestock waste handling facility *as stated in the construction plan application submitted to the Department as follows:*

Construction of a single livestock waste handling facility that shall have the following dimensions:

Maximum Length =	191 feet
Maximum Width =	102 feet
Maximum Depth =	8 feet
Maximum Capacity =	151,000 ft ³

Pursuant to 35 Illinois Administrative Code 506.304 (c), this structure shall include a perimeter foundation drain, which must include a sampling port to allow for quarterly sampling pursuant to 8 Illinois Administrative Code 900.511.

The construction plan for the aforementioned structure has been reviewed and deemed complete by the Illinois Department of Agriculture pursuant to the Livestock Management Facilities Act (Act), 510 Illinois Compiled Statutes 77/13.

Pursuant to 510 ILCS 77/13(g), an initial site inspection was conducted by a representative of the Department on November 22, 2011.

Please be advised that, pursuant to the Act and rule, the Department shall make additional site inspections during the construction and post-construction phase and shall require modifications when necessary to ensure the project shall be in compliance with the requirements of the regulation. **Please notify the Department at least 5 days prior to the commencement of construction.**

Further, pursuant to 510 ILCS 77/13(f), upon completion of construction but prior to the placing of the structure in service, the owner or operator shall certify to the Department that the structure has been

Ron Mueller, Jr.
Facility ID #LF1130130001


November 23, 2011

constructed or modified in accordance with the requirements of the Act and rule and that the information provided during the submittal process is correct. The Department, upon receipt of the completion of construction certification shall inspect the construction site to determine compliance with the construction standards of the Act and rule. Upon completion of this inspection, the Department shall send an official written notice to the owner or operator of the facility, indicating that the structure has met the standards of the Act and rule and that it may be placed into service or identifying the remedial measures necessary to enable the structure to be in compliance.

Please be advised that this letter is not to be construed as a release from any other federal, state or local laws or regulations. If you have any questions or comments relative to this notification or if the Department may be of service to you, please feel free to contact the Department at **Livestock Waste Program, Illinois Department of Agriculture, Bureau of Environmental Programs, P.O. Box 19281, Springfield, IL 62794-9281, (217/785-2427).**

Sincerely,

ILLINOIS DEPARTMENT OF AGRICULTURE



Warren D. Goetsch, P.E.
Bureau Chief, Environmental Programs



Brad A. Beaver
Manager, Livestock Waste Program

cc: File
Bruce Yurdin, IEPA

LF1130130001cpack

STATE OF ILLINOIS
COUNTY OF SANGAMON

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)
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)
)

RECEIVED
CLERK'S OFFICE
FEB 25 2016
STATE OF ILLINOIS
Pollution Control Board

CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that I have served on the date of February 23, 2016, true and correct copies of the attached APPEARANCE and RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, upon the following persons by First Class U.S. Mail, with proper postage and deliver charges prepaid:

Steve Santarelli
Illinois Department of Revenue
101 West Jefferson
P.O. Box 19033
Springfield, Illinois 62794

Ron Mueller
41538 E 2300 N
Cropsey, Illinois 61731

[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