BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Stacey Mueller-Ohio West
(Property Identification Number
1012100005)
) PCB 21) (Tax Certification)

NOTICE

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

Stacey Mueller 23228 2300 N. Ave Ohio, IL 61349

Copies also provided electronically as follows:

Illinois Department of Revenue Via email at REV.PropTaxApp@illinois.gov 101 West Jefferson Post Office Box 19033 Springfield, Illinois 62794

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution
Control Board an <u>APPEARANCE</u> and <u>RECOMMENDATION OF THE ILLINOIS</u>

ENVIRONMENTAL PROTECTION AGENCY, a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: Josaua Leopold

Assistant Counsel

Division of Legal Counsel

DATED: February 26, 2021

Illinois Environmental Protection Agency 1021 North Grand Avenue East Post Office Box 19276 Springfield, Illinois 62794-9276 (217) 558-1333

THIS FILING IS SUBMITTED ON RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

| Stacey Mueller -Ohio West |) |
|---------------------------------|-----------------------|
| (Property Identification Number |) PCB 21- |
| 1012100005) |) (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

Joshua Leopold
Assistant Counsel

Division of Legal Counsel

DATED: February 26, 2021

Illinois Environmental Protection Agency 1021 North Grand Avenue East Post Office Box 19276 Springfield, Illinois 62794-9276 (217)558-133

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

| Stacey Mueller-Ohio West |) |
|---------------------------------|-----------------------|
| (Property Identification Number |) PCB 21- |
| 1012100005) |) (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 November 12, 2020, the Illinois EPA received a request from Stacey Mueller (log number TC-143342, 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: Stacey Mueller (Mueller West) 2300 East St.

Ohio, IL 61349

The proposed water pollution control facilities in this request are located in the NW ¼ of Section 12, T17N, R9E of the 4th PM, in Bureau County the above street address and consist of the following:

Livestock waste management facilities consisting of one (1) concrete manure storage pit (approximately 170 ft. x 123 ft. x 10 ft. as E1), the concrete slatted portion of the floor over the manure pit that capture and contain waste generated in the barns above, six (6) pumpout pits (approximately 7 ft. x 5 ft. x 10 ft., each) to allow manure removal in the manure pit, and plastic perimeter drainage pipes (approximately 1,017 ft. x 4 in. total) located around the footing of the manure pit to prevent flotation of the 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:

Assistant Counsel

Division of Legal Counsel

Dated: February 26, 2021

Illinois Environmental Protection Agency 1021 North Grand Ave. E. P.O. Box 19276 Springfield, Illinois 62794-9276 217/558-1333



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, DIRECTOR

Memorandum

To:

Mike Roubitchek, Division of Legal Counsel

From:

Darin E. LeCrone, Manager, Industrial Unit, Permit Section 1/9

Date:

Janaury 22, 2021

Re:

Stacey Mueller - Ohio

Recommendation of Tax Certification

Log# TC-143342

Property Index# 1012100005

The Bureau of Water received a request on November 12, 2020 from Stacey Mueller 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:

Stacey Mueller (Mueller West) 2300 East St. Ohio, IL 61349

NW ¼ of Section 12, T17N, R9E of the 4th PM in Bureau County

The livestock waste handling facilities consisting of one (1) concrete manure storage pit (approximately 170 ft. x 123 ft. x 10 ft. as E1), the concrete slatted portion of the floor over the manure pit that capture and contain waste generated in the barn above, six (6) pumpout pits (approximately 7 ft. x 5 ft. x 10 ft. each) to allow manure removal from the manure pit, and plastic perimeter drainage pipes (approximately 1,017 ft. x 4 in. total) 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.

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

2125 S. First Street, Champaign, IL 61820 (217) 278-5800 2009 Mall Street Collinsville, IL 62234 (618) 346-5120 9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000 595 S. State Street, Elgin, IL 60123 (847) 608-3131

2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200 412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022 4302 N. Main Street, Rockford, IL 61103 (815) 987-7760

Watershed Unit Tax Certification Review Sheet

| Project Name: Stacy Muller | Date: December 16, 2020 |
|---|--|
| Reviewer: WH | Type: Agchem |
| Log number: TC-143342 | ∠ Livestock |
| | Contact: Terry Feldmann |
| Applicant: Stacy Muller | 3116 N. Dries Lane, Suite 100 |
| 23228 2300N Ave | Peoria, IL 61604 |
| Ohio, IL 61349 | |
| | Phone: 309-693-7615 |
| Facility: Stacy Muller - Ohio | |
| 2300 East St. | Property Index#: 1012100005 |
| Ohio, IL 61349 | 202220000 |
| | Parcel#: |
| Legal Description: | |
| NW of Section: 12 Twp: 17N R: 9E PM: 4th | County: Bureau |
| | Signature: Stacy Muller |
| Date Control Devices installed: November 2020 | Title: Owner |
| Wastes: Livestock waste is applied to cropla Agrichemical rinsate and spillage is Other: | recycled through the facility and/or land applied. |
| | |
| Physical Description of Pollution Control Devices: | |
| The livestock waste handling facilities consist of one (1) concre as E1), the concrete slatted portion of the floor over the pit that The concrete manure pit has six (6) pumpout pits (approximate pit. Plastic perimeter drainage pipes (approximately 1,017 ft. flotation of the pit. The facility collects, transports and stores | at capture and contain waste generated in the barn above. Ply 7 ft, x 5 ft, x 10 ft, each) to allow manure removal from the x 4 in, total) are located around the footing of pit to prevent |
| Pollution control facilities requested by the applicant through application form and the attached drawings. | Description of Pollution Control Facilities, Section C of the |
| One concrete manure storage pit; | |
| Concrete slatted floor at pit E1; | |
| Pumpout pits attached to the manure pit 6 x 7 ft. x 5 ft. x 8 ft. | |
| Plastic perimeter drainage tiles at the pit: 1,017 ft. x 4 in. to | otal |
| A plan view of the pit and a process flow diagram were sub | mitted with the application. |
| Recommended Action: Issue tax certification. | |
| wtaxcert review sheet | |

Electronic Filing: Received, Clerk's Office 02/26/2021 **PCB 2021-0733 42 Illinois Environmental Protection Agency

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

Application for Certification (Property Tax Treatment) Pollution Control Facility

| | | | | | GENCY US | |
|--|--|--|---|--|---|--|
| | | | File Number: | | _ | Date Rec'd: |
| Facility Type (check of This form is to be used Illinois EPA. Separate a and water operations ar | for any applicat | ion for certification st be completed fo | Certification Number of property tax or each control fa | treatment for a pol | llution contro not mix type | Date: I facility for air or water from the es (air and water). Where both air |
| If attachments are need | led, record then | n consecutively on | n an index sheet. | | | |
| You may complete this | | | | | | |
| | , | | [,, | llinois EPA Attention: Al Kell Division of Water | Pollution C d Avenue E | |
| I. Applicant Info | rmation: | | | | | |
| Company Name: | Stacey Muel | ler | | | | |
| Person Authorized to Receive Certification | Stacey Muel | ler | | Person to Cont for Additional I | | erry L. Feldmann, PE |
| Street Address: | 23228 2300 | N Ave. | | Street Address | 3116 N D | ries Lane, Suite 100 |
| | Ohio | | State: IL | City: | Peoria | State: IL |
| City: | | | | and a second | DACOA | 50 000 000 |
| Zip: | 61349 | Phone: 2 | 217-292-6291 | Zip: | 61604 | Phone: <u>309-693-7615</u> |
| City: Zip: Email Address: | | Phone: 2 y74@gmail.com | | Zip: Email Address: | | |
| Zip: Email Address: II, Facility Inform | muellerstace ation: | y74@gmail.com | 1 | Email Address: | tlfeldmanr | |
| Zip: Email Address: II. Facility Inform Facility Location: Qu | muellerstace ation: arter Section: | y74@gmail.com | | Email Address: | tlfeldmanr | |
| Zip: Email Address: II. Facility Inform Facility Location: Qu Mu | muellerstace ation: arter Section: nicipality: | y74@gmail.com <u>NW-12</u> Tow | nship: <u>17N</u> | Email Address: Range: 9 Township | tlfeldmann | |
| Zip: Email Address: II. Facility Inform Facility Location: Qu Mu Note: A plat map loca | muellerstace ation: arter Section: nicipality: tion is reques | y74@gmail.com <u>NW-12</u> Tow | nship: <u>17N</u> | Email Address: Range: 9 Township of municipal box | tlfeldmann DE Dover undaries, | |
| Zip: Email Address: II. Facility Inform Facility Location: Qu Mu Note: A plat map loca Address: 2300 East S | muellerstace ation: arter Section: nicipality: tion is reques | NW-12 Tow | nship: <u>17N</u> ocated outside | Email Address: Range: 9 Township of municipal box City:Ohio | tlfeldmann DE Dover undaries. | |
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penalties will result from the failure to provide the information. However, the absence of the information could prevent your application from

IL 532-0222

APC 151 9/2014 being processed or could result in denial of your application.

| | | E | | Decomo | Information: |
|----|-----|---------|-----|---------|--------------|
| Ù. | anu | Ideluii | 119 | riocess | mormation. |

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:

| NA . |
|--|
| |
| |
| |
| Materials Used in the Process: |
| NA NA |
| |
| |
| |
| Pollution Control Facility Information: |
| Please provide a narrative description of the pollution control facility (or low sulfur dioxide emission coal fueled device), and |
| explanation of why its primary purpose is to eliminate, prevent or reduce pollution. State the type of control facility, as well a parrative description and a process flow diagram describing the pollution control facility. Include an average analysis of the |
| nfluent 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): |
| See Attachment 1: Facility Pollution Control Facility Description |
| |
| |
| |
| Describe the Primary Purpose of the Pollution Control Facility (or Low Sulfur Dioxide Emission Coal Fueled Device): |
| See Attachment 2: Purpose of the Pollution Control Facility |
| |
| |
| |
| dentify 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). |
| Federal: Title 35, Subtitle E, Chapter I, Part 502&502; State: Title 8, Chapter 1, Subchapter t, Part 900 |
| A STATE OF THE PROPERTY OF THE |
| |

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 | |
| Swin e Manure | Manure | Land Application for Crop Nutrients | |
| | | | |
| | | | |
| | | | |

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: Nov 1, 2020 |
| Provide the date the pollution control facility was first placed into service and operated. If not, explain. |
| |
| Status of Installation on date of application: |
| See Attachment 4: Status of Installation |
| 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)) |
| Stacey Mueller Owner |
| Stacey Mueller Ovner Title: |
| For incorporated entities, signature should be from an authorized corporate representative. |
| |
| 1. m. 1. |
| Thong Muller 11/12/20 Signature: Date: |

Application for Certification (Property Tax Treatment) Pollution Control Facility
STACEY MUELLER – Mueller West
By: Maurer-Stutz, Inc

ATTACHMENT 1: Facility Pollution Control Facility Description

The farm consists of the following swine buildings and storage structures:

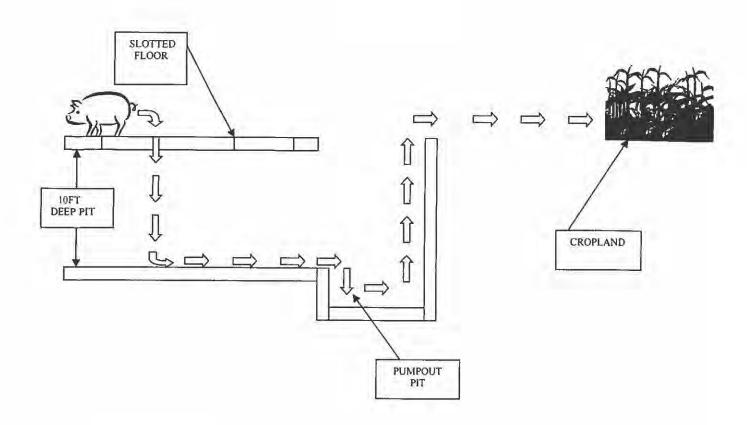
| E1 | 170'-2" x 122'-8" x 10'-0" | Deep pit below slats concrete storage pit | |
|----|----------------------------|---|--|
|----|----------------------------|---|--|

The building identified as E1 on the plans has a 10ft deep pit that consists of a 4" thick base slab and 8" thick pit walls. Precast concrete slotted floors enable excreta and wastewater to fall through and accumulate in the below floor pits. The side walls and end walls have footings that are 9" thick and 1'-6" wide. The center divider wall has a footing that is 9" thick and 2'-3" wide. Columns within the pit are 14" in diameter, 9'-2" tall and supported by 30"x30" square footings. The columns support 8"x10"x12ft long precast concrete floor beams. The floor beams support a 4" thick precast concrete slotted gang slat floor. The barn has 6 pumpout pits. Each pumpout pit is 6'8" x 5'-4" with 8" thick walls. Footings around the pumpout pit walls measure 18" wide by 16" inches thick. The recessed sump area is 3'-2"x 8'-3" x 11" deep. The pumpouts collect manure and allow manure transfer through a hose to be pumped for field application. A perimeter drain is used to control the seasonal high-water table. The total length of 4" corrugated perforated plastic pipe perimeter drain is 800 ft. with a 217 ft. 4" diameter corrugated perforated pipe outlet.

The facility protects ground and surface water by providing collection and storage of livestock waste for about 365 days with use of the holding pond. Subsequently, the waste will be applied agronomically to cropland under proper soil and weather conditions for safe use.

Application for Certification (Property Tax Treatment) Pollution Control Facility
STACEY MUELLER – Mueller West
By: Maurer-Stutz, Inc

MANURE DIAGRAM



ATTACHMENT 2: Purpose of Pollution Control Facility

The primary purpose of the facilities is to provide collection and storage for the manure until it can be properly land applied to cropland at agronomic rates.

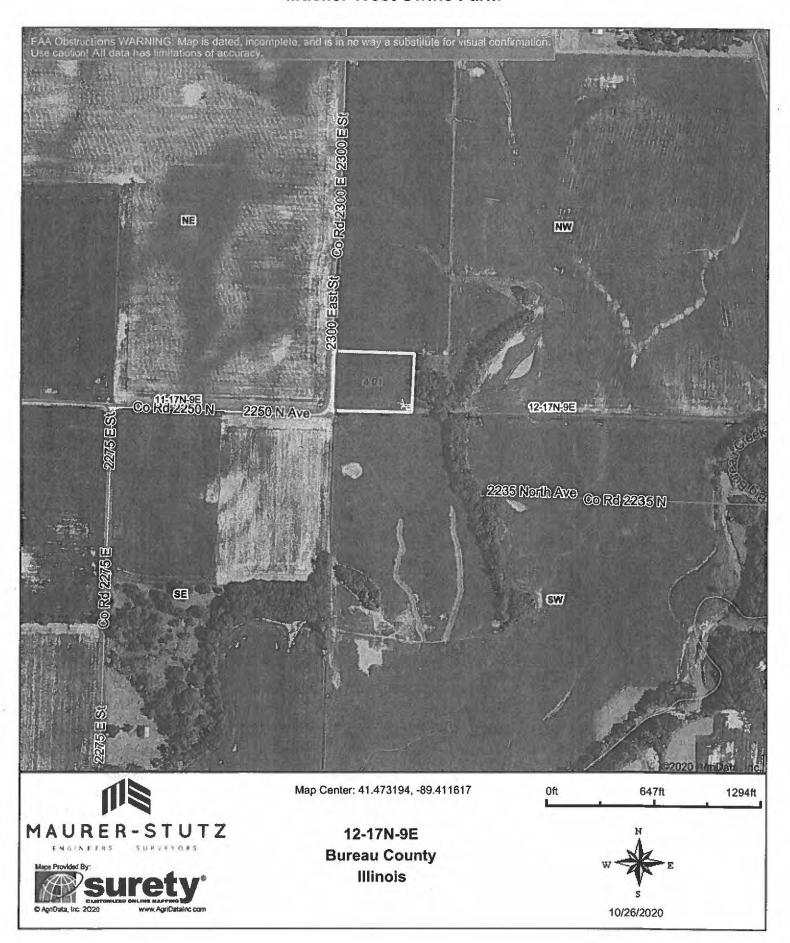
ATTACHMENT 3: Date of First Service

The pollution control facility was constructed in 2020, being placed into service in October 2020.

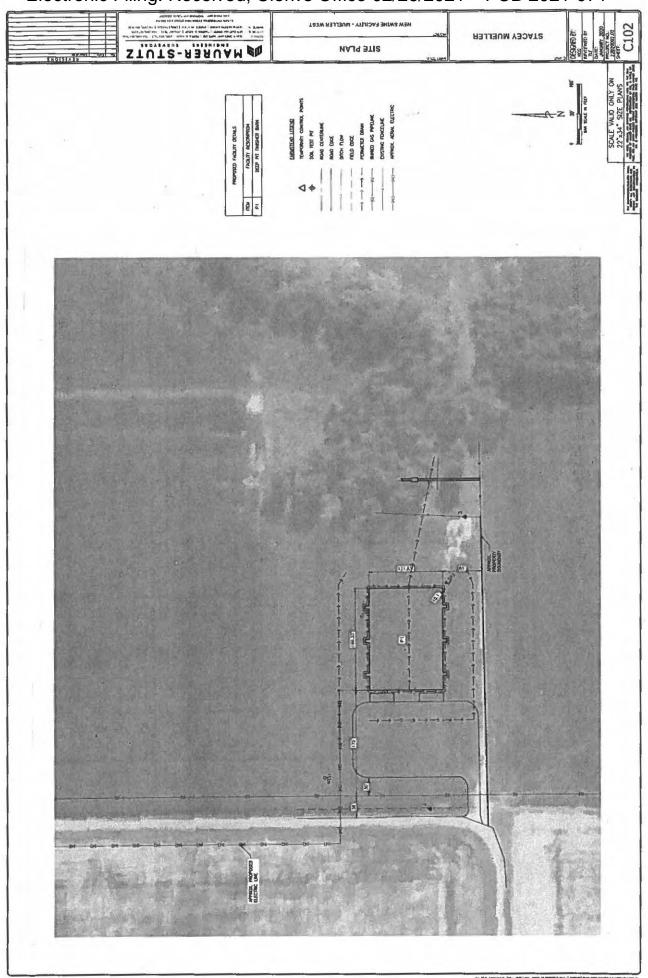
ATTACHMENT 4: Status of Installation

Facilities described in Attachment 1 are fully constructed and in service as of November 1, 2020.

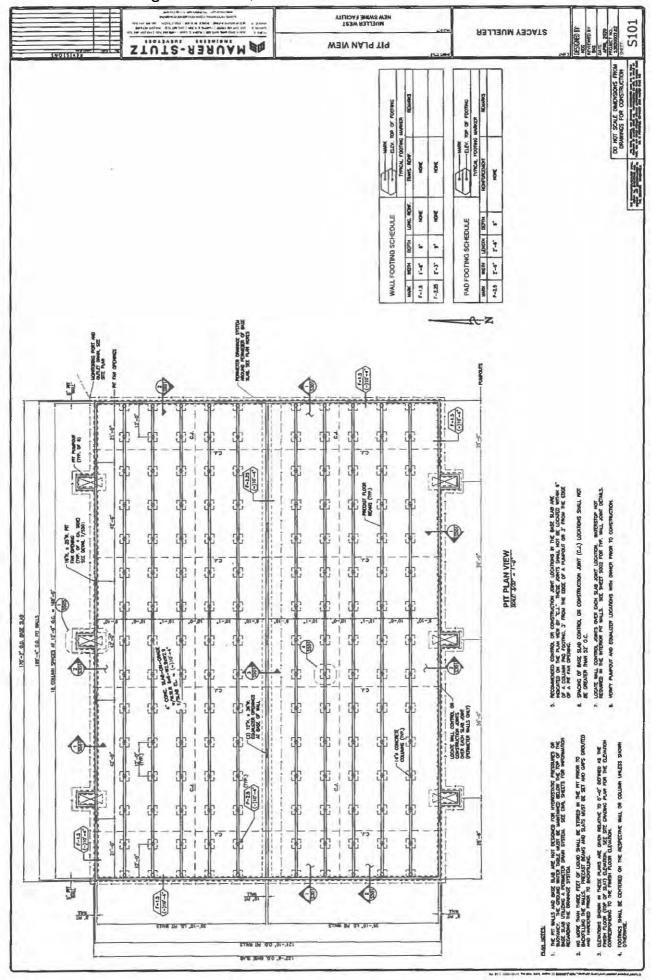
Electronic Filing: Received, Clerk's Office 02/26/2021 **PCB 2021-071** Mueller West Swine Farm



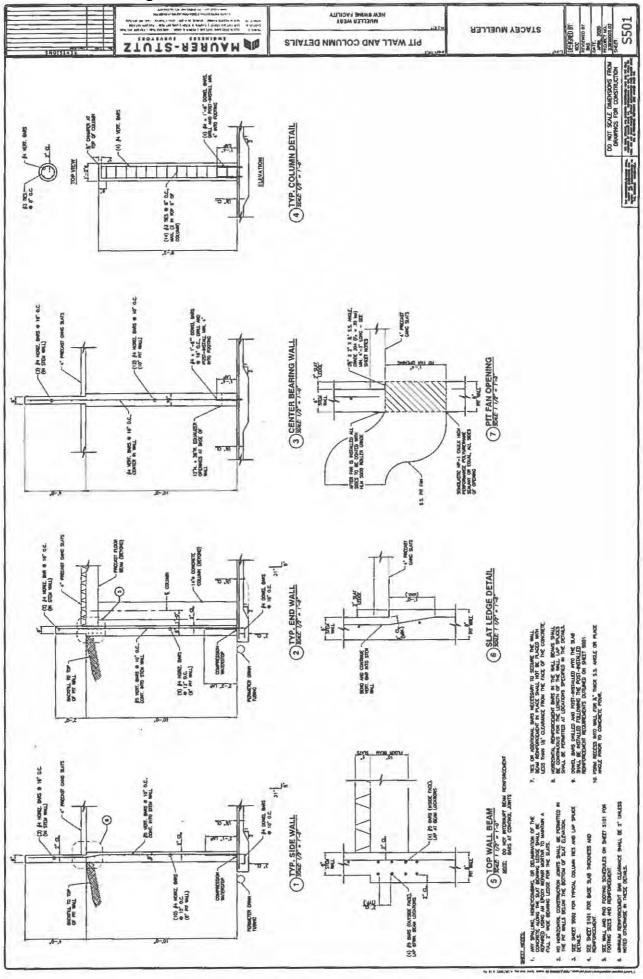
Electronic Filing: Received, Clerk's Office 02/26/2021 **PCB 2021-071**

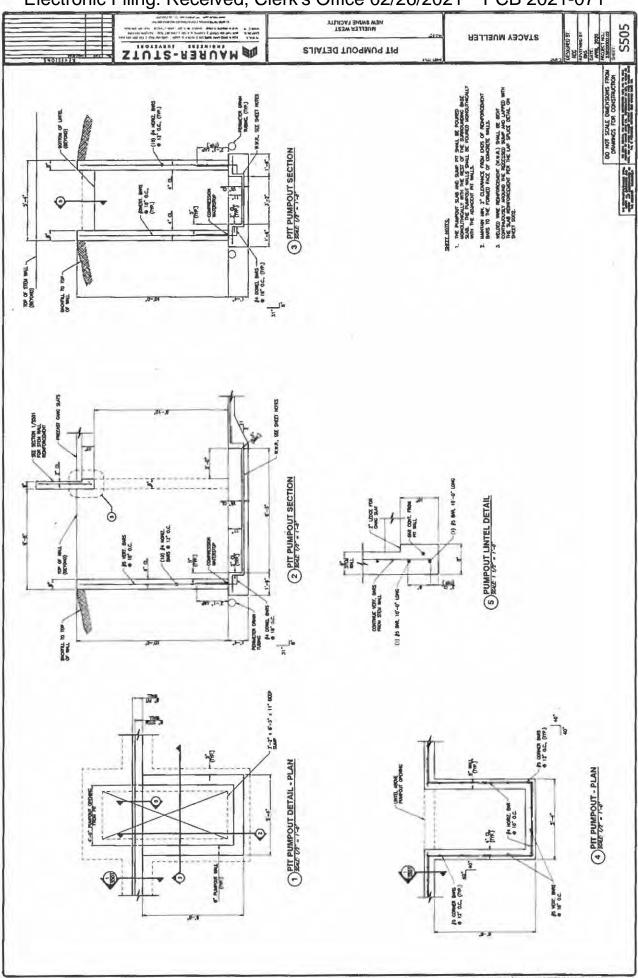


Electronic Filing: Received, Clerk's Office 02/26/2021 **PCB 2021-071**



Electronic Filing: Received, Clerk's Office 02/26/2021 **PCB 2021-071**





Electronic Filing: Received, Clerk's Office 02/26/2021 **PCB 2021-071** NEW SMINE FACILITY MUELLER WEST STACEY MUELLER PRECAST FLOOR MEMBERS CUSTOM PRECAST, INC. MAURER-STUTZ KL CONCRETE AND REBAN DETAILS SHALL CONFORM CI.2 = DEAD + I.6 × UNC) EDIPORCUEOTI Fy = 80,000 sel. (ASTA AB15, 09/00; 80) -07.1 MAE (TOP) 111 8.40 07.1 mig TO GANG SLAT 13 LONGITUDINAL SECTION CHOSS SECTION PLAM D7.1 1/10E -DITS WAT (BOTTOM) 2" LAN. BEARME LENGTH AT EACH END FOR FULL MEDTH OF SLAT

Hafliger, Belinda From: Han, Wei Sent: Friday, November 13, 2020 9:09 AM To: Hafliger, Belinda Cc: LeCrone, Darin Subject: FW: Mueller PCF Applications Attachments: Sibley Finisher_West Parcel PTax Submittal.pdf; Sibley Finisher_East Parcel PTax Submittal.pdf; Prophetstown Finishers North PTax Submittal_6-23-20.pdf; Mueller W Tax SUBMITTAL.pdf; Mueller E Tax SUBMITTAL.pdf Belinda, Please log in these 5 tax certs. The receiving date was yesterday, 11/12/2020. Assign them to me. Thanks, Wei Han, P.E. Illinois Environmental Protection Agency BOW/DWPC/Permit Section 1021 North Grand Avenue E. P.O. Box 19276 Springfield, IL 62794-9276 Phone: 217-524-3034 Email: Wei.Han@Illinois.gov From: Daniel N. Feucht <dnfeucht@mstutz.com> Sent: Thursday, November 12, 2020 1:44 PM To: LeCrone, Darin < Darin.LeCrone@Illinois.gov> Cc: Han, Wei <Wei.Han@Illinois.gov>; Terry L. Feldmann <tlfeldmann@mstutz.com>; Stacey Mueller <muellerstacey74@gmail.com> Subject: [External] Mueller PCF Applications Darin, Please find attached five (5) Pollution Control Facility (Property Tax Treatment) applications for swine finishing sites owned by Stacey Mueller in Bureau, Henry, and Ford Counties. Please contact Terry L. Feldmann or myself at (309) 693-7615 if you have any questions. The applications will follow by paper mail. Regards,

Daniel Feucht, CCA

Daniel

MAURER-STUTZ | Agricultural Services Group

3116 N. Dries Lane Suite 100 | Peoria, IL 61604

Ph: (309) 693-7615 | Fax: (309) 693-7616 | Cell: (309) 635-5046

Email: dnfeucht@mstutz.com | Website: www.mstutz.com

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State of Illinois - CONFIDENTIALITY NOTICE: The information contained in this communication is confidential, may be attorney-client privileged or attorney work product, may constitute inside information or internal deliberative staff communication, and is intended only for the use of the addressee. Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify the sender immediately by return e-mail and destroy this communication and all copies thereof, including all attachments. Receipt by an unintended recipient does not waive attorney-client privilege, attorney work product privilege, or any other exemption from disclosure.

| | STATE OF ILLINOIS |) |
|--------------------|--------------------|---|
| COUNTY OF SANGAMON | COUNTY OF SANGAMON |) |

CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that I have served on the date of February 26, 2021, 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:

Stacey Mueller 23228 2300N Ave, Ohio, IL 61349

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]

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